

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicants

- and -

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

APPLICATION UNDER Rule 14.05 of the *Rules of Civil Procedure*

SUPPLEMENTAL MOTION RECORD

WATERLOO REGION COMMUNITY LEGAL SERVICES
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June 23, 2025

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

MOTION RECORD

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TAB 1

Court File No. CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents/Moving Parties

and

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant/Responding Party

NOTICE OF MOTION

The Respondents, Persons Unknown and to be Ascertained, will make a Motion to a Judge on ~~July 23, 2025~~ **July 24, 2025 at 10:00 am** or as soon after that time as the Motion can be heard.

PROPOSED METHOD OF HEARING: The Motion is to be heard (*choose appropriate option*)

☐ In writing under subrule 37.12.1(1) because it is
[insert on consent, unopposed or made without notice];

☐ In writing as an opposed motion under subrule 37.12.1(4);

☒ In person;

☐ By telephone conference;

[] By video conference.

at the following location

Waterloo Region Courthouse, 85 Frederick Street, Kitchener, ON N2H 0A7.

THE MOTION IS FOR *(State here the precise relief sought)*

- (a) An ex parte interlocutory Order or interim injunction restraining the Applicant, its servants, employees, agents, assigns, officers, directors and anyone else acting on its behalf from enforcing or acting on any part of By-law Number 25-021 of the Regional Municipality of Waterloo, *A By-law Respecting the Use of 100 Victoria Street North, Kitchener (as Owned by The Regional Municipality of Waterloo) to facilitate the Kitchener Central Transit Hub and other Transit Development* (the “Site-Specific By-Law”), including but not limited to:
 - (i) directly or indirectly evicting the Respondents from the property municipally known as 100 Victoria Street, Kitchener, Ontario (the “Encampment”);
 - (ii) preventing the Respondents’ entry to or use of the Encampment site, directly or indirectly, including without limitation the use of fences or other barriers;
 - (iii) preventing the Respondents from relocating their temporary shelter to another part of the premises;

- (iv) prohibiting entry onto the premises of non-residents, including prohibiting vehicle access to the premises;
 - (v) disposing of or removing any personal belongings, real or personal property belonging to the Respondents and located at the Encampment;
 - (vi) engaging in any harassing behaviour towards the Respondents;
- (b) An Order staying the implementation of the Site-Specific By-Law until the Respondents' Application pursuant to the *Canadian Charter of Rights and Freedoms*, Part I of the Constitution Act, 1982, being Schedule B to the Canada Act 1982 (U.K.), 1982, c. 11 ("Charter") and pursuant to section 273(1) of the *Municipal Act*, 2001, S.O. 2001, c. 25 is determined by the Honourable Court;
- (c) An Order regarding the procedural aspects of this Motion, including, but not limited to, waiving or dispensing with the time for delivery of the Notice of Motion and Motion Record, or waiving, shortening, validating or dispensing with the service of the Notice of Application herein, the Notice of Motion and Motion Record on any party, and directions with regard to the procedural aspects of this Motion, including, but not limited to, a timetable, delivery of responding materials, scheduling of cross examinations, a hearing in person or by video attendance or trial of the issues as counsel may advise and this Honourable Court permit;

- (d) An Order abridging the time for service and filing of this motion, further supporting affidavit(s) and factum, if necessary;
- (e) An Order approving service of the Notice of Application, Notice of Motion, and Motion Record by email to the solicitors of record for the Region of Waterloo;
- (f) An Order granting leave to bring this motion, if necessary;
- (g) Costs of this motion on a substantial indemnity basis; and
- (h) Such further and other relief as to this Honourable Court may seem just.

THE GROUNDS FOR THE MOTION ARE *(Specify the grounds to be argued, including a reference to any statutory provision or rule to be relied on)*

- (a) The Respondents are individuals experiencing homelessness and living in tents at the Encampment.
- (b) In addition to the named Respondents, there are people living at the Encampment whose capacity to engage or instruct counsel is in question, who have not retained counsel, and who have no other identified way to participate in these proceedings. The encampment residents who are incapable of instructing their own counsel due to mental health or addiction

barriers have had *amicus curiae* appointed by the court to represent their interests.

- (c) On April 23, 2025, the Region of Waterloo enacted the Site-Specific By-Law.
- (d) The Encampment was the subject of an earlier application to the Superior Court of Justice in *The Regional Municipality of Waterloo v. Persons Unknown and to be Ascertained, 2023 ONSC 670 (the “Encampment Decision”)*. That application brought by the Regional Municipality of Waterloo (the “Region”) was dismissed by the Court on the basis that the proposed evictions under By-law number 13-050, A By-law Respecting the Conduct of Persons Entering Upon Buildings, Grounds and Public Transportation Vehicles Owned or Occupied by the Region (the “Code of Use By-law”) would violate s. 7 of the *Canadian Charter of Rights and Freedoms*. The Court also declined to order the injunctive relief sought by the Region pursuant to s. 440 of the *Municipal Act* on the basis that the Region’s actions in not following its own encampment policy constituted an exceptional circumstance justifying the exercise of discretion to deny injunctive relief.
- (e) The Honourable Justice Valente declared in the Encampment Decision that the Region’s Code of Use By-law was inoperative insofar as it applied to prevent the residents of the Encampment from living on and erecting

temporary shelters under circumstances where the number of people experiencing homelessness exceed the available and accessible shelter beds in the Region;

- (f) Justice Valente further held that the Region may apply for an order to terminate the declaration upon it being in a position to satisfy the Court that the Code of Use By-law no longer violates the section 7 *Charter* rights of the encampment residents.
- (g) The Encampment Decision was not appealed and remains in force and effect as of the date of the filing of this motion.
- (h) Since the date of the decision, the Region has undertaken significant efforts to create a Plan to End Chronic Homelessness (“PECH”) in collaboration and consultation with a group of co-creators and lived experience working groups. The PECH was approved by Council on April 25, 2024 and embraces a human rights’ based approach to addressing homelessness as well as the need for consultation, transparency and trust building with stakeholders across the system including those with lived experience of homelessness.
- (i) Notwithstanding the Court’s declarations in the Encampment Decision, on April 23, 2025, the Region passed the Site-Specific By-law. The Site-Specific By-law contains measures aimed at obtaining vacant possession

of the Encampment by November 30, 2025 in order for the Region to use the property for the construction of the Kitchener Central Transit hub.

- (j) The Site-Specific By-law was passed without any consultation with lived experience groups or community stakeholder and does not conform with the principles contained in the PECH plan endorsed by council the previous year.
- (k) The Site-Specific By-law contains provisions that adversely affects the rights of the residents of the Encampment.
- (l) The Site-Specific By-law defines “Residents” of the encampment as only the people living at the Encampment on April 16, 2025, which is the date that the notice of the By-law was posted on the Region’s website. No notice of the Site-Specific By-law was physically posted at the Encampment.
- (m) The Site-Specific By-law:
 - (i) Authorizes the eviction of anyone who is not a Resident as of April 16, 2025;
 - (ii) Authorizes the eviction of the Residents after November 30, 2025;
 - (iii) Authorizes the erection of fencing or barriers to unoccupied areas of the Encampment so that no new shelters can be erected on that space;

- (iv) Authorizes the removal of any person who engages in any “Prohibited Activity” including but not limited to:
 - (1) “acts reasonably perceived” as threatening, intimidating or sexual harassment;
 - (2) any activity contrary to the *Criminal Code of Canada* or other federal statutes, provincial statutes or municipal by-laws;
 - (3) carrying goods that are offensive, dangerous, toxic, corrosive, flammable or explosive in nature;
 - (4) acts which are contrary to any specific rules or terms of use of the Encampment provided that those specific rules or terms of use have been posted in a conspicuous location at the Encampment.
- (v) Authorizes the eviction of Encampment Residents at any time if they engage in a Prohibited Activity and the Prohibited Activity creates or contributes to a serious risk to their own health or safety or the health or safety of another person;
- (vi) Restricts the Residents of the Encampment from moving their shelters to another area of the premises without the permission of the Region.

- (n) The Respondents and other residents of the Encampment and the homeless population at large were largely unaware of the details of the Site-Specific By-law.
- (o) Almost immediately after the Region posted the notice of the Site-Specific By-law on April 16, 2025 to its website, enforcement of the by-law began with a number of actions by the Region's personnel or designated agents and the result has been immediate harm to the Encampment residents. The enforcement efforts have included but are not limited to:
 - (i) restricting vehicular access to the site;
 - (ii) evicting people from the Encampment if they do not currently have a tent set up there;
 - (iii) preventing residents from moving their tents or setting up a new tent;
- (p) The effect of the Site-Specific By-law and the enforcement actions have caused an atmosphere of fear and uncertainty amongst the Encampment residents. The enforcement has resulted in barriers to residents, including the Respondents, receiving critical services and supplies.
- (q) The Respondents state that the test for an interim injunction is met:
 - (i) there is a serious issue to be tried;

- (ii) the Respondents will suffer irreparable harm if the injunction is not granted; and
 - (iii) the balance of convenience favours the Respondents (*RJR-MacDonald Inc. v. Canada (AG)*, [1994 1 S.C.R. 311 at 334).
- (r) The serious issues to be tried are:
 - (i) the constitutionality of the Site-Specific By-law insofar as it is relied on as legal authority to evict people from the Encampment; and
 - (ii) whether the Site-Specific Bylaw has been passed in bad faith or is illegal and ought to be quashed pursuant to s. 273 of the *Municipal Act*.
- (s) The Respondents will suffer irreparable harm, including but not limited to psychological and physical effects of displacement as well as a loss of property including essential survival items, if evicted from the Encampment. The Respondents will suffer irreparable harm if community members are restricted from donating essential survival items to the site. The Respondents have no where to go if evicted and will suffer from adverse effects on their physical and mental health if forced to be unsheltered. These harms cannot be adequately remedied through an award of damages or the eventual disposition of the case.

- (t) The balance of convenience favours granting the injunction because the Respondents will suffer greater harm if the injunction is refused than the Defendants will if the injunction is granted.
- (u) The Respondents are not asking this Honourable Court to decide the Application under the *Municipal Act* merits or the issue of constitutionality within this motion. Rather, the Respondents request that they be provided interim interlocutory relief so they are not forced to leave the Encampment, while they wait for the serious issues to be decided.
- (v) The Respondents seek relief from the need to file an undertaking regarding damages given the *Charter*-based nature of the relief sought by the Respondents and their indigence. The Respondents also seek relief, if required, from Rule 53.03 of the *Rules of Civil Procedure* due to the urgent nature of this motion.
- (w) Rules 1.03, 1.04, 1.05, 3, 37, 40, 45, and 57 of the *Rules of Civil Procedure*, R.R.O. 1990, Regulation 194;
- (x) Section 101 of the *Courts of Justice Act*, R.S.O. 1990, c. C.43;
- (y) Section 24 and 52 of the *Constitution Act*, 1982;
- (z) Section 273 of the *Municipal Act, 2001*, S.O. 2001, c. 25;
- (aa) Sections 7 and 15 of the *Charter of Rights and Freedoms*;

- (bb) Such further and other grounds as the lawyers may advise.

THE FOLLOWING DOCUMENTARY EVIDENCE will be used at the hearing of the Motion:

- (a) The Affidavit of Josephina Dugas, sworn May 7, 2025
- (b) The Affidavit of Terra-Lynn Weber, sworn May 6, 2025
- (c) The Affidavit of Aaron Price, sworn May 6, 2025
- (d) The Affidavit of James Hammond, sworn May 2, 2025
- (e) The Affidavit of Jeremy Linton, sworn May 6, 2025
- (f) The Affidavit of Jeremy Nichol, sworn May 8, 2025
- (g) The Affidavit of Matthew Stefanac, sworn May 6, 2025
- (h) The Affidavit of Noah Helsby, sworn May 15, 2025
- (i) The Affidavit of Joseph Bradley, sworn May 9, 2025
- (j) The Affidavit of Stephanie McMillan, sworn May 13, 2025
- (k) The Affidavit of Calvin Sharpe, sworn May 30, 2025
- (l) The Affidavit of Julie Lukezic, sworn May 8, 2025
- (m) The Affidavit of Emily “Eddy” Grignon, sworn May 12, 2025

- (n) The Affidavit of Margaret Chee, sworn May 13, 2025
- (o) The Affidavit of Jacara Droog, sworn June 4, 2025
- (p) The Affidavit of Dr. Stephen Hwang, sworn May 6, 2025
- (q) The pleadings, as filed; and,
- (r) Such further and other evidence as the lawyers may advise and this Honourable Court may permit.

~~June 4, 2025~~ June 11, 2025

WATERLOO REGION COMMUNITY LEGAL SERVICES

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Committee (Intervener)

THE REGIONAL MUNICIPALITY OF WATERLOO
Applicants (Responding Party)

-and- PERSONS UNKNOWN AND TO BE ASCERTAINED
Respondents (Moving Party)
Court File No. CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT
WATERLOO REGION

AMENDED NOTICE OF MOTION

**WATERLOO REGION COMMUNITY LEGAL
SERVICES**

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Lawyers for the Respondents

RCP-F 4C (September 1, 2020)

TAB 2

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

APPLICATION UNDER Rule 14.05 of the *Rules of Civil Procedure*

AFFIDAVIT OF JASON PAUL

I, Jason Paul, of the City of Kitchener, in the Province of Ontario, AFFIRM AND SAY:

1. I have personal knowledge with respect to the facts set out below, except where stated otherwise. Where the information is not based on my personal knowledge, it is based upon information provided by others which I believe to be credible and true.
2. I am a 41 year old male.
3. I have two children and two step children.
4. I am single.
5. My mother was fifteen when she had me. She put me up for adoption when I was two. That family kept me for ten years before they put me back in foster care. I was in foster care the remainder of my childhood.

6. I have noticed that a majority of those experiencing homelessness have had some sort of involvement in the child welfare system - whether they grew in it, and/or they have children currently in it. Most people I know who have been in the child welfare system have experienced some sort of abuse (emotional, physical and/or sexual).
7. I experienced mostly emotional abuse from my adopted family. Throughout my time in foster care, I witnessed and experienced some physical abuse.
8. I started using drugs when I was 16. I currently use substances including meth, crack, cocaine and fentanyl. I also smoke marijuana and drink.
9. I have a diploma and a degree in Public Relations from Conestoga College.
10. I worked as a Marketing Director for the night clubs in Kitchener-Waterloo for twelve years.
11. I stopped working in 2020 due to Covid.
12. I have been experiencing homeless on and off since 2020.
13. I have lost a lot of things along the way.
14. I was one of the first 25 people to live at this encampment.
15. I have also slept on the streets.
16. For about 6 months I lived in a cardboard box house that I made. It was large and nice to have my own space. It was during the winter so sometimes I would have friends stay with me inside to keep each other warm.

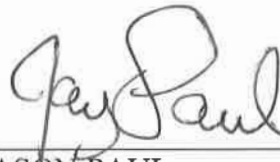
17. I receive OW benefits, including basic needs and shelter benefits, of approximately \$733.00 per month.
18. I was recently illegally evicted from a rental unit set up for me by Starling. I am hopeful Starling will find me a new rental soon. Starling has been a good support for me.
19. A contributing reason to my recent eviction was because of the stigma coming from a shelter. The neighbours often complained to the landlord's about loud behaviour even though I rarely ever had anyone over to visit.
20. This is the fifth time I have moved back the encampment. I've been here for about a month.
21. The longest stretch I lived at the encampment was a year and half.
22. A motel would not work for me because I need a home for my children to visit me at.
23. I do not need a motel to transition me back into housing. I'm ready to move back into a rental unit as soon as one is available for me.
24. I lived at the Erbs Road tiny homes for a period of time. It was okay because I had enough space for my things. However, there is a lot wrong with how that place is run. For example, they do not allow visitors on the property. I had my brother visit from out of province and we had to visit on a random picnic bench nearby. Another problem I had at Erbs Road was that the staff used tap water to make us coffee. The tap water was often brown and stinky. When the water was questionable, they would write a note saying: "brown water, drink at own risk". This was frustrating because there was filtered water there, they just refused to use it for us.

25. I lost my shelter at Erbs Road when I breached my probation and had to return to jail.
26. The original charge that sent me to jail was assault. It was a domestic dispute.
27. I do not like going to shelters because I have a lot of problems with them.
28. I have a lot of things including many art supplies because I am an artist. I cannot bring all of this with me to a shelter.
29. I often feel targeted at shelters because I advocate for what's right and they do not like that.
30. One time, I reported a stolen item to the shelter. They did not want to deal with it. I found the item over the fence so I hopped it to grab my belongings. They said it was trespassing and banned me for 72 hours.
31. Another time I was accessing the shelter, the workers were being trained about how to be inclusive right in front of us. I thought this was unreasonable because shelter workers should already have compassion and know how to be inclusive. I couldn't believe they had to be trained on that, especially in front of us.
32. Overall, shelters have more of a safety risk.
33. I feel safer at the encampment than I do in a shelter.
34. If the encampment wasn't available, I wouldn't have a place with resources and support.
35. There are limited shelter supports in the community during the day. If we didn't have the encampment, we would just disperse throughout the community and set up shelter in more

discreet areas. These are often temporary shelters/encampments because it depends on the season. For example, we may have a hidden spot but then the leaves fall off the trees and we are visible and need to pack up and move everything again.

36. The encampment represents how we all want to live. It gives us freedom to make our own decisions. We don't like having to follow rules that are discriminatory or arbitrary.
37. I have a problem with the security at the encampment. They do not provide any assistance. I have asked them to call me a cab and they refuse. They also block the entrance for cabs to pull in. If I'm to call the cab, the cab drivers will get impatient unsure where to pull over to pick me up and they will drive away.
38. When the by-law first came out, security tried to prevent my friend from setting up a tent. I continue to witness them give people a hard time about setting up tents.
39. Security often linger and watch new residents closely. We've learned to be discreet and typically set up our tents in phases now.
40. I haven't witnessed security evict anyone from the encampment. If an eviction happens, it's a mutual decision by other residents. We have certain rules: don't steal, don't be violent, and don't be disruptive. We can be understanding when the disruptions are mental health related. But if someone is constantly stealing and or being violent, we will collectively evict them.
41. One day, I would like to start a not-for-profit to further advocate for people experiencing homelessness. The system is not good. It needs reform.

AFFIRMED BEFORE ME in the)
City of Kitchener, this 16 day of)
June, 2025)
In the Regional Municipality of Waterloo)



JASON PAUL

ANNIKA MARIE STANTON,
a Commissioner etc.,
Province of Ontario,
while a licensed Paralegal.
LSO #P17289

**THE REGIONAL MUNICIPALITY OF
WATERLOO**
Applicants

and

**PERSONS UNKNOWN AND TO BE
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Respondents

Court File No.: CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at KITCHENER

AFFIDAVIT OF JASON PAUL

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Lawyers for the Respondents/Moving Party

TAB 3

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

APPLICATION UNDER Rule 14.05 of the *Rules of Civil Procedure*

AFFIDAVIT OF JULIE YOUNG

I, Julie Young, of the City of Kitchener, in the Province of Ontario, AFFIRM AND SAY:

1. I have personal knowledge with respect to the facts set out below, except where stated otherwise. Where the information is not based on my personal knowledge, it is based upon information provided by others which I believe to be credible and true.
2. I am a 47 year old female.
3. I ran away from home when I was thirteen years old. I became pregnant at fifteen years old and left home for good.
4. I receive Ontario Works benefits.
5. I am illiterate.

6. I have been experiencing homelessness since November 2024 when I was evicted from my home.
7. I couch-surfed for months, but I chose to stop because I did not want to exhaust my family and friends and I wanted to keep my dignity.
8. I have been a substance user on and off since I was 21 years old.
9. I have been clean for 14 years.
10. I have three children ages 30, 28, and 25, and 3 grandchildren ages 7, 5 and 5.
11. I have been married for 7.5 years and am now separated from my husband.
12. My husband is verbally and physically abusive and I left him when he began using meth. He asked me to move back in to the house to help him get clean. He told me that Ontario Works was paying the rent. As I cannot read, I did not know the rent was not being paid until we got an eviction notice.
13. I lived with my husband for one year before we were evicted for not paying rent. He was living in rent geared to income housing provided by K-W Urban Native Wigwam Project. I was not able to collect all my property because they changed the locks and my name was not on the lease.
14. I have previous work experience in the food and beverage industry as well as the service industry. Please find attached hereto as **Exhibit "A"** a copy of my curriculum vitae.

15. Prior to my eviction I ran my own cleaning business.

16. My husband sabotaged my business by mishandling the bookings. I want to get my business back, but I cannot focus on that until I have permanent housing.

17. I have resided at this encampment since June 6, 2025.

18. The encampment provides safety for its residents and everyone looks out for each other there.

19. I have not had the opportunity to go to a shelter because they are always full. If there are spots open I would rather leave them for families and children. No one deserves to be on the street, especially not children.

20. In the shelter you can't work on yourself. You have to leave during the day, so you're scrambling every day to find a place for the night. I want a room, I want a permanent place so I can create structure for myself.

21. Motels do not help in the long term. They get taken away from you. I want something permanent so I can get stabilized and get my life back. I want a place to be able to bring my grandchildren. I wouldn't bring my grandchildren to a motel or shelter. There are also no supports available at the motel.

22. I cannot afford to rent my own place. I receive under \$400 dollars which barely covers my basic needs.

23. If I could get enough money to set my website up and to get my car out of impound, I could restart my cleaning business. Once I get back to work I can earn enough to pay for subsidized housing.

24. I received help from the ^{HART (Homelessness + addiction recovery treatment)} ~~Heart~~ Hub to look for a place to live. They told me they might have a room I can rent for \$650 a month. With the money left over from paying rent I won't have enough to pay for food. But at the encampment because of the food donations I don't go hungry. You get stuck. If I stay at the encampment I can eat. If I leave and pay rent I don't have money to feed myself. It feels like a trap

25. I like that the encampment allows for privacy. If you don't want to see or talk to anyone, you can stay in your tent. Shelters on the other hand force you into counselling. I think counselling is good, but not when they keep opening up old wounds. We need to focus on the future and how to get better.

26. There is also no heart in the shelter. The encampment is very supportive and it becomes a home.

27. I am on a list for subsidized housing, however, the wait time is 5-10 years. No one from the Region has spoken to me here about housing.

28. I don't experience food insecurity at the encampment because of the donations brought here daily. If people were restricted from dropping off food and water donations, or deterred from visiting because of fencing or more security I would struggle.


29. The security is doing their best, but it would be helpful to have someone who knows what it is like to be homeless. They would understand better how to effectively help people.

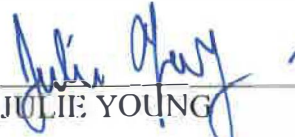
30. There is no in between for support. It is either you are an addict or you are not, no one helps you when you think you might begin using again. Same for housing. There are no supports for people on the edge of homelessness.

31. The Region needs to clean the porta-potty's and empty the dumpsters more often to keep the site clean. *The Region also needs to deal with the rat problem here*

32. If I were to be fined \$5,000, I would not be able to pay it.

AFFIRMED BEFORE ME in the)
City of Kitchener, this 13 day of)
June, 2025)
In the Regional Municipality of Waterloo)


ANNIKA MARIE STANTON,
a Commissioner etc.,
Province of Ontario,
while a licensed Paralegal.
LSO #P17289


JULIE YOUNG

THIS IS **EXHIBIT "A"** REFERRED TO
IN THE AFFIDAVIT OF JULIE YOUNG
SWORN BEFORE ME AT THE
CITY OF KITCHENER ON THIS 13th DAY OF JUNE, 2025

A handwritten signature in cursive script, appearing to read 'Annika', is written over a horizontal line.

ANNIKA MARIE STANTON,
a Commissioner etc.,
Province of Ontario,
while a licensed Paralegal.
LSO #P17289

Julie Young

91 Stanley Ave

Kitchener, ON N2K 3V9

lynny8226@gmail.com (mailto:lynny8226@gmail.com)

Professional Summary

Dedicated and reliable professional with extensive experience in home care, professional cleaning, and client support services. Successfully owned and operated a cleaning business for over three years, earning the trust of residential and business clients through exceptional attention to detail, adaptability, and a strong work ethic. Skilled in managing diverse tasks, from routine cleaning to landscaping, home organization, and renovations. Proven ability to balance entrepreneurship with maintaining a well-kept household as a committed housewife, mother, and grandmother.

Skills

- Residential and commercial cleaning
 - Attention to detail and reliability
 - Client relationship management
 - Scheduling, bookkeeping, and invoicing
 - Home organization, landscaping, and renovations
 - Adaptability to diverse client needs
 - Strong work ethic and hands-on problem-solving
-

Professional Experience**Julie Lynn's Cleaning Service, Kitchener-Waterloo Area**

Owner & Operator

July 2020 – October 2024

- Founded and managed a successful cleaning business serving the tri-city area, overseeing all aspects including client acquisition, scheduling, bookkeeping, and invoicing.
- Performed comprehensive cleaning services and specialized tasks (e.g., landscaping, yard work, interior renovations) tailored to individual client needs.
- Built a loyal client base by maintaining consistent schedules, accommodating special requests, and earning trust with secure access to homes (keys and codes).

- Managed equipment, products, and transportation logistics to ensure efficient service delivery.

Sparkles Cleaning Services Ltd., Kitchener-Waterloo Area

Cleaner

January 2017 – July 2020

- Provided high-quality cleaning services for residential and commercial clients, meeting diverse standards and expectations.
- Demonstrated reliability and attention to detail, contributing to client satisfaction and repeat business.

Various Roles

Prior to January 2017

- Served as an on-site superintendent of a building, overseeing maintenance and operations.
 - Worked in kitchen prep roles at New Orleans Pizza and KFC, honing multitasking and time-management skills in fast-paced environments.
-

Education

University Heights High School, Waterloo

- Finished secondary education

**THE REGIONAL MUNICIPALITY OF
WATERLOO**
Applicants

and

**PERSONS UNKNOWN AND TO BE
ASCERTAINED**
Respondents

Court File No.: CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at KITCHENER

AFFIDAVIT OF JULIE YOUNG

WATERLOO REGION COMMUNITY LEGAL SERVICES
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Lawyers for the Respondents/Moving Party

TAB 4

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

APPLICATION UNDER Rule 14.05 of the *Rules of Civil Procedure*

AFFIDAVIT OF KYLE YORK

I, Kyle York, of the City of Kitchener, in the Province of Ontario, AFFIRM AND SAY:

1. I have personal knowledge with respect to the facts set out below, except where stated otherwise. Where the information is not based on my personal knowledge, it is based upon information provided by others which I believe to be credible and true.
2. I am a 37 year old male.
3. I am a member of the Indigenous community.
4. I receive Ontario Works benefits in the amount of \$292 per month.
5. I have three children ages 14, 14, and 8.
6. I suffer from ADHD and Conduct Disorder.
7. Growing up, I suffered from verbal, physical and sexual abuse from my step-father.

8. I have been suffering from homelessness on and off for five years. It has been 2 and a half years since I have had housing.
9. I became homeless around the time the COVID-19 pandemic began. Seven years ago, my family and I moved to Kitchener from Kingston, Ontario. We lived in a house here for 3-4 years before the pandemic but due to the rising costs of houses during the time, our landlord sold the house. My girlfriend's father offered to let her and our children live in his house, but only on the condition that I was not to live there with them. I wanted my family to remain housed and there was not enough time for us to find alternate housing together, so they took the deal. They have been residing in Cambridge with her father ever since.
10. I have been using substances since the age of 15. I have used various substances such as alcohol, marijuana, cocaine, crack cocaine, and fentanyl.
11. I am currently on the Methadone Program and have been clean from fentanyl for four months.
12. I currently still smoke crack but I am hopeful to become clean one day.
13. I have resided at the 100 Victoria Street Encampment ("Encampment) off and on for years. This time, I have been here for approximately three months.
14. Before returning to this encampment, I resided at the University Avenue Transitional Housing Shelter ("UA") for four months. There are a lot of rules at UA that make it hard to live there. I was removed from the program for allegedly spray painting the wall. They

told me they had video footage of me vandalizing the building, however, when I asked them to show me the video, they could not produce it. I gave up fighting to stay and left.

15. I go back and forth between living at the Encampment and on the streets but the Encampment is safer than living on the streets. The likelihood of people stealing my stuff decreased while living at the Encampment. The police also heckle me less often at the Encampment as opposed to when I am on the streets.
16. The Encampment is also close to the amenities I rely on such as the Ontario Works office, Victoria Wellness, Tiny Home Takeout, and the Soup Kitchen.
17. I have previous work experience in many trades, such as roofing for 8 years and dry walling, as well as work in various factories. I graduated from Herzing College as an electrician and network cabling. This would allow me to work for companies such as Rogers.
18. I find it difficult to get a job due to my addictions and lack of transportation to workplaces.
19. I am on a waiting list for subsidized housing.
20. If I was offered a motel or housing by the Region I would accept it. If the Encampment was no longer available and I wasn't provided with housing I would have to roam the streets again. I'd be bothered by the police all the time.
21. I don't feel like I need a transition into housing. I can take care of myself but if a motel was offered prior to housing, I would accept it.

22. If I was fined \$5,000 by the Region, I would not be able to pay it.

AFFIRMED BEFORE ME in the)
City of Kitchener, this 17 day of)
June, 2025)
In the Regional Municipality of Waterloo)



ANNIKA MARIE STANTON,
a Commissioner etc.,
Province of Ontario,
while a licensed Paralegal.
LSO #P17289



KYLE YORK

**THE REGIONAL MUNICIPALITY OF
WATERLOO**
Applicants

and

**PERSONS UNKNOWN AND TO BE
ASCERTAINED**
Respondents

Court File No.: CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at KITCHENER

AFFIDAVIT OF KYLE YORK

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Lawyers for the Respondents/Moving Party

TAB 5

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

APPLICATION UNDER Rule 14.05 of the *Rules of Civil Procedure*

SUPPLEMENTARY AFFIDAVIT OF STEPHANIE MCMILLAN

I, Stephanie McMillan, of the City of Kitchener, in the Province of Ontario, AFFIRM AND
SAY:

1. I swear this affidavit as a supplement to my affidavit sworn on May 13, 2025.
2. I have personal knowledge with respect to the facts set out below, except where stated otherwise. Where the information is not based on my personal knowledge, it is based upon information provided by others which I believe to be credible and true.
3. I suffer from Intermittent Explosive Disorder (IED). My boyfriend also suffers from IED.
4. I am no longer couch surfing and have moved back to the 100 Victoria Street Encampment ("Encampment").
5. I was staying with a friend but did not want to overstay my welcome, so I left.

6. My boyfriend was also staying with his friend, but also moved back to the Encampment to stay with me.

7. I would like to get permanent housing with my boyfriend. I don't think a motel is necessary to transition into housing, but I would accept a motel if it were offered to me and my boyfriend would have to stay with me as well.

8. There are no shelters available that take in couples, that I know of. It is important for me and my boyfriend to stay together. Sm

AFFIRMED BEFORE ME in the)
City of Kitchener, this 17 day of)
June, 2025)
In the Regional Municipality of Waterloo)



ANNIKA MARIE STANTON,
a Commissioner etc.,
Province of Ontario,
while a licensed Paralegal.
LSO #P17289


STEPHANIE MCMILLAN

**THE REGIONAL MUNICIPALITY OF
WATERLOO**
Applicants

and

**PERSONS UNKNOWN AND TO BE
ASCERTAINED**
Respondents

Court File No.: CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at KITCHENER

**SUPPLEMENTARY AFFIDAVIT OF STEPHANIE
MCMILLAN**

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Lawyers for the Respondents/Moving Party

TAB 6

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

APPLICATION UNDER Rule 14.05 of the *Rules of Civil Procedure*

AFFIDAVIT OF JAMES DAVIS

I, James Davis, of the City of Kitchener, in the Province of Ontario, AFFIRM AND SAY:

1. I have personal knowledge with respect to the facts set out below, except where stated otherwise. Where the information is not based on my personal knowledge, it is based upon information provided by others which I believe to be credible and true.
2. I am a 35 year old male.
3. I have one son who was born in 2012 and lives in Sturgeon Falls with his mother.
4. I have been in a relationship with Stephanie McMillan for 8 years.

12. Stephanie and I had previously lived at the Victoria Park Encampment in Kitchener, but left 2-3 months before it shut down sometime in 2024. We left because we were asked to leave. We moved to the Schwaben club shelter that allowed couples.
13. We had stayed together at the Schwaben Club shelter for a while. Stephanie and I had a physical domestic dispute in and around January 2025. The police were involved and gave me a restraining order against Stephanie. I stopped staying at the Schwaben Club because I was not allowed to stay where she was. Stephanie continued living there until March 2025. That shelter is closed now and there are no other shelter options for couples as far as I know.
14. When we left the Victoria Park encampment and moved to the Schwaben Club, many of our belongings were put into storage in the basement of the Schwaben Club. We have never been able to recover those belongings. All of our belongings are now stored at the tent at the Encampment, we do not have much. When Stephanie moved back to the Encampment she had to start again, trying to find a tent and sleeping gear.
15. I feel safe at the Encampment, and I am able to make sure Stephanie is okay. People look out for each other here, and they look out for her when I am away.
16. I have also slept on the streets including on park benches, and outside city hall.
17. I rely on donations dropped off at the Encampment and the Soup Kitchen for food. If it were not for those food donations we would starve.

24. Water donations will be even more important to me during extreme weather conditions, such
as this weekend.

AFFIRMED remotely by JAMES DAVIS)
at the City of Kitchener, in the Province)
Of Ontario, before me at the Town of Baden)
in the Province of Ontario on June 20, 2025 in)
accordance with O. Reg. 431/20.)


James Davis

ASHLEY SCHUITEMA, A
Commissioner, etc., Province of Ontario,
while a Barrister and Solicitor
LSO # 68257G

**THE REGIONAL MUNICIPALITY OF
WATERLOO**
Applicants

and

**PERSONS UNKNOWN AND TO BE
ASCERTAINED**
Respondents

Court File No.: CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at KITCHENER

AFFIDAVIT OF JAMES DAVIS

WATERLOO REGION COMMUNITY LEGAL SERVICES
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Lawyers for the Respondents/Moving Party

TAB 7

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

APPLICATION UNDER Rule 14.05 of the *Rules of Civil Procedure*

AFFIDAVIT OF MEGAN LOPES

I, Megan Lopes, of the City of Kitchener, in the Province of Ontario, AFFIRM AND SAY:

1. I have personal knowledge with respect to the facts set out below, except where stated otherwise. Where the information is not based on my personal knowledge, it is based upon information provided by others which I believe to be credible and true.
2. I am a 20 year old female.
3. My street name is Savannah.
4. I went to school until grade 11.
5. I suffer from Mixed Personality Disorder, Attention Deficit Hyperactivity Disorder, Bipolar Disorder, and several other mental health disabilities.

6. Due to my mental health, I struggle with aggression. As a result, I have been arrested and charged various times for offences such as stealing, threats and assault.
7. Most of my charges have been dropped. I have stayed in jail before for one night and I never want to go back.
8. I have been experiencing homelessness since the age of 14 when I ran away from home. My mother and I do not have a good relationship.
9. My source of income is Ontario Works in the amount of \$346 per month. I am also trying to get Ontario Disability Support Program benefits because of my disabilities.
10. I have been using substances since the age of 12. I started using cigarettes and marijuana, then began meth and crack. I have overdosed 3-4 times.
11. I have been residing at the 100 Victoria Encampment ("Encampment") for approximately 3 weeks.
12. Before coming to the Encampment, I was staying at the One Roof youth shelter but I left due to safety concerns. I feel safer at the Encampment - people look out for me here, my personal belongings do not get stolen and I am able to sleep better than I did in a shelter.
13. There are many rules at the shelter that I find hard to follow because of my disabilities. The encampment is a better and safer place for me.
14. If the Encampment was no longer available I would have no where to go. I would have to stay at the shelter where I do not feel safe.

15. At the shelter, people are constantly fighting and robbing each other and getting arrested.

16. I rely on donations dropped off at the Encampment for food and I go to the soup kitchen nearby.

17. I am on a waiting list for a motel. I have spoken to some of the housing workers and I think the wait list will take a few weeks.

18. I have previously resided at other Encampments such as in Victoria Park, and other shelters, such as Bridges, and Mary's Place. I was evicted from Bridges and Mary's Place for aggressive behaviour caused by my mental health.

19. I have been denied access to shelters for being over capacity. I have also been denied because of my behaviour in previous visits.

20. I have lost many of my belongings while being homeless including my health card, bank card, clothes, etc.

21. I have been physically and sexually assaulted while living on the streets.

22. I have slept on the streets before coming here, but it is not safe. I have also couch surfed in the past but it is hard to go from place to place. The Encampment provides a sense of stability and safety.

AFFIRMED BEFORE ME in the)
City of Kitchener, this 19 day of)
June, 2025)
In the Regional Municipality of Waterloo)

ANNIKA MARIE STANTON,
a Commissioner etc.,
Province of Ontario,
while a licensed Paralegal.
LSO #P17289

Megan Lopes

**THE REGIONAL MUNICIPALITY OF
WATERLOO**
Applicants

and

**PERSONS UNKNOWN AND TO BE
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Respondents

Court File No.: CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at KITCHENER

AFFIDAVIT OF MEGAN LOPES

WATERLOO REGION COMMUNITY LEGAL SERVICES
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Lawyers for the Respondents/Moving Party

TAB 8

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

APPLICATION UNDER Rule 14.05 of the *Rules of Civil Procedure*

AFFIDAVIT OF AVERY AMENT

I, Avery Ament, of the City of Kitchener, in the Province of Ontario, AFFIRM AND SAY:

1. I have personal knowledge with respect to the facts set out below, except where stated otherwise. Where the information is not based on my personal knowledge, it is based upon information provided by others which I believe to be credible and true.
2. I am a 32 year old female.
3. I suffer from Attention Deficit Hyperactivity Disorder, Anxiety and Depression and Substance Use Disorder.
4. I have a Personal Support Worker ("PSW") certificate from St. Louis Adult Learning and Continuing Education.
5. I worked at Sunnyside Home and Community Housing as a PSW for a year and a half.

6. I began using Crack in or around August of 2024 for several reasons: I hated my job—I was forced into healthcare because the program was free—I was very miserable and lonely, my mental health was very poor, and I was also distant from my family, which caused great hardship for me. I had tried using meth previously, but did not feel the effects, so I did not expect to feel the effects of Crack. I underestimated the drug, and I am now addicted.
7. When I became addicted to Crack, I could not work and I was on sick leave for a few months. Due to my addiction, I was not able to keep in contact with Sunnyside and I was ultimately fired for job abandonment. During my sick leave, I received Employment Insurance. That has since run out and I am not making any money currently.
8. I am in the process of applying for ODSP. However, my application was in my purse that was recently stolen.
9. I want to get clean.
10. When I am clean, I stay with my mother near Algonquin. In or around early June 2025, I came back from Algonquin to visit my father. While I was there, I got into an argument with my stepmother. I asked my father for support in the argument and he told me that he supported his wife. I relapsed following this visit and have been living at the 100 Victoria Street Encampment (“Encampment”) ever since.
11. I resided at 156 Duke Street Kitchener until January of 2025. I was living with my boyfriend at the time but he was not on the lease. My neighbours called the cops because I had an unauthorized occupant in my unit and he was causing a disturbance. I was told if I

left within two weeks, I would not have a negative record, so I did. I have been homeless ever since. I have stayed at the Encampment on and off since then as well.

12. If the Encampment were no longer available to me, I would be forced to stay in severely dangerous places. I have stayed in Trap Houses in the past where weapons and drugs were being sold. I do not want to be in that environment – it is scary.

13. I feel safer at the Encampment than I do at the Trap House. The security makes me feel safe, FightBack is here, and I have made friends here. We look out for each other. Being at the Encampment makes me want to be clean, it's the safest option.

14. Approximately one week ago, I had a seizure as a result of drug use, I was able to get help immediately because of the supports at the Encampment. If I were on the street at that time, it is likely that no one would have known what was happening and I would not have received immediate treatment.

15. I have never stayed in a shelter and am not interested in trying because I have heard horrible things about them. You cannot stay during the day, all your belongings get stolen, and they are filled with drugs.

16. If I were offered a motel, I probably would not take it because it would be an enabler for drugs. There are dealers and a lot of drugs there. In a motel, I would not be pushed to get clean; I would get comfortable there and continue using Crack.

17. I was once invited to a motel with a friend of mine and have witnessed that environment. I could not get clean there. During that visit my phone and bankcard were stolen.

18. I do not think going anywhere else would help me get clean.

19. I rely on donations at the Encampment, the Working Centre, and the Soup Kitchen for food.

20. If the Region fined me \$5,000, I would be devastated. It would be the end for me. It would make it impossible to get my life back together, even if I was clean.

21. This past weekend (June 20-22, 2025) there was an extreme heat warning. There are no cooling stations available after business hours except for at shelters.

22. My tent provides me shelter and protection from the sun when there is nowhere else to go.

23. During extreme weather conditions, such as last weekend, I rely heavily on food and water donations.

AFFIRMED BEFORE ME in the)
City of Kitchener, this 23 day of)
June, 2025)
in the Regional Municipality of Waterloo)



ANNIKA MARIE STANTON,
a Commissioner etc.,
Province of Ontario,
while a licensed Paralegal.
LSO #P17289



AVERY AMENT

**THE REGIONAL MUNICIPALITY OF
WATERLOO**
Applicants

and

**PERSONS UNKNOWN AND TO BE
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Respondents

Court File No.: CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at KITCHENER

AFFIDAVIT OF AVERY AMENT

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Lawyers for the Respondents/Moving Party

TAB 9

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

APPLICATION UNDER Rule 14.05 of the *Rules of Civil Procedure*

AFFIDAVIT OF JAKOB STUBBS

I, Jakob Stubbs, of the City of Kitchener, in the Province of Ontario, AFFIRM AND SAY:

1. I have personal knowledge with respect to the facts set out below, except where stated otherwise. Where the information is not based on my personal knowledge, it is based upon information provided by others which I believe to be credible and true.
2. I am a 25 year old male.
3. I suffer from Attention Deficit Hyperactivity Disorder, Anxiety, and Depression. I also believe I am on the Autism Spectrum but have not yet been diagnosed.
4. My highest level of education is high school.
5. My work experience includes renovations/drywall, tree planting, and being a food expeditor in a restaurant called Cactus Club.

6. My current source of income is Ontario Works.
7. I smoke weed occasionally but I do not drink or do any other drugs. I have also tried psychedelics but I do not use them regularly.
8. I became involved with the 100 Victoria Street Encampment (“Encampment”) in the winter of 2024 because of my volunteer work. I volunteer with an organization that acts as advocates for the residents here and provide assistance/support.
9. I began overnight shifts volunteering with this organization around April 2025, when the Region passed the by-law and put up the garbage bins.
10. I have been experiencing homelessness off and on since 2022 when I left my mother’s home to flee the physical and emotional abuse from her and her boyfriend.
11. When I first left home, my sister let me stay on her couch for a while. She wanted to travel to Portugal so I went along with her for six months.
12. I have accessed youth shelters in the past. They were overcrowded and loud. There was also no also privacy, no where to store my belongings and many rules.
13. From October 2024 – about May 2025 I was renting a room from the landlord and her son. I had to leave because they had more family moving in. I started subletting a place but the person I was subletting from was an alcoholic and abusive towards me. I stopped subletting from him in the beginning of June 2025 and have been experiencing homelessness since.

14. Due to my volunteer work, I was spending approximately half of the nights at the Encampment anyway. However, I do not have a choice anymore because I cannot afford to start renting elsewhere.
15. I have not tried accessing a shelter because I feel safe at the encampment and have privacy. I also have too many belongings to bring with me to a shelter.
16. The encampment provides a sense of community.
17. There is consistent support at the Encampment by local organizations.
18. The location of the Encampment is good for me because there are lots of supportive resources nearby such as the Soup Kitchen.
19. I rely on food and water donations at the Encampment.
20. I like that there is no power dynamic at the Encampment. People can be independent. I prefer to be independent than having to follow the rules in a shelter. I have been in many abusive situations and the fact there is no power dynamic at the Encampment is important to me.
21. If the Encampment were no longer available to me, I would not know where to go. I would lose all consistency and lose access to the sense of community and consistent centralized support the Encampment provides. The Encampment is the best option for me.

22. I would accept a motel if it were offered to me by the Region. However, I would prefer the motel to be close to the supportive resources I am familiar with and frequently access. For example, I would not want to be set up in Cambridge.
23. I do not need a motel to transition back into housing but would accept a motel for a place to stay. I can take care of myself but it is just too expensive.
24. I find the security at the encampment is unnecessary. They do not actually help anyone here. They often just get involved in disputes among tenants that do not even need involvement from security. I also find them to be quite coercive. When dealing with disputes, they do not take input from people and do not seem to have the interest of the residents in mind. They are more concerned with justifying their authority rather than actually helping.
25. When my volunteer organization was setting up a tent, the security was trying to prevent us and cited the by-law. At this time, the by-law was not even passed yet.
26. I have witnessed security many times cite the by-law to try to prevent people from moving their tents and/or setting up new tents.
27. There is a cleaning company that comes by the Encampment periodically. It is helpful that they clean up some garbage and needles. However, security often has the cleaning company remove resident's tents and belongings if they have not seen the resident for a few days. Just because security had not seen them for a few days, does not mean they are no longer living there. I have witnessed too many residents lose their tents and belongings due to this.

28. If the Region fined me \$5,000, I would not be able to pay it. That is multiple times all of my money. It would further burden me and I would not be able to pay for my essential expenses such as food.

AFFIRMED BEFORE ME in the)
City of Kitchener, this 23 day of)
June, 2025)
in the Regional Municipality of Waterloo)



ANNIKA MARIE STANTON,
a Commissioner etc.,
Province of Ontario,
while a licensed Paralegal.
LSO #P17289

JAKOB STUBBS



**THE REGIONAL MUNICIPALITY OF
WATERLOO**
Applicants

and

**PERSONS UNKNOWN AND TO BE
ASCERTAINED**
Respondents

Court File No.: CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at KITCHENER

AFFIDAVIT OF JAKOB STUBBS

WATERLOO REGION COMMUNITY LEGAL SERVICES
450 Frederick Street, Unit 101
Kitchener, Ontario N2H 2P5

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Shannon K. Down (LSO# 43894D)
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Lawyers for the Respondents n

TAB 10

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

APPLICATION UNDER Rule 14.05 of the *Rules of Civil Procedure*

AFFIDAVIT OF SARA ESCOBAR

I, Sara Escobar, of the City of Kitchener, in the Province of Ontario, AFFIRM AND SAY:

1. I have personal knowledge with respect to the facts set out below, except where stated otherwise. Where the information is not based on my personal knowledge, it is based upon information provided by others which I believe to be credible and true.
2. I am the co-founder of Peregrine Outreach Waterloo Region, a worker led initiative that supports outreach staff from social services organizations in Waterloo Region.
3. I have been working in the social services sector for over 20 years. My job positions have included front-line worker in the shelter system and street outreach worker for a variety of organizations including oneRoof, The Working Centre, and the House of Friendship.

4. I am extremely familiar with the issue of homelessness and the shelter system in Waterloo Region and the complexities of serving the street involved population. I am currently employed as a community development worker at a local shelter.

NUMBERS OF INDIVIDUALS EXPERIENCING HOMELESSNESS IN THE REGION

5. A Point in Time (PiT) count was conducted in Waterloo Region on October 22, 2024. I participated in the PiT count in Cambridge with the aim of trying to capture women in Cambridge that are experiencing hidden homelessness. A total of 2,371 individuals were estimated to be experiencing homelessness in Waterloo Region on October 22, 2024. This number has more than doubled from the PiT Count conducted in September 2021, which found a total of 1,085 people were experiencing homelessness. Attached hereto and marked as **Exhibit "A"** is the **2024 Point in time Infographic** document which was produced by the Region of Waterloo.

SHELTER SYSTEM IN WATERLOO REGION

6. In my experience, the shelter system has been very unstable in our region. Some shelters are temporary and close due to a lack of funding, issues in the neighbourhood or other problems. There are gaps in service that occur when an existing shelter closes and a replacement has not been found. Emergency shelters close frequently, they are temporary, and there is no guarantee they will remain open to continue to house people.

7. This has happened numerous times over the past few years with the most recent example being the shelter operated by the Working Centre at the former Schwaben Club site on King Street in Kitchener (the “King Street Shelter”). This shelter was co-ed and had beds for up to 100 people. At the end of March 2025 the King Street Shelter closed and there was not a replacement so outreach workers had to try to find places for the people using the shelter. Not everyone was placed in a shelter or housing. The shelter where I work in Cambridge was able to take 10 women leaving the King Street Shelter but I know some people at the King Street Shelter were not able to find an indoor place to go and some people ended up on the streets. Attached hereto and marked as **Exhibit “B”** is a print-out of the Record article dated March 31, 2025 titled “More desperation for homeless people as shelter, CTS site closes”.
8. At the end of April 2025, two temporary warming centres closed for the season resulting in a loss of 60 beds. This happened at the same time the Region implemented their Site-Specific Bylaw and began limiting any new residents from moving to the Victoria Street Encampment. Attached hereto and marked as **Exhibit “C”** is a print-out of the Record article dated May 15, 2025 titled “Cambridge warming centre ‘over capacity most nights’”.
9. The Cambridge Shelter Corporation also operates a healthcare facility out of the former Kinsman space. This space has 16 beds available for people that are considered medically fragile, but mobile. This space is at risk of closing and my understanding is that it is likely closing soon. I am not aware of any replacement for this space. Attached hereto and marked as **Exhibit “D”** is a print-out of the CTV News article published May 22, 2025 titled “Cambridge shelter’s healthcare facility needs a home”.

10. Front line workers have advised me that there is currently a hold on any new intakes into any of the Region's affordable housing waitlisted units (typically 10 years long waitlist) because any openings that come available are to be prioritized for residents from the Victoria Street Encampment. At the most recent Plan to End Chronic Homelessness meeting on May 15, 2025 I raised this issue and asked what the message should be to others in our community experiencing homelessness who are being bumped from their priority spot on this long waitlist because they are not living in this specific encampment.
11. In Waterloo Region there are only 67 emergency shelter beds for women and gender diverse people, 20 in Cambridge and 47 in Kitchener. The Cambridge shelter operates 24 hours a day, 7 days a week and it is always at capacity. In Kitchener the emergency shelter for women at 84 Frederick Street is overnight only and the women have to leave during the day. It is my understanding that there are a few beds available nightly at the 84 Fredrick Street shelter because the women in Kitchener find it too challenging to pack up each morning and carry around their belongings with them all day.
12. As far as I am aware there are no emergency shelter spaces for opposite sex couples. The only housing provider that could accommodate couples right now is University Ave, run by SHIP which is transitional housing, not emergency shelter. In order to be approved to stay at University Avenue in Waterloo, a couple would need to qualify through Regional housing and also through the SHIP intake process. SHIP as a service provider has many rules and policies related to substance use.

13. There are also people who have service restrictions at certain shelters and are banned from Regional buildings. This makes it very difficult for these people to access any services run by the Region.
14. We are experiencing high levels of people experiencing homelessness for the first time ever. These people will connect with outreach workers and ask where a safe place is to set up a tent. For newly homeless people it is essential that they be able to shelter themselves somewhere close to social services, as opposed to hiding away on the outskirts. As they are inexperienced in living rough, they need to be close to resources.

ENCAMPMENT EVICTIONS IN WATERLOO REGION

15. In the summer and fall of 2023 I supported many people that were experiencing encampment evictions in the City of Cambridge. In and around August 2023, a number of residents were evicted from an encampment at 150 Main Street. The Region of Waterloo owned this property and they put fencing around the property in 2022 to try to limit access to new residents. The Region slowly moved the fencing to decrease the amount of space the residents had access to until only a few residents remained.
16. I was doing outreach in Cambridge at the time and was at the encampment almost daily during this period. The residents complained to me about the fencing. Some indicated they felt corralled in or caged in. Some residents indicated that they felt the fencing removed a level of

privacy that was there previously. I personally observed people pulling into the lot to inquire and ask what the fencing was for. I observed people throw things through the fencing at the encampment residents. Although the Region claimed the fence was added to provide safety for the residents, in my observations the fencing did not add anything the security guards on site did not already provide.

17. In and around September 2023, I supported people living at an encampment in Soper Park in Cambridge during an eviction. More than 30 residents were evicted by the City of Cambridge. Many of these residents were people that had previously been living at the encampment at 150 Main Street.

18. There is an encampment eviction taking place in Cambridge today by the City of Cambridge. There are four couples plus one man being evicted, with the couples having no where to go.

19. When people are evicted from an encampment or are placed into temporary shelter or motels, they often lose their survival items like tents, tarps, cooking and warming tools, sleeping bags and clothing. These items are incredibly difficult to obtain for people experiencing homelessness and outreach workers are regularly asked if we can provide these items. We regularly have to make requests of community to donate these items so we can distribute them.

MOTELS

20. In my experience motel spaces are typically provided to people experiencing homelessness that have a health issue, such as an infection or some sort of significant health concern. The idea is to let people stay in the motel for a period of time until they are medically stabilized. After a person is stabilized they may go to the emergency shelter or the street.
21. Motels are not a substitute for stable housing or supportive housing. Sometimes the funding runs out. Also people get kicked out frequently for a variety of reasons. The motel owners set the rules and decide when they want to kick someone out. People get kicked out for behaviour related to mental health disabilities including hoarding, damaging the rooms, allowing too many visitors, acts of violence, or substance related concerns.
22. The ability of outreach workers to support people at motels is limited. Outreach workers are already overburdened and people at motels frequently require regular support including food and medication deliveries, check ins for mental health crises and other support. There is not enough outreach capacity to meet the needs of people staying in motels.
23. There are risks for people at motels. Sex trafficking, drugs and violence are known risks for people staying at motels. In my experience some of the owners and staff at the motels are not safe for vulnerable individuals to be around, including women, gender diverse individuals, youths and seniors.

24. The motel itself also reserves the right to deny access to certain people. On a couple of occasions I brought someone to a motel and the motel staff requested that I bring the person to the front desk first so they can assess whether this is a person that is banned from their space, or someone that has a service restriction at that particular motel. When someone is evicted from a motel they return to an emergency shelter if there is space or to the street.

25. I make this Affidavit in support of the Notice of Motion, and for no improper purpose.

AFFIRMED BEFORE ME in the)
City of Kitchener, this 23 day of)
June, 2025)
In the Regional Municipality of Waterloo

A handwritten signature in blue ink, appearing to read 'Ashley Schuitema', written over a horizontal line.

ASHLEY SCHUITEMA,
a Commissioner, etc.,
Province of Ontario,
while a Barrister and Solicitor,
LSO #68257G

A handwritten signature in blue ink, appearing to read 'Sara Escobar', written over a horizontal line.
SARA ESCOBAR

THIS IS **EXHIBIT "A"** REFERRED TO
IN THE AFFIDAVIT OF SARA ESCOBAR
SWORN BEFORE ME AT THE
CITY OF KITCHENER
THIS 23TH DAY OF JUNE, 2025

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ASHLEY SCHUITEMA
A Commissioner, etc.,
Province of Ontario,
While a Barrister and Solicitor.
LSO # 68257G

2024 Point in time count findings



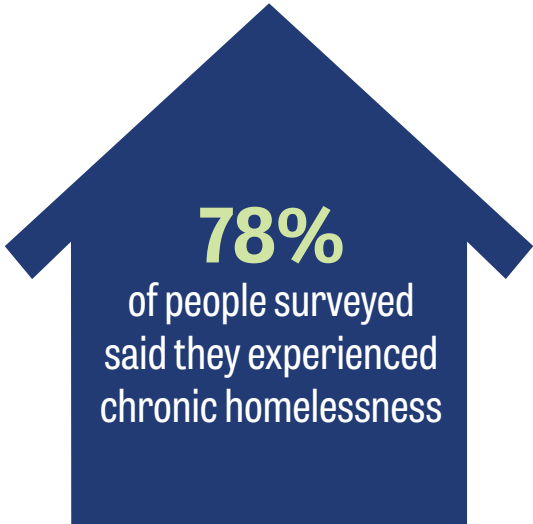
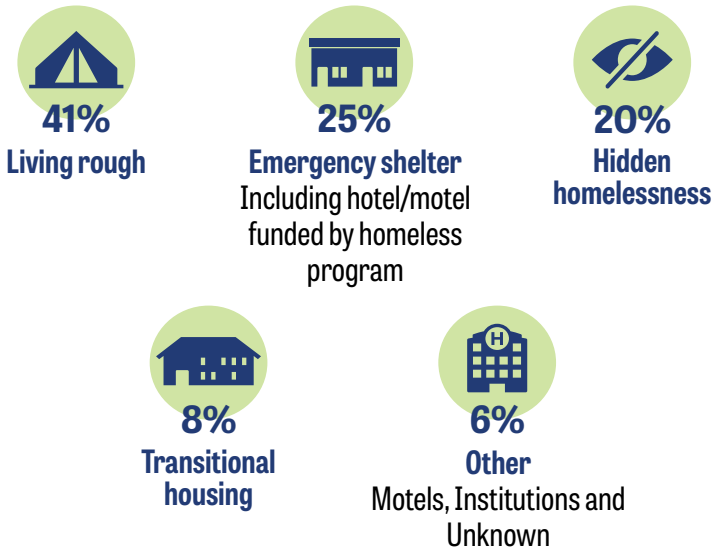
2371 people experiencing any type of homelessness were counted on October 22, 2024.

- 1009 people living rough (living in encampments, on the street, or staying in their vehicle)
- 446 people staying in an emergency shelter
- 353 people experiencing hidden homelessness (staying with friends or family, or temporary accommodations)
- 221 people staying in transitional housing
- 153 people staying in a motel funded by the Region
- 100 people in institutions (hospital, police custody)
- 89 people staying in unknown or undisclosed locations

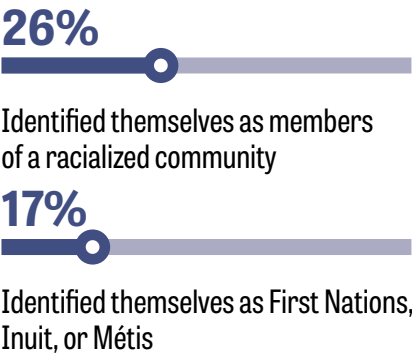
1790 people included in the point in time count filled out a survey. A summary of the responses they shared is outlined below.

WHERE/HOW LONG

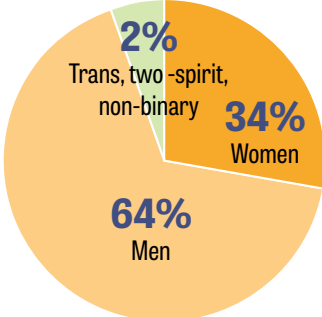
Where people are experiencing homelessness*



Racial identity

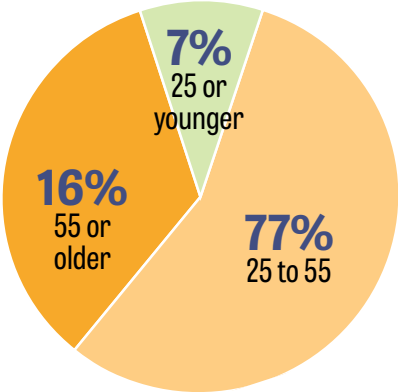


Gender identity

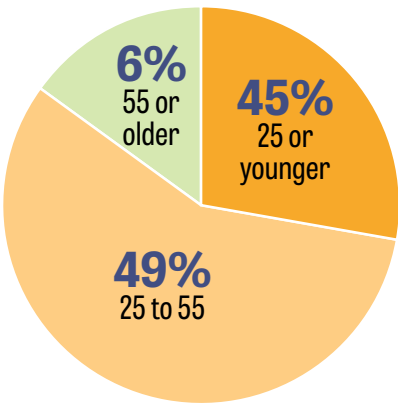


WHO

Age of survey respondents



Age when people first experienced homelessness



* The number of people experiencing homelessness in these locations differs from the numbers reported at the top of the page as this section reports on where survey respondents are experiencing homelessness - not everyone experiencing homelessness filled out a survey. Not everyone who participated in the survey answered every question. The percentages above are based on total responses for each question.

EXPERIENCES OF HOMELESSNESS

Top 5 reasons

people said caused their
experience of homelessness

Not enough income for housing **(44%)**

Conflict with spouse / partner **(18%)**

Landlord / tenant conflict **(13%)**

Unfit / unsafe housing conditions **(12%)**

Substance use issues **(11%)**



Health challenges reported by survey respondents

72%

Substance use

70%

Mental health

44%

Illness / medical condition

29%

Physical limitation

28%

Acquired brain injury

Top 10 services that would be helpful



Finding affordable housing
(76%)



Housing search support
(54%)



Bus pass
(53%)



Finding a job
(49%)



Accessing income support (e.g. OW, EI)
(45%)



Internet access
(42%)



Getting ID
(41%)



Outreach workers
(41%)



Secure storage
(39%)



Washrooms, showers
(39%)



Top 10 challenges to finding safe permanent housing

Low income **(80%)**

Rent too high **(78%)**

Addiction **(33%)**

No income assistance **(32%)**

Poor housing conditions **(31%)**

Mental health issues **(29%)**

Discrimination **(27%)**

Criminal history **(19%)**

Family breakdown / conflict **(18%)**

Physical health issues, accessibility **(16%)**

To learn more about Waterloo Region's Plan to End Chronic Homelessness, please visit:

engagewr.ca/end-chronic-homelessness

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https://www.therecord.com/opinion/columnists/more-desperation-for-homeless-people-as-shelter-cts-site-closes/article_237ea210-8ef8-53df-b258-cb4141fa4dc6.html

COLUMNISTS

Opinion | More desperation for homeless people as shelter, CTS site closes

A 100-bed shelter closes March 31. What happens to the homeless people who no longer have the ability to spend the night indoors, Luisa D'Amato asks.

March 31, 2025   



Dr. Maria Matsuda, left, talks to Glen Soikie outside the King Street shelter in Kitchener, Thursday.

Mathew McCarthy Waterloo Region Record

By Luisa D'Amato Reporter

Luisa D'Amato is a Waterloo Region Record reporter and columnist. She writes on issues affecting day-to-day life in the area. She can be reached at ldamato@therecord.com.

Homeless people in this community have frozen to death overnight. Some have diseases like trench foot, a common illness in soldiers of the First World War when they couldn't keep their feet dry.

Some have lost fingers to frostbite. Some people on the street will light candles or a fire to stay warm, and sometimes they get burned. Or they might have a head injury or a wound from the violence that's everywhere in street life. They might get the flu or a virus, as we all do.

If you're living outside on the streets, those injuries and illnesses are harder to treat, and more likely to develop into something more serious, even fatal, said Dr. Maria Matsuda, a physician who treats homeless people at shelters, soup kitchens and encampments.

"The streets are not safe," said Matsuda, who is part of a medical outreach team with the Waterloo Region Inner City Physicians' Group.

If people living on the street could have a shelter bed where there are staff to help, they could keep themselves warm and dry, and keep track of medical appointments.

The health problems they face mean there is a much lower life expectancy for unhoused people, compared to people with a roof over their heads, she said.

And so Matsuda is deeply concerned about the closure on March 31 of two places that homeless people have gone for help.

One is a Kitchener shelter, run by The Working Centre, which housed 100 homeless people at 1668 King St. E. in the former Schwaben Club.

The other is the drug consumption and treatment services site on Duke Street West, near Kitchener City Hall. It must close by order of the provincial government, which does not want to fund supervised drug consumption services anymore.

As for the shelter on King Street, the government of Waterloo Region planned for it to stop operating Monday. Staff are trying to find other homes for the people who are there.

But the loss of those 100 shelter spaces, and of the drug consumption site, which offered much more than just supervision of drug-taking, is a tragic step backwards.

"It's a place to belong, a community that extends kindness and compassion," Matsuda said of the consumption site. "It's a safe place where people can go."

In 2024, Kitchener's site recorded 15,050 client visits and managed 79 overdoses on-site. Since opening in 2019, the site has overseen more than 1,000 overdose interventions with zero fatalities.

It wasn't just about taking drugs in safety. You could also sit down on a couch after many hours of being told to move along. You could get a drink of water or a snack. You could make a phone call, soak your feet, and dry your shoes.

The consumption site [will be replaced](#) by a Homelessness Addictions Recovery Treatment (HART) Hub, which will open April 1. Some services there will be delayed because funding from the province has been delayed.

Another support centre will open, run by Sanguen Health Centre.

As for the shelter spaces, Ryan Pettipiere, director of housing for the Region of Waterloo, said the region has purchased the building at 84 Frederick St., and it is now a shelter with 47 beds.

But that's not really an addition, because the Kitchener-Waterloo YW used to operate that building as a shelter, with room for 66 people. The agency sold the building last year.

There's a new shelter in Cambridge with room for 20 women that opened this past winter. And there were also winter "warming centres" in Cambridge and Kitchener that took a total of 50 people. They'll close in April.

But beyond that, "at this point we don't have additional plans to open additional shelters," Pettipiere said.

He's aware, as everyone operating emergency shelters is, that the number of homeless people is growing, and their needs are becoming more complex.

It's a problem that the Region of Waterloo, as a municipality, can't manage anymore by itself, with limited property tax dollars.

Instead, it is trying to focus on offering rent supplements and helping to build permanent affordable housing. If someone in a shelter is ready to move into permanent housing and live on their own, that would free up a bed for someone living on the street.

"We know the problem continues to grow," Pettipiere said. "We're doing what we can with the resources we have."

Those who work with unsheltered people agree that more shelters are badly needed. They're a port in a storm, a place to stabilize and recover, between the brutally violent life on the street and living in an apartment.

But it's getting harder and harder to find a place on which to build a shelter, even a temporary one, says John Neufeld, CEO of the House of Friendship, which has operated shelters and supportive housing for decades.

"Wherever you go, you get the door slammed shut on you," he said. "Nobody wants a shelter near them ... It's so hard to find a location."

Temporary shelters are hard on residents and staff, because of the uncertainty. "You're working with what you have, not what you need."

By contrast, permanent shelters with health supports "have demonstrated very strong outcomes and better health for those experiencing homelessness," he said.

Fifteen years ago, there were plenty of spaces in local shelters, he said.

But a number of factors has changed a lot of things. Key among them is the high levels of drug addiction on the streets.

Synthetic drugs like fentanyl are cheap and easily available. They're also deeply damaging and it's almost impossible to get free from addiction to them.

"We're putting toxins in our bodies that shouldn't be there," Neufeld said. "They're creating permanent long-term brain damage."

"You see the human suffering and pain at a level you've never seen before," he said.

Still, Neufeld said, progress is being made.

Before the pandemic, there were about 250 shelter spaces across the region and now there are about double that number.

And new supportive and affordable housing spaces are coming soon as well: the Indwell renovation of St. Peter's Lutheran Church with 41 units, the House of Friendship building on Charles Street with 170 units, and 97 Victoria, with 44 units.

Yet even with all those spots, most expected to open next year, the number of homeless people may be growing faster than our ability to build.

Right now, we still don't have enough shelter spaces, and hundreds of people still live in terrible conditions in tent encampments, in their vehicles, or sleep right on the street.

At the King Street shelter, there are still about 15 people left who "are unable to find a spot that meets their needs," said shelter operator Stephanie Mancini of The Working Centre on Friday.

"We continue to work with them to bridge to prioritized spots in the shelter system," she said.

Luisa D'Amato is a Waterloo Region Record columnist. Reach her by email at ldamato@therecord.com

Opinion articles are based on the author's interpretations and judgments of facts, data and events. [More details](#)

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ABOUT THE RECORD

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https://www.therecord.com/news/waterloo-region/cambridge-warming-centre-over-capacity-most-nights/article_1d96b7e3-ff56-5782-9f5e-526e3a14d308.html

WATERLOO REGION

Cambridge warming centre ‘over capacity most nights’

When the program shifted to serving only men in late February, the attendance steadily increased, peaking in April.

Updated May 15, 2025 at 2:55 p.m. | May 15, 2025



Cameron Dearlove, executive director of Porchlight Counselling and Addiction Services, at the organization's Cambridge office on Thursday, May 15.

Mathew McCarthy/Waterloo Region Record

By Prabhnoor Kaur Reporter

Cambridge's warming centre was full most nights last winter, sometimes even going over capacity.

"In March and April, we had a capacity of 30 and we would consistently see 30 to 35 men a night," said Cameron Dearlove, executive director of Porchlight Counselling and Addiction Services. "So we would go over capacity most nights, by a few people."

The overnight warming centre operated throughout the winter at Wesley United Church in Cambridge, offering warmth, food and compassion to individuals experiencing homelessness.

Funded by the region and run by Porchlight, the centre initially served only women until the YWCA's women's shelter opened in late February.

It then transitioned to exclusively serving men, with attendance rising steadily before reaching its peak in April.

"I think it was partly because the weather was not that nice, actually. It was still rainy," Dearlove said.

Guests gave very positive feedback about the program.

"They (guests) just really appreciated everything that was being done. Being able to come in and find warmth and kindness and food and a safe place to sleep," he said, adding the program's end last month left some guest worried.

"We certainly heard from the guests that there was a lot of anxiety at the end of April because the program was closing and they were, of course, quite worried about what would happen next for them."

The strong turnout, Dearlove said, shows there are many people in Cambridge who want to come indoors, but there aren't enough low-barrier shelters — places where people can just show up without needing to register or meet requirements.

"This being a very low barrier way for people to come inside ... that low barrier type of support is something that the guests were drawn to and appreciated," he said.

He believes the community needs more of all types of housing, he said, "so that people can move through the system and get housed."

The program ran with three staff members each night. In total, six full-time overnight workers were hired, along with backup casual staff and two cleaners.

There were no major challenges, but Dearlove said the project took an emotional toll on staff.

“There’s like a concept of moral injury,” Dearlove said. “The staff want to be able to help people a whole lot more than they’re able to ... within the system, we don’t have the resources to help people the way that they might want to.”

Porchlight is hoping to run the overnight warming centre again next winter — and start earlier in the season on Nov. 1.

Wesley United Church supported the project by providing a space.

“As far as accessibility for people to get there — very good location,” Dearlove said. “I think we were lucky with our partners there.”

With the summer already bringing warmer temperatures, there are no confirmed plans yet for a cooling centre.

“It’s certainly something that I think a lot of people would like to see,” Dearlove said, adding extreme weather happens in both winter and summer and some people need shelter all year round.

“If there were to be a cooling centre, for example, then it would be up to government funding to make that a possibility.”

PK

Prabhnoor Kaur is a Waterloo Region-based general assignment reporter for the Cambridge Times. Reach her at newsroom@cambridgetimes.ca.

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IN THE AFFIDAVIT OF SARA ESCOBAR
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CITY OF KITCHENER
THIS 23TH DAY OF JUNE, 2025

A handwritten signature in black ink, appearing to read 'Ashley Schuitema', written in a cursive style.

ASHLEY SCHUITEMA
A Commissioner, etc.,
Province of Ontario,
While a Barrister and Solicitor.
LSO # 68257G

[Kitchener](#) | News

Cambridge shelter’s healthcare facility needs a home

By [Jeff Pickel](#)

Published: May 22, 2025 at 5:54PM EDT

Cambridge shelter needs a new home

A shelter in Cambridge, focused on helping people heal and recover, is at risk of shutting down. CTV’s Jeff Pickel reports.

02:56 / 02:56

A shelter in Cambridge, focused on helping people heal and recover, is at risk of shutting down. CTV’s Jeff Pickel reports.

The Cambridge Shelter Corporation is at risk of losing a healthcare facility serving the Region of Waterloo’s homeless population.

According to the Cambridge Shelter Corporation, the operators of The Bridges Shelter, during COVID-19 they were tasked with managing an isolation site for the unhoused population.

The facility is currently located at 650 Concession Road in the former Kinsmen Childcare Centre.

With the lease soon expiring, The Cambridge Shelter Corporation said they need help to keep the service in operation.

“This building we are currently in is owned by the Region of Waterloo,” Wayne Paddick, CEO of The Cambridge Shelter Corporation, said. “Regional council has passed the motion - they are turning this into a new EMS hub for the Region, which is very much needed.”

[In August of last year, regional councillors approved a plan to redevelop the property into a new paramedic station.](#) Construction could be finished by 2027 and would cost approximately \$12.6 million.

However, the decision leaves the healthcare facility facing an uncertain future, even though the region is still funding staffing and operations.

“Now we are in a position where, by the fall, we need to move this program elsewhere. It comes down to a funding issue,” said Paddick, explaining the organization is still on the hook for the cost of rent.

Paddick said facilities like the one that had been running out of the former Kinsmen Childcare Centre can ultimately save the region money by reducing healthcare costs. He said without those services, people in the shelter system can end up back at the hospital when they can’t find a suitable place to recover.

“By having this, it alleviates some of the financial strain on emergency services,” Paddick said.

Paddick points to data provided by homelessshub.ca that said the average cost of a hospital admission for a person who is homeless is \$2,559. The cost of a night at the Kinsmen Centre is \$130.

“I hate to use the term savings, but it’s a huge benefit to have a facility like this in our community because it frees up emergency department space,” Paddick said.

[The Cambridge Shelter Corporation is asking for donations from the community](#) and looking for larger corporate donation opportunities.

“If there are any organizations or companies that wants to, for example, throw their name on the program, we’re selling the rights to that,” said Paddick.

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**THE REGIONAL MUNICIPALITY OF
WATERLOO**
Applicants

and

**PERSONS UNKNOWN AND TO BE
ASCERTAINED**
Respondents

Court File No.: CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at KITCHENER

AFFIDAVIT OF SARA ESCOBAR

WATERLOO REGION COMMUNITY LEGAL SERVICES
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Lawyers for the Respondents/Moving Party

TAB 11

**ONTARIO
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

AFFIDAVIT OF DAVID ALTON

I, David Alton, of the City of Kitchener, in the Province of Ontario, AFFIRM AND SAY:

1. I have personal knowledge with respect to the facts set out below, except where stated otherwise. Where the information is not based on my personal knowledge, it is based upon information provided by others which I believe to be credible and true.
2. I am an employee of the Social Development Centre Waterloo Region and have worked as the Facilitator of the Lived Expertise Program since January 2022. The Lived Expertise Program engages those with lived and living experiences of homelessness and integrates their experience and wisdom into operations of the Region of Waterloo (the “Region”). The Lived Expertise Program has been a key partner in the Region’s Plan to End Chronic Homelessness (the “PECH”) since the spring of 2023.

The Plan to End Chronic Homelessness (“PECH”)

3. On April 9, 2024, Region staff presented The Plan to End Chronic Homelessness Final Report CSD-HOU-24-006 (the “PECH Final Report”). The PECH Final Report recommended the Region adopt the PECH as the official plan to prevent, address, and end homelessness in Waterloo Region. Please find attached hereto as **Exhibit “A”** the PECH Final Report. The PECH Final Report outlined seven strategic Focus Areas and Actions which emphasized collaborative, integrative and preventative strategies in addressing homelessness and housing stability. One of the key Actions is the development and implementation of an All of Community Approach, to enhance and emphasize the role of community organizations, leaders and lived experts in decision making to create an “integrated, inclusive, adaptive, responsive and sustainable ecosystem...” The PECH Final Report was approved and adopted by the Regional Council.
4. When the PECH was drafted the future of the encampment at 100 Victoria Street (the “Encampment”) was identified as a priority. The PECH called on the Region to update the plans for the transit hub to ensure the continuation of the Encampment as a sanctioned encampment until functional zero homelessness had been achieved. This approach was informed by the decision in *The Regional Municipality of Waterloo v. Persons Unknown and to be Ascertained*, 2023 ONSC 670.
5. Attached as appendices to the PECH Final Report were four documents. Appendix A was the Final PECH Report which discusses using a human rights approach to encampments. The

Lived Expertise Final Prototyping Report was attached as Appendix C and presented to Council as informing the PECH, as it brought forward the voices of community members with lived and living expertise of homelessness. Both were approved by Council. It was my understanding that in passing the PECH Final Report the Region was committed to a human rights approach to encampments and formally acknowledged that lived experts wanted the Encampment at 100 Victoria Street to be preserved. I understood both Appendices A and C were part of the PECH and equal documents. Please find attached hereto as **Exhibit “B”** the Appendix A - Final PECH Report and as **Exhibit “C”** the Appendix C -Lived Expertise Final Prototyping Report.

6. It is unfair for Peter Sweeney, Commissioner of Community Services for the Region, to claim that an alternative encampment site is inconsistent with PECH. This is a misrepresentation of the PECH process and discussions that have taken place. Encampments are discussed at every single co-creators meeting. There are two sub-groups within PECH that discuss encampments, conversations regularly centre on the need for an alternative space for the Victoria Street Encampment, or for alternatives to the transit hub plans that could allow for the Encampment to continue.
7. Additionally, I regularly attend the Region’s Encampment Operations Table that meets monthly. At the meeting on June 18, 2025, it was discussed that encampments are growing across the Region. Community partners expressed frustration that encampments are being pushed into more and more remote areas as it is harder to service them and get people connected to resources.

The Victoria Street Encampment

8. On February 14, 2024, I was called into a private meeting with senior Region staff from the Community Services department. They disclosed to me that there was a six to eight month timeline to close the Encampment so the Metrolinx development could begin. I told the staff members that I felt there was a path forward for the Encampment to no longer be located at the 100 Victoria street site without intense disruption from key stakeholders. I explained that an alternative location and a meaningful process for relocation were necessary. I said this could be done with a human rights approach, where the residents and key stakeholders could consent to the process. The main principles of a human rights approach to homelessness are recognizing people experiencing homelessness as rights holders and centring the voices of those with lived experience, allowing residents to participate in decisions which impact them. This is based on the National Protocol for Homeless Encampments in Canada created by the UN Special Rapporteur on the Right to Housing, attached hereto as **Exhibit “D”**.
9. The window of time presented meant there could be a reasonable consultation although it may be difficult. I provided the names for five key stakeholders: Fight Back KW, the Unsheltered Campaign, Waterloo Region Community Legal Services, The Working Centre and Sanguen Health Centre.
10. After this the Region staff informed me they wanted to have a meeting with these stakeholders. I contacted all of the stakeholders to invite them to a meeting. I framed this as an initial meeting

to begin the process for discussing the conditions for removing the Encampment. I told the stakeholders to expect a six to eight month negotiating period and to prepare their requests to the Region for the relocation.

11. The meeting occurred on March 7, 2024. I was disappointed because the Region did not come to negotiate, but to inform us of what was planned. The stakeholders communicated their conditions and agreed there needed to be a process to negotiate. The Region announced the site was shutting down but a commitment was made to follow a human rights approach. I believed it was acknowledged that more conversation needed to happen before any official decisions were made about shutting down the site. Please find attached hereto as **Exhibit “E”** the Meeting Notes from the March 7, 2024 meeting.

12. To my disappointment following this meeting, there were no further conversations with stakeholders around the Encampment.

13. The Metrolinx Project has consistently been delayed and Metrolinx does not have a good record of meeting deadlines. I recently read a news article suggesting that Metrolinx has pivoted to focus on the Lakeshore East and Lakeshore West lines and that Kitchener’s GO Expansion project will be addressed in the next phase. Attached hereto and marked as **Exhibit “F”** is a print-out of the Record article dated June 16, 2025 titled “We’re getting left behind at the GO station”.

Site-Specific By-Law

14. On Wednesday, April 16, 2025, I received text messages from our lived expert consultants that construction equipment had arrived at the Encampment. I sent an email to the PECH Co-Creators email distribution list with photos and seeking explanation from the Region. Please find attached hereto as **Exhibit “G”** a copy of my email sent on April 16, 2025. I learned that Community Services staff were not aware of what was happening at the Encampment.
15. I arrived at the Encampment around 2:00 p.m. and there were no contractors or Region staff on site. There were dumpsters and a portable trailer on site, and a bobcat was parked in the lot next door. Encampment residents, lived expert consultants, and community stakeholders were present. I learned that Regional Council would be considering a new staff report for discussion at Council on April 23, 2025. The report recommended a new Site-Specific By-Law (“Site-Specific By-Law”) targeting the Encampment for eviction and to prevent new community members from residing there.
16. On Tuesday, April 22, 2025, I went to the encampment with six members of the lived expert consultants roster to interview residents of the Encampment (“community members”) about what they knew about the Site-Specific By-Law, how these changes were impacting them, and what they wanted the Region of Waterloo to know.

17. From the conversations with 27 Encampment residents, I learned that no one in the community had received any information about the Site-Specific By-Law from Region staff. Some of the community members had heard rumours and 13 community members had heard nothing at all.
18. During the interviews, community members expressed experiencing fear, stress, confusion, and sadness from the events of Wednesday, April 16, 2025. Some community members talked about being happy for a change and the prospect of housing, while others felt the actions of the Region were targeted harassment and “trying to kill the homeless”. Community members spoke of the events on April 16 as causing an uproar and being inhumane and wrong. The actions were described as creating pressure, feeling ‘like a gun to their head’, and making them feel like ‘human trash’. One community member expressed “if you are putting bins full of garbage right where people are living, how do you think they would feel?” Another community member described that they are at the bottom and now the Region is taking away the bottom. Please find attached hereto as **Exhibit “H”** a copy of the preliminary interview results from April 22, 2025.
19. The community members expressed that they feel the Region is breaking a promise to provide them with a safe space.
20. On April 23, 2025, Region staff introduced The Region of Waterloo Report PDL-LEG-25-017 which recommended the Region pass the Site-Specific By-Law. Please find attached hereto as **Exhibit “I”** a copy of the Report PDL-LEG-25-017 with its Appendices A-C. I attended the Regional Council meeting to depute against the By-Law. All of the sixteen delegates who

attended the Council meeting to speak to the By-Law asked Council to reject it. Many spoke about their concern the By-Law would harm the community members at the encampment. The By-Law was approved by the Regional Council on that date.

21. The Site-Specific By-Law goes against the wishes of the community members at the Encampment. The By-Law violates the PECH, specifically the promise to follow a human rights and collaborative approach. It violates the calls to action of the PECH, which was presented to the Regional Council as Appendix B, attached hereto as **Exhibit “J”**. Specifically it violates Action 1.2 which requires the Region implement a housing-focussed Street Outreach Framework and a Human Rights Based Approach encampment response protocol to better support people living rough/experiencing unsheltered homelessness. It violates Action 4.3 which requires the Region to create new permanent affordable and supportive housing, including deeply therapeutic and harm reduction-focussed supportive housing to ensure those with the greatest depth of need are supported to stay housed.

22. The By-Law violates the wishes of the Human Rights Review Prototyping group (“Prototyping group”) which had been in negotiations with Region staff for months, from the fall of 2023 to early 2024, about a human rights approach to encampments. The Prototyping group comprised lived experts, representatives from the Unsheltered Campaign, lawyers from Waterloo Region Community Legal Services, and Region staff. The group was created because lived experts wanted the Region to start implementing changes in their practices to align with a human rights approach in advance of the development of written encampment policies and procedures. Ultimately, after reviewing the current encampment protocols developed by the Region, the

group decided it was best to scrap the protocols altogether and start anew. After PECH was passed the work of the group paused and has not resumed.

23. The PECH approach was supposed to be collaborative and to centre the experiences of lived experts. There was no involvement from community members, stakeholders, or lived experts in creating the Site-Specific By-Law. The sense I have from my conversations with community members, stakeholders, lived experts, and Regional staff is that trust has been broken.

24. I am concerned the Site-Specific By-Law is harming the Encampment residents. People have communicated to me that they are afraid of violence happening to them when the Region attempts to shut down the Encampment. The Encampment residents have expressed that they are mentally traumatized by the events of April 16, 2025 in addition to their trauma associated with experiencing homelessness and feeling neglected by the Region at the Encampment.

25. In the Spring of 2023, the City of Kitchener erected gates and fencing around the Roos Island (Victoria Park) encampment in Kitchener. During this time I was supporting members of the City of Kitchener's Lived Expertise Working Group who were providing support and mutual aid to the encampment residents. The fencing made it very difficult for mutual aid supports and community partners to provide care to people living at the encampment. Some of the residents of this encampment were moved to the Erbs Road Shelter. I conducted interviews with these residents after they were settled at Erbs Road. Many of the people I interviewed indicated they felt coerced into leaving the encampment and they felt extremely isolated from community living at Erbs Road.

26. Finally, there is concern raised in one of the interviews that by moving encampment residents to a random motel in a private taxi cab that there is deep vulnerability in that move. Women are afraid of being put at risk of human trafficking, based on their own previous experiences. One resident stated that she was nearly trafficked when sent in a private taxi cab to a shelter. I believe there is fear when travelling using contracted services, such as a private taxi cab, of trafficking.

27. I make this Affidavit in support of the Notice of Motion and for no improper purpose.

AFFIRMED remotely by David Alton)
at the Town of Sauble, in the Province)
Of Ontario, before me at the City of Kitchener)
in the Province of Ontario on June 23, 2025 in)
accordance with O. Reg. 431/20.)



Ashley Schuitema, A Commissioner of
Oaths (LSO # 68257G)



DAVID ALTON

THIS IS **EXHIBIT “A”** REFERRED TO
IN THE AFFIDAVIT OF DAVID ALTON
SWORN REMOTELY AT THE SAUBLE BEACH
BEFORE ME AT THE CITY OF KITCHENER
DURING A VIDEOCONFERENCE
IN ACCORDANCE WITH O.REG. 431/20,
ADMINISTERING OATH OR DECLARATION REMOTELY
THIS 23rd DAY OF JUNE, 2025

A handwritten signature in black ink, appearing to read 'Ashley Schuitema', written in a cursive style.

ASHLEY SCHUITEMA
A Commissioner, etc.,
Province of Ontario,
While a Barrister and Solicitor.
LSO # 68257G

Region of Waterloo
Community Services
Housing Services

To: Community and Health Services Committee
Meeting Date: April 9, 2024
Report Title: The Plan to End Chronic Homelessness Final Report

1. Recommendation

That the Regional Municipality of Waterloo adopt the Plan to End Chronic Homelessness Final Report as the official plan to prevent, address, and end homelessness in Waterloo Region as outlined in report CSD-HOU-24-006 dated April 9, 2024.

And that the Regional Municipality of Waterloo direct staff to develop a comprehensive funding and advocacy strategy based on the Plan to End Chronic Homelessness Actions outlined in report CSD-HOU-24-006 and deliver it to Council as part of the 2025 Regional Budget process.

2. Purpose / Issue:

The purpose of this Report is to deliver the Final Report of the Plan to End Chronic Homelessness, *Navigating Complexity Together: A Roadmap to Functional Zero by 2030*, to Regional Council to serve as the Region's official plan to prevent, address, and end chronic homelessness in Waterloo Region.

3. Strategic Plan:

This report supports the following strategic priorities: Homes for All, Equitable Services & Opportunities, and Resilient and Future Ready Organization in the Region's newly approved Corporate Strategic Plan 2023-2027.

- Under Homes for All, we will eliminate chronic homelessness and reliance on traditional emergency shelter models. This includes the launch of a Whole of Community Approach to implement the Plan to End Chronic Homelessness, and to partner with community organizations to deliver quality services to our region's most vulnerable residents.
- Under Equitable Services and Opportunities, we will explore new models of service through community collaboration and partnerships. This includes finding new ways to partner with community organizations to improve service delivery

and developing advocacy plans that support new investments in equitable service delivery. Key performance indicators include an increase in engagement with equity-deserving groups, and new funding to support investments in equitable service delivery.

- Under Resilient and Future Ready Organization, we explore new service models and partnerships to achieve fiscal resilience and better service. This includes supporting staff and the community to drive service transformation that is culturally appropriate, safe and inclusive through co-design, data-driven decision-making, innovative digital tools, and other ways of knowing. Key performance indicators include increase in satisfaction with service experience.

4. Report Highlights:

- The Plan to End Chronic Homelessness Final Report, *Navigating Complexity Together: A Roadmap to Functional Zero by 2030*, attached as Appendix A, summarizes and outlines the co-created strategic focus areas and related action items to prevent, address, and end chronic homelessness in Waterloo Region and are outlined below:
 - The number of people experiencing homelessness in Waterloo Region is unprecedented. Chronic homelessness in Waterloo Region has been increasing at an average growth rate of 28% year over year since 2020 and since January 2020, chronic homelessness in the region has increased by 129%. If this trend continues, the community will have triple the number of residents experiencing chronic homelessness by 2028. This growing community concern and crisis requires immediate community-wide action to shift the trajectory of chronic homelessness.
 - Development of the Plan to End Chronic Homelessness (PECH) has been underway since early 2023 and the approach used was to develop it in community, by community, and for community. The Plan outlines seven strategic Focus Areas that were established by the community-led and driven co-creator group. These Focus Areas were used to develop the 30 PECH Actions in the Final Report (Appendix A) and the Plan to End Chronic Homelessness Actions – Consolidated List (Appendix B).
 - Appendix C outlines and details the Lived Expertise Working Group's Calls to Action, which are attached as a For Information Report.
 - The Plan, in 2024, will establish a Whole of Community Leadership Model that includes Lived Experts, Equity-Owed Groups, System Leaders, and ROW Staff. The goal of establishing community-driven system leadership is

to disseminate system decision-making power to increase transparency and trust and responsibility to ensure that the system is built to respond properly to the needs of those experiencing homelessness.

- The Plan to End Chronic Homelessness Investment Plan and Strategy outlines the level of investment required from all levels of government, private and public sector, and system partners (health, mental health and addictions, justice, etc.) to address, prevent, and end chronic homelessness in Waterloo Region by 2030. The Plan details the importance of shifting investments to more permanent solutions rather than emergency-based and reactive responses to homelessness.
 - Preventing, addressing, and ending chronic homelessness is a shared responsibility of all levels of government and both private- and not-for-profit sectors as well as the community as a whole.

5. Background:

The Plan to End Chronic Homelessness Final Report is the culmination of more than a year and half of collaborative planning to renew and deepen the local commitment to homelessness prevention. This Plan, and Final Report, were developed in community, by community, and for community. The Final Report details 30 Actions developed by Co-Creators and the Lived Expertise Working Group to prevent, address, and end chronic homelessness.

The Final Report was co-created by more than 40 organizations committed to addressing and ending chronic homelessness. This unprecedented community collaborative process highlights the deep commitment to achieving homes for all in Waterloo Region. While the Final Report marks the end of one community-driven process, it also marks the beginning of a new and challenging community-led process as the community begins to implement the Plan to End Chronic Homelessness Actions.

Framing the Problem and Historical Context

The number of people experiencing homelessness in Waterloo Region is unprecedented. Chronic homelessness in Waterloo Region has been increasing at an average growth rate of 28% year over year since 2020 and since January 2020, chronic homelessness in the region has increased by 129%. If this trend continues, the community will have triple the number of residents experiencing chronic homelessness by 2028.

- In February 2024, there were 558 individuals on the Prioritized Access to Housing Supports (PATHS) List, the by-name list of individuals experiencing chronic homelessness in Waterloo region. The average number of days

individuals on the PATHS list have been without permanent and safe housing is 1,403 days (3 years 8 months).

- 12% of all chronically homeless individuals on the PATHS list identify as Indigenous. This is an overrepresentation of Indigenous people experiencing chronic homelessness as they make up 1.7% of the total population of Waterloo Region.
- Alarming, youth homelessness is on the rise across Waterloo Region, signalling the need for preventative, upstream strategies. Youth shelters are frequently at capacity and participants are as young as 12 years old. A recent survey from Children and Youth Planning Table showed 13% of youth respondents were experiencing homelessness in 2023.

The current homelessness and affordable housing crisis is a result, in part, due to the retrenchment of both the federal and provincial government's response and approach to community housing, affordable housing development, and homelessness prevention in the 1970s and 1980s. Increasingly, the Region of Waterloo in their role as Regional Government and Designated Service System Manager, is supplementing the lack of investment from other levels of government with the property tax levy. This is an unsustainable use of municipal tax levy dollars and incongruent with the intentionality of this funding source compared to provincial and federal sources.

The current system is not designed or adequately resourced to address the increase in numbers of individuals (volume) requiring support or the increased complexity of needs that individuals have—specifically, those who are precariously housed or experiencing hidden homelessness and those who require deeply therapeutic and supportive housing. In addition, the system must address the lack of lived expertise and equity focus in policy, decision-making, and service-delivery in order to better align with the needs of the diverse community of Waterloo Region and those experiencing homelessness.

Development of The Plan and Final Report, Focus Areas, and Actions

The Plan outlines seven strategic Focus Areas that were developed by the co-creator group. These Focus Areas were used to develop the 30 Actions in the Plan Final Report (Appendix A), which are also found in the Consolidated List of Plan to End Chronic Homelessness Calls to Action (Appendix B).

These Focus Areas are:

1. Create Policy and System Accountability
2. Centre Community Voices
3. Build System Bridges

4. Advance Equitable Housing
5. Focus on Preventing Homelessness
6. Change the Narrative on Housing and Homelessness
7. Advocate and Collaborate for Broader Change

The Focus Areas and Actions emphasize collaborative, integrative, and preventative strategies in addressing homelessness and housing stability. In addition, the centering of lived and living expertise is critical in the work of developing the Final Report and will be the focus in the implementation work to follow.

One of the key Actions outlined in the Final Report is the development and implementation of an All of Community Approach, which will enhance and emphasize the role of community organizations, leaders, and lived experts in decision-making. The focus of this approach is to create an integrated, inclusive, adaptive, responsive and sustainable ecosystem across the Housing Stability System and community as a whole.

The Lived Expertise Working Group worked alongside the co-creator group to review Focus Areas and Actions and provide invaluable feedback and reflections to the broader work of the Plan to End Chronic Homelessness. In addition to providing feedback to the Final Report, the Lived Expertise Working Group developed a standalone For Information Report, which is included as Appendix C. This Final Prototyping Report brings forward the voices of Lived and Living Expertise. An important note to consider when reviewing the Lived Expertise Final Prototyping Report is that this standalone For Information document is to be viewed as complimentary to the Final Report but, Council is not being asked to adopt the Actions outlined in Appendix C.

Recognizing homelessness is an equity issue, the PECH Actions and implementation work will prioritize and centre the voices of communities and individuals who are not reflected currently in the Housing Stability System. Homelessness is experienced differently by equity-deserving groups and as such strategies, programs, and housing options must reflect the unique needs identified by these groups themselves.

Critical in this new model, is increasing data-driven decision-making and creating a quality data strategy that focuses on KPIs, predictive modeling and system outcomes. This includes intentional work related to disaggregated data to better understand homelessness trends related to equity-owed populations and strengthening advocacy efforts when collaborating with key system partners (healthcare, mental health and addictions, etc.).

The Plan to End Chronic Homelessness Investment Plan and Strategy

To respond to the growing homelessness and affordable housing crisis, the Region of

Waterloo is directing unprecedented investments towards programs, supports, and capital projects to meet the needs across the community. In 2024, the Region will invest more than \$245M into Affordable Housing and Homelessness, from all sources. Of this, 23 per cent is directed towards homelessness and supportive housing programs.

Between 2019 and 2024, the Region has increased municipal tax levy and reserve investment in this critical housing and homelessness service area from \$42M to approximately \$99M, signalling a deep and historic commitment to achieving homes for all in Waterloo Region. This level of municipal commitment to homelessness and affordable housing is unique when compared to other Regional Governments and System Service Managers in Ontario.

To achieve an end to chronic homelessness in Waterloo Region, a deepening of commitment and engagement is needed from all levels of government, public and private sector, and key system partners (healthcare, mental health and addictions, justice, etc.). This shared community challenge is not to be owned or solved by one order of government in isolation.

In 2024, \$56M is being invested into homelessness and supportive housing programs by the Region, a local commitment that cannot be overstated. Despite this significant and encouraging commitment and investment into the local Housing Stability System, currently the majority of funding is dedicated towards reactive and emergency-based responses as the local crisis of homelessness continues to rise at alarming rates. The Plan to End Chronic Homelessness sets out to shift the collective focus towards permanent housing outcomes and upstream interventions so the significant investments being made into the system have a greater return on investment and, most importantly, create permanent housing outcomes for the most vulnerable residents of Waterloo Region.

Staff will be using the PECH Investment Plan to develop specific municipal budget requests and/or service expansions that are within scope and reasonable given current municipal commitments to address, preventing, and ending homelessness. In addition, Staff will create an advocacy strategy to be used to advocate to other levels of government, sectors, and public and private sector partners to address the significant investment required to address this significant challenge. Both these areas of work will be presented to council in Fall 2024 as part of the 2025 budget planning process.

6. Communication and Engagement with Area Municipalities and the Public

Area Municipalities: Recognizing that preventing, addressing, and ending homelessness in Waterloo region is a shared value and mission felt by all area municipalities, engagement with area municipalities was both integral and critical in the development of The Plan to End Chronic Homelessness. Area municipality engagement

started with a pop-up booth at the All Councils meeting on June 23, 2023 to gather input from Regional and area municipality councils. As the project continued through the engagement phase dedicated engagement sessions were facilitated for area municipality staff, and a project update was provided to Regional council and area municipalities through email as outlined in CSD-HOU-23-024. In addition, engagement sessions were held for specific area municipalities in March 2024.

Public: The Plan to End Chronic Homelessness was supported by an unprecedented level of public engagement. The PECH was created in community, by community, and for community. For more than one year, the PECH has been co-created by a group of committed leaders from a wide array of community organizations from across the region. The PECH content, including Strategic Focus Areas and related Action Items, were co-created by this broad system leadership group.

As outlined in CSD-HOU-23-024, to support the community engagement phase, a multi-channel communications campaign launched at the end of June 2023 and was open for five weeks. Broad messaging encouraged residents to “Join the conversation”, “Share your voice,” and participate in community engagement activities. The EngageWR project webpage served as a landing page for all traffic. Communication efforts resulted in over 850 social media engagements, 4,000 website visits, and an 80 percent e-news open rate.

In addition, the PECH was supported by the Lived Expertise Working Group. This group of lived experts met for more than one year to develop prototypes to support enhanced integration of lived expertise into the development of this broad systems change document and related Action Items and ensured the centring of lived expertise and community voices. Lived Expertise is deeply incorporated in the work of the PECH development through the direct involvement of people impacted by homelessness and marginalization. Included For Information as Appendix C, is the Final Prototyping Report developed by the Lived Expertise Working Group.

7. Financial Implications:

The 2024 Homelessness Operating Budget of \$56M includes an incremental \$10.2M for the PECH, with \$7M funded from the property tax levy and \$3.2M funded from the Tax Stabilization Reserve. This includes a \$3M capital investment of which \$1.5M is funded from the Homelessness Prevention Reserve and \$1.5M from the Strategic Investment and Affordable Housing Reserve.

It is estimated that a total capital investment in emergency shelter, transitional housing and supportive housing of \$110M will be required. Operating expenditure increases of approximately \$5M - \$8M annually for the next six years in order to fully implement the

Plan can be expected. The range will depend on the extent and nature of capital financing costs required.

Subject to Council approval, staff will develop a funding, capital financing and advocacy strategy to be included in the Preliminary 2025 Budget, which will include some combination of tax levy funding, financial support from community partners, and any subsidy secured from senior levels of government where advocacy efforts are successful.

8. Conclusion / Next Steps:

The Final Plan to End Chronic Homelessness Report is the culmination of deep, collective community-based work to respond to a growing crisis. The Final Report does not end the collective work of preventing, addressing, and ending chronic homelessness in Waterloo Region. Rather, this is the beginning of a renewed collective focus to create Homes for All for our community's most vulnerable residents. Staff, Co-Creators, and the community more generally are committed to the work ahead and are deeply encouraged and motivated to begin the work of implementing the Plan.

9. Attachments:

Appendix A: The Plan to End Chronic Homelessness Final Report: *Navigating Complexity Together: A Roadmap to Functional Zero by 2030*

Appendix B: The Plan to End Chronic Homelessness Actions – Consolidated List

Appendix C: Lived Expertise Final Prototyping Report (For Information)

Appendix D: The Plan to End Chronic Homelessness Presentation

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THIS IS **EXHIBIT “B”** REFERRED TO
IN THE AFFIDAVIT OF DAVID ALTON
SWORN REMOTELY AT THE SAUBLE BEACH
BEFORE ME AT THE CITY OF KITCHENER
DURING A VIDEOCONFERENCE
IN ACCORDANCE WITH O.REG. 431/20,
ADMINISTERING OATH OR DECLARATION REMOTELY
THIS 23rd DAY OF JUNE, 2025

A handwritten signature in black ink, appearing to read 'Ashley Schuitema', written in a cursive style.

ASHLEY SCHUITEMA
A Commissioner, etc.,
Province of Ontario,
While a Barrister and Solicitor.
LSO # 68257G

THE PLAN TO END CHRONIC HOMELESSNESS

Navigating Complexity Together

A Roadmap to Functional Zero

by 2030

Waterloo Region
April 2024

The Plan
to End Chronic
Homelessness

IN COMMUNITY,
BY COMMUNITY,
FOR COMMUNITY.
#ThePlanWR

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Reading the PECH

This plan is a compilation of content developed by co-contributors including members of the Lived Expertise Prototyping Working Group, members of the Co-Creator Group, and members of the project team. It is rooted in extensive Community Engagement completed during the summer and fall of 2023 and the ongoing work of the Co-Creator Group and Lived Experts Prototyping Cohort.

Key Report Contributors

Plan to End Chronic Homelessness Co-Creator Group

Made up of system leaders, service staff and representatives from equity-owned groups. This group grew throughout our process as more members of the community found out about our work and as we developed relationships with key interest-holders through our work.

Lived Experts Prototyping Cohort

Lived Expertise Prototyping is an ongoing process to integrate the experience and wisdom of lived experts into Waterloo Regional operations. This process has been facilitated by the Social Development Centre through 2023 and will continue to the end of 2024.

Black left margin bar identifies plan content that include Lived Expertise Prototyping Cohort voice.

Report Authors



Region of Waterloo

The Region of Waterloo serves with caring and responsible public service, engages by listening and responding to community needs, and inspires by conducting business with openness to enhance public trust and confidence.



Social Develop Centre Waterloo Region

The Social Development Centre Waterloo Region is a learning organization that supports all voices in creation of community wide solutions ensuring that lived experience is the basis for collective action.



Overlap Associates

Overlap Associates is a local design consultancy that puts people at the centre of our work and your solutions. Overlap works with organizations of all sizes on problems that matter most to them.

Co-Creator Membership and Community Support for the PECH

"If we could go back and do it differently,
emphasize the interlinkages between
organizations and systems" —Engagement Participant

| PECH Co-Creator Membership | |
|---|---|
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| Cambridge Shelter Corp | Ray of Hope |
| Camino Wellbeing & Mental Health | ROW-Community Services |
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Introduction

Introduction

The Region of Waterloo's Vision Statement outlines an aspirational future state—*A compassionate community that cares for all people, stewards the land for future generations and where everyone has the opportunity to live a good life.* The work of bringing about this future state is deeply rooted in our efforts to end chronic homelessness in Waterloo Region.

The intention of the Plan to End Chronic Homelessness (The PECH) is to detail our collective journey to this end goal. **And yet, there is urgency and complexity that cannot be fully expressed in this document**—the depth of human suffering in our community; the need for frank public discourse about the harms of criminalization of the unsheltered (LE Prototyping Cohort, 2024); the impacts of the mental health and addiction crisis gripping a growing number of our families, friends and neighbours; and the tangible ways our collective values and apathy perpetuate the cycle of dehumanization (LE Prototyping Cohort, 2024) of those who need our care. The urgency and complexity of responding to this challenge means that defining what is in scope or out of scope of the PECH is a difficult task.

Here lies a key tension emerging from our work of creating the PECH—the stated ask and desired outcome from Regional Council, an action plan outlining tangible steps to achieve functional zero chronic homelessness, does not align fully with the stated needs from the community. Community and Lived Experts have highlighted that ending chronic homelessness will require:

- A focus on process rather than product/outcome (the “how” is equally as important as the “what”)
- Recognizing and naming failures and harms caused by contributing systems in our society (including colonialism, the financialization of housing, criminalization of homelessness) (LE Prototyping Cohort, 2024)
- It is critical to address the current gaps in service provision and intervene at different levels of systems—branches, trunk, and roots—for transformative change within the structures and power systems that maintain the problems (LE Prototyping Cohort, 2024)

Stated clearly, reaching functional zero chronic homelessness will require significant system transformation beyond simply increasing the same supports that we currently have in place and will require examining systems, incentives, values, and mindsets that may seem tangential to the problem of homelessness. The magnitude of the complexities and challenges is beyond the mandate of The Region of Waterloo to solve. The macro forces that have led to the current homelessness crisis must be addressed through collective action. Action that is supported by the

broader local community, Area Municipalities and through increased investments from Provincial and Federal governments.

The resulting Plan to End Chronic Homelessness is a living document infused with the voices of our community and Lived Experts and lays out our proposed approach to achieving functional zero homelessness in Waterloo Region by 2030.

Through our broad community engagement and co-design process it became clear that if we hope to end chronic homelessness, we must transform the Housing Stability System to be:

- **Responsive**—allow community voices—including Lived Expertise and Equity-Owed Groups—to drive our decisions (LE Prototyping Cohort, 2024)
- **Sustainable**—creating system supports to staffing that addresses capacity, recruitment/retention, training, mental health supports and wellness
- **Integrated**—more efficient and aligned within the sector and with other sectors including but not limited to health, justice, social & disability services, children & youth services and other related service systems
- **Inclusive**—it must be person-centred, ensuring that individuals no matter their circumstance (LE Prototyping Cohort, 2024) can access services
- **Adaptive**—expand our current continuum of supports and resources to match the current and future needs of our community. We must take proactive, predictive and preventative action to address the changing demographic of homelessness

Our vision for system transformation is a Housing Stability System that is an integrated, inclusive, adaptive, responsive, and sustainable ecosystem. The Plan to End Chronic Homelessness articulates how **working in community, by community, for community** will strengthen relationships and build a shared ownership of solutions.

Methodology and Discussion of Process

Our core intention to co-create The Plan is part of what makes this journey different.

Our aim remains to create a plan that is driven by community identified needs, gaps, and solutions. We will continue to do this by working “in community, by community, for community.”

We are committed to these ways of working:

- Shared solutions and implementation
- Centering the voices of those most impacted
- Transformational relationships and trust building
- Inclusive community engagement

At the outset of this work there were two parallel processes—The SDCWR Lived Expertise Prototyping Cohort and the Overlap-led work to produce The Plan. The

intention of these two processes was the centering of lived expertise and creating time and space for their interpretation and wisdom to influence our process, outcomes and to begin the process of developing meaningful relationships.

This council report is supported by two separate reports/planning documents as for consideration by Regional Council. These reports are separate, but linked, and are intended to highlight the differences in the approach and perspectives between Lived Experts and the more system/politically influenced plan.

Lived Experts have provided input on several key features of our plan including definitions, the analogy and imagery of the Tree as a representation of our problem and solution spaces, Strategic Focus Areas and Actions.

The Plan took shape over the course of monthly Co-Creator Roundtables starting in June of 2023. Co-Creators worked to synthesize engagement data, shape the Strategic Focus Areas and generate Actions. The Actions in this document were summarized from upwards of one hundred projects and initiatives identified by Lived Experts and Co-Creators. These projects and initiatives were summarized for the benefit of the reader as they were highly technical and numerous. The 30 Actions currently living in the document give a tangible overview of the work that will take place to bring about our system vision and reaching our end goal of functional zero homelessness by 2030. The intention is to further explore, prioritize and implement actions based on this original list of projects.

Framing the Lived Experts Prototyping Process and Attached Report

The Social Development Centre Waterloo Region (SDC) is a core partner on the Plan to End Chronic Homelessness. From this partnership, the Prototyping Process was developed to centre the voices of Lived Experts and innovate solutions with Regional Staff and other interest-holders.

The Prototyping Process began in March 2023 with an initial cohort of representatives from the Lived Expertise Working Group, the People's Action Group, Regional Staff, SDC staff, and outreach workers. This cohort developed a model of communication and collaboration to make prototyping possible. They also conducted Participatory Action Research with current residents in unsheltered communities. From these conversations, they developed language and models about the problem space such as the Tree metaphor at the centre of the PECH. At the end of this initial phase, five areas of further prototyping were identified.

The Cohort has since expanded to over 30 representatives, including Lived Experts, mutual aid group representatives, advocacy group representatives, agency representatives, and an expanded group of Regional and City staff. The Prototyping

Process currently is slated to continue to the end of 2024 with recommendations on how to embed the principles of lived expertise, collaboration and learning in the ongoing work of the Region.

Members of the cohort met intensively for two months to develop the report calls to action included in the appendix. This report includes key terms, legal context for a human rights approach, and 30 calls to action for consideration. The report has deeply informed the development of the Plan to End Chronic Homelessness.

The partnership with Lived Experts and the Social Development Centre Prototyping Process has added tremendous value and insight into the PECH and the process of creating it.

We have worked throughout the process to create meaningful moments of cross-pollination between the two streams of work. We recognize that these efforts have been successful and yet there is a large amount of work to do to continue building relationships and trust between lived experts, grassroots organizations, advocates and ROW staff and leadership.

Our collaboration has also illuminated the existing contrasting opinions about the approach to ending chronic homelessness in the Region. The attached report—created by Lived Experts—is an example of the differing perspectives and a view of the contrast between the groups. (LE Prototyping Cohort, 2024)

The background of the slide is a light gray map pattern, showing a network of streets and roads. The pattern is dense and covers the entire area.

Definitions

Definitions

We have included a definitions section as clear and consistent language is an important part of the process of finding common understanding as a community. And we acknowledge that language is ever evolving, different groups use different definitions and part of the work is to continually evolve these alongside communities.

- **Accessibility**—Specific features incorporated by design with the goal to reduce or remove barriers to participation or enjoyment by all people. (LE Prototyping Cohort, 2024)
- **Adequate Housing**—Housing that meets the legal standards for security of tenure, affordability, habitability, accessibility, availability of services, location and cultural appropriateness. In the absence of such, the right to housing is not met. (LE Prototyping Cohort, 2024)
- **Chronic Homelessness**—Refers to individuals who are currently experiencing visible and hidden homelessness AND who meet at least 1 of the following criteria:
 - they have a total of at least 6 months (180 days) of homelessness over the past year
 - they have recurrent experiences of homelessness over the past 3 years, with a cumulative duration of at least 18 months (546 days)

(*Reaching Home: Canada's Homelessness Strategy Directives*, 2023)
- **Deeply Therapeutic Housing**—is housing designed to provide support for people with the highest levels of acuity. This includes but is not limited to individuals with significant complex substance use, concurrent mental health needs or who are otherwise medically fragile and are homeless, at risk of becoming homeless, or who are considered inadequately housed. This type of supportive housing is a gap in our system identified through community engagement and by lived experts and co-creators. The gap is emerging as our current system is not adequately addressing the needs of people who are deeply unwell. ([Supportive Addiction & Mental Health Housing \(SAMH\)](#), n.d.)
- **Equity-owed groups**—These are groups that experience systemic oppression, marginalization, and discrimination often due to the legacies of colonization, slavery, and imperialism. These groups include but are not limited to those who are Black (African and Caribbean diaspora), Two-spirit and Indigenous Peoples

(First Nations, Inuit and Métis), and communities racialized as non-white; persons identifying with a disability/disability communities; members of 2SLGBTQIA+ communities; women, trans, and femme-presenting people; and those living in rural areas. (LE Prototyping Cohort, 2024)

- **Functional Zero (0)** —A community has reached functional zero (0) of any type of homelessness when the number of people experiencing homelessness is zero, or if not zero, then either 3 or .1% of the total number of individuals experiencing homelessness on a by-name list, whichever is greater, and sustained for 3 consecutive months. (*Built for Zero Canada Functional Zero Homelessness Question and Answer Document*, 2021)



Figure 1. Built for Zero Definition of Functional Zero Chronic Homelessness

- **Homeless Individuals and Families Information System (HIFIS 4)**—Developed by the Government of Canada, HIFIS is a Homelessness Management Information System (HMIS) that is designed to support the day-to-day operational activities of Canadian homelessness service providers. As a comprehensive data collection and case management system, HIFIS enables participating service providers within the same community to access, collect, and share local real-time homelessness data to ensure individuals and families accessing services are prioritized and referred to appropriate services at the correct time.
- **Homelessness**—Homelessness describes the situation of an individual, family or community without stable, safe, permanent, appropriate housing, or the

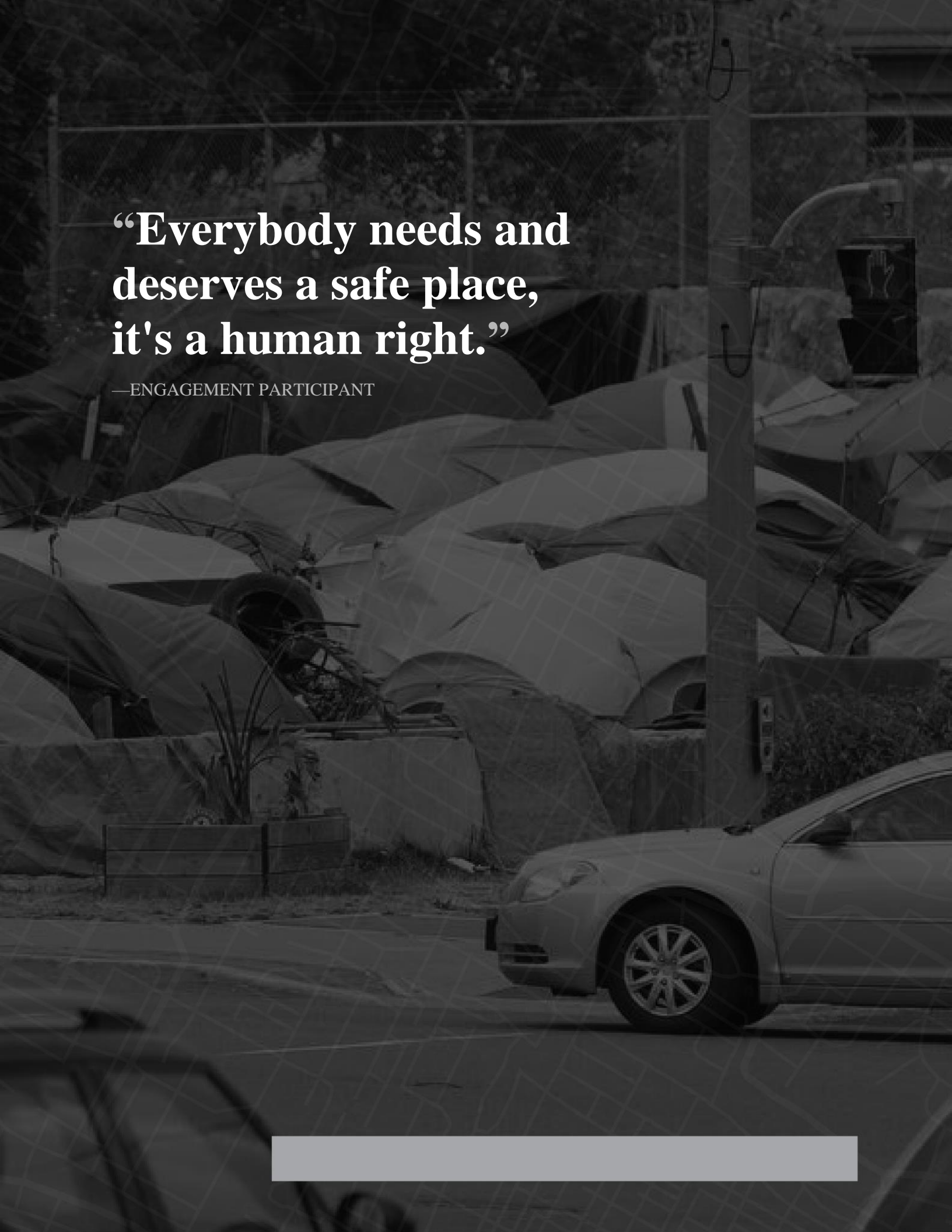
immediate prospect, means and ability to acquire it. It is the result of systemic or societal barriers, a lack of affordable and appropriate housing, the individual/household's financial, mental, cognitive, behavioural, or physical challenges, and/or racism and discrimination. Most people do not choose to be homeless, and the experience is generally negative, unpleasant, unhealthy, unsafe, stressful and distressing. (LE Prototyping Cohort, 2024)

- **Human Rights Approach**—People experiencing homelessness are treated as rights holders, where their agency is respected, and where the Region has a duty of care for their housing needs. The Region will be compliant with national and international human rights law and ensure it is appropriately prioritized amidst other legal obligations such as those regarding property rights, privacy, and liability. (LE Prototyping Cohort, 2024)
- **Housing First (HF)** Is based in a human rights framework and has two primary components: **housing and support**. It is not housing only.
 - **Housing:** participants are provided access to housing of their choice in the community—facilitated by portable rent supplements—that is no more than 30% of their income.
 - **Support:** access to wrap around addiction/mental health supports, intensive case management and other supports aimed at promoting housing stability, recovery, community integration, and achievement of life goals.
 - Housing First is driven by 3 key principles:
 - consumer choice and self-determination
 - recovery (treatment focused)
 - community integration (physically, psychologically, and socially).
 - Housing First is an empowerment approach in which the consumer is viewed as the expert on his/her experiences and aspirations; it is critical to begin by asking consumers where they want to live.
 - Recovery is a treatment orientation that refers to a participant's journey of growth and self-improvement in the direction of achieving life satisfaction.
 - The third principle is community integration. Whereas people with mental illness, who are homeless, often experience segregation, exclusion, and stigma. The goal is to help people become physically, psychologically, and socially integrated in the community.

(Dr. Geoffrey Nelson, Department of Psychology, Wilfrid Laurier University, n.d.)

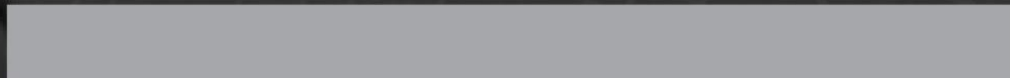
- **Housing Stability System (HSS)**—The Region of Waterloo is the provincially-designated Service Manager for Housing and Homelessness. In this role, the Region is responsible for program planning, service delivery, distribution of resources, and quality assurance of housing-first services that help people find and maintain permanent housing; this network of services is known as the HSS. The HSS supports individuals and families across Waterloo Region who are experiencing homelessness, at immediate risk of homelessness, and in the recovery stages from homelessness.
- **Indigenous Homelessness**—“Unlike the common colonialist definition of homelessness, Indigenous homelessness is not defined as lacking a structure of habitation; rather, it is more fully described and understood through a composite lens of Indigenous worldviews. These include: individuals, families and communities isolated from their relationships to land, water, place, family, kin, each other, animals, cultures, languages and identities. Importantly, Indigenous people experiencing these kinds of homelessness cannot culturally, spiritually, emotionally, or physically reconnect with their Indigeneity or lost relationships” (Thistle, 2017; see also (Aboriginal Standing Committee on Housing and Homelessness, 2012). (LE Prototyping Cohort, 2024)
- **Prioritized Access to Housing Supports (PATHS)**— A Coordinated Access System (Coordinated Access) is a systems-level approach for addressing homelessness that provides a consistent way to assess, prioritize and connect people experiencing homelessness to Region-funded housing and supports. Locally, this is referred to as the Prioritized Access to Housing Supports (PATHS) Process.
 - PATHS Process Overview
 - The PATHS process includes four main steps:
 - People experiencing homelessness are assessed for eligibility at defined access points across the system, using a common assessment tool.
 - If people are eligible, they join the PATHS List. The next step is to get offer-ready with support from PATHS Partners (Service Providers that help people to move forward with their Housing Plan while they wait) and Service Navigators (on the PATHS Team).
 - Once offer-ready, people are matched with a housing support vacancy and prioritized for an offer.

- In the final step, Housing Liaisons (on the PATHS Team) support people to transition to their new home.



**“Everybody needs and
deserves a safe place,
it's a human right.”**

—ENGAGEMENT PARTICIPANT



The background of the slide is a light gray map of a city street grid, with lines representing streets and blocks. The pattern is dense and covers the entire area.

Framing the Problem

Framing the Problem

The number of people experiencing homelessness in Waterloo Region is unprecedented. Since the beginning of the COVID-19 pandemic, homelessness has risen in numbers and visibility. In the 2021 PiT (Point in Time) count, the Region found that more than 1,000 individuals were experiencing homelessness with over 500 of those individuals estimated to be experiencing chronic homelessness or homelessness for longer than six months.

Chronic homelessness in Waterloo Region has been increasing at an average growth rate of 28% year over year since 2020. Since January 2020, chronic homelessness in the region has increased by 129%. The unprecedented growth in homelessness is compounding existing difficulties both for individuals experiencing chronic homelessness and for the services within the system.

In September of 2023, in collaboration with our Co-Creator Group and the Social Development Centre (SDC) Prototype cohort, the PECH Core Team produced a [Key Findings Report](#). This report is an in depth exploration of the problem space rooted in community engagement findings, secondary research and analysis of current system data. Please refer to the report for further context.

The High-Level Problems we seek to address

- **The current system is not designed (LE Prototyping Cohort, 2024) or adequately resourced to address the increase in numbers of individuals (volume) requiring support or the increased complexity of needs that individuals have.**
- **Current system leadership and governance approaches are undermining our community's ability to respond to the issue of homelessness.** The current structure of siloed and hierarchical decision-making is creating a lack of transparency and trust within the Housing Stability System and the broader community.
- **Lack of Lived Expertise and Equity focus is creating system responses that do not align with the needs of the community and is actively causing harm**—systems need to sense and see themselves (LE Prototyping Cohort, 2024) in order for change to occur.
- The Province and the Federal government's retrenchment of building community housing in the 70's and 80's has led to reliance on the private market which has driven a **hyper-financialized capitalist model of housing. Increased housing**

costs are reducing access to housing for broad groups of our population.
(LE Prototyping Cohort, 2024)

- The prevalence of **mental health and substance addiction alongside the unprecedented crisis of drug poisonings** playing out in our community are intricately tied to the rise in and deepening complexity of experiences of homelessness.
- There has been a long-standing issue of unequal access to services and support for individuals who are at risk of or experiencing homelessness in rural and township areas. To access the necessary support, individuals are often required to leave their rural communities and travel to urban centers, which can result in a loss of important community connections and **an increase in demand for urban-based services**. It is important to leverage the supports and services that exist in the rural areas to develop (co-create) a made-in-rural solution.
- The **face of homelessness is changing** (diversity, intersectionality)—This mix of factors is broadening the percentage of our community that is precariously housed, hidden homelessness, and housed in non-market options. This is giving us a skewed perspective of the causes of homelessness and those experiencing it in our communities. (LE Prototyping Cohort, 2024)
- **There is an increase in people living in encampments.** This trend highlights the growing rate of homelessness and—among many other factors—points to a shortfall in shelter capacity and accessibility, as well as barriers to securing permanent housing. (*Homeless Individuals and Families Information System (HIFIS)*, 2023) (Turner, 2023)

Key Numbers to Quantify the Problem

Chronic homelessness in Waterloo Region has been increasing at an average growth rate of 28% year over year since 2020. Since January 2020, chronic homelessness in the region has increased by 129%.

- If the 28% annual increase in chronic homelessness continues, the community will have triple the number of residents experiencing chronic homelessness by 2028.
 - As of February 2024, there are 558 individuals on the Prioritized Access to Housing Supports (PATHS) List.
 - The average number of days individuals on the PATHS list have been without permanent and safe housing is 1,403 days (3 years 8 months).

- 12% of all chronically homeless individuals on the PATHS list identify as Indigenous. This is an overrepresentation of Indigenous people experiencing chronic homelessness as they make up 1.7% of the total population of Waterloo Region.
- The supportive housing program across fixed-site and scattered options has a current capacity to support approximately 570 individuals.
- In 2024, approximately \$56 million will be invested into the local homelessness system in various service areas (outreach, prevention, shelter, supportive housing, etc.). Based on current state and future trends, this investment is not keeping pace with the growing need for additional supports to end chronic homelessness.
- Up to 70% of the folks experiencing homelessness or who are precariously housed have screened positive with the HELPs Screener as having an acquired brain injury (ABI) with similar trends in other regions. Often brain injury in the homeless population goes undiagnosed. It is not unusual for addictions and mental health issues to also be factors that impact their ability to maintain housing and also mask brain injury symptoms. Not only do these people require a specialized brain injury worker but additionally, wrap around supports offering all three areas of specialty through an integrated team approach.
- Youth homelessness is on the rise.
 - A recent survey from Children and Youth Planning Table showed 13% of youth respondents were experiencing homelessness (13% of 1867 respondents = 243 youth) in 2023 (*2023 CYPT DATA BRIEF*, 2024)
 - Youth shelters are frequently at capacity and are supporting individuals 12-18 years old. There has been a 20% increase from the previous two years.

Quotes and Stories Behind the Statistics

These statistics fold out into real living stories from valued neighbours in our community. These experiences represent a history of our systems level failures and the frustration and harm unchallenged systems bring. They also act as motivation and a call for change.

“Some guy beat me up on the street. Yeah, I was in the hospital because of it... I died a few times...Meantime my landlord, he got rid of everything in my apartment and I lost my rent geared to income housing and I ended up

discharged from the hospital and driven to the shelter.” — Project Willow
Interview Participant

“I slept in the parking garage across the street because I wanted to make the statement that I do have nowhere to go. And I’m not going back to a building that I’ve been raped in.” — Project Willow Interview Participant

“You do not know how much actual physical, emotional and financial trauma that each one of us have gone through before we’ve even been able to have the strength and the courage to walk through these doors. Okay, because unless you’ve been through it yourself, then you don’t know it.” — Project Willow Interview Participant


“Why do we need to wait for someone to be on fire before we give them a hose?” —PECH Engagement Participant

“The ability to address the mental health and trauma pieces in which lead women to addictions and homelessness in the first place is something I have always believed to be at the forefront of being a piece of the shelter system. Housing, the safety in which one feels when they don’t have to be wet and unsafe on the street is only the tiniest fraction of being able to offer support to women in this community. A piece of the solution, is addressing the fragility of the client in which accesses services.” — Project Willow Survey participant

“There are no real safe places in the community” — Project Willow Survey Participant

The background of the slide is a light gray map pattern. It features a complex network of thin, light gray lines representing streets and roads, overlaid on a slightly darker gray background. The pattern is dense and covers the entire area of the slide.

Key Plan Elements



“Homelessness will never disappear
without getting
to the root causes.”

—ENGAGEMENT PARTICIPANT



Key Plan Elements

End Goal—To reach functional zero chronic homelessness in Waterloo Region by 2030.

Vision for System Transformation—To transform the Housing Stability System to be a responsive, sustainable, integrated, inclusive, and adaptive ecosystem.

System Interventions—These are major changes we are proposing to the Housing Stability System to bring about our vision.

Strategic Focus Areas—Large categories of work / activity to bring about our system interventions. These describe the broad areas of work within the PECH.

Actions—Clear projects, initiatives, or achievements we will work toward that align with one or more Strategic Focus Areas.

Measurable Outcomes and KPIs—Outcomes of our Focus Areas that will show us we are making progress towards implementing our system interventions.

Investment Strategy—strategic investments to stabilize the current system and transform the system.

Change Management Approach—These are principles, tactics, and methods we will use to bring about our desired vision for system transformation.

System Overview for Ending Chronic Homelessness

This diagram represents how the PECH will transform the Housing Stability System to End Chronic Homelessness.

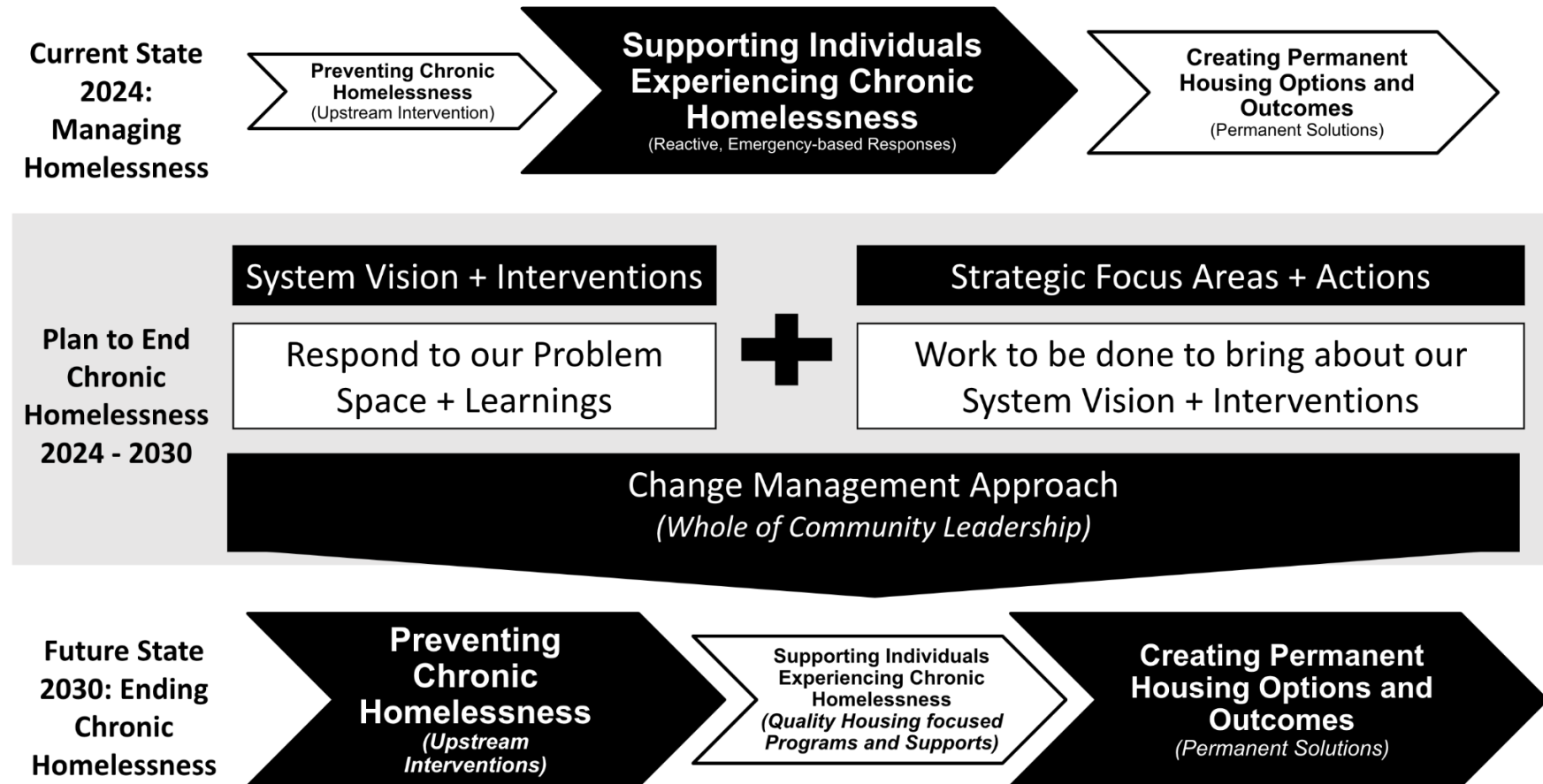


Figure 2. System Overview for Ending Chronic Homelessness

Inside The Plan—PECH High-Level Structure

Vision for System Transformation:

Housing Stability System that is a responsive, sustainable, integrated, inclusive and adaptive ecosystem

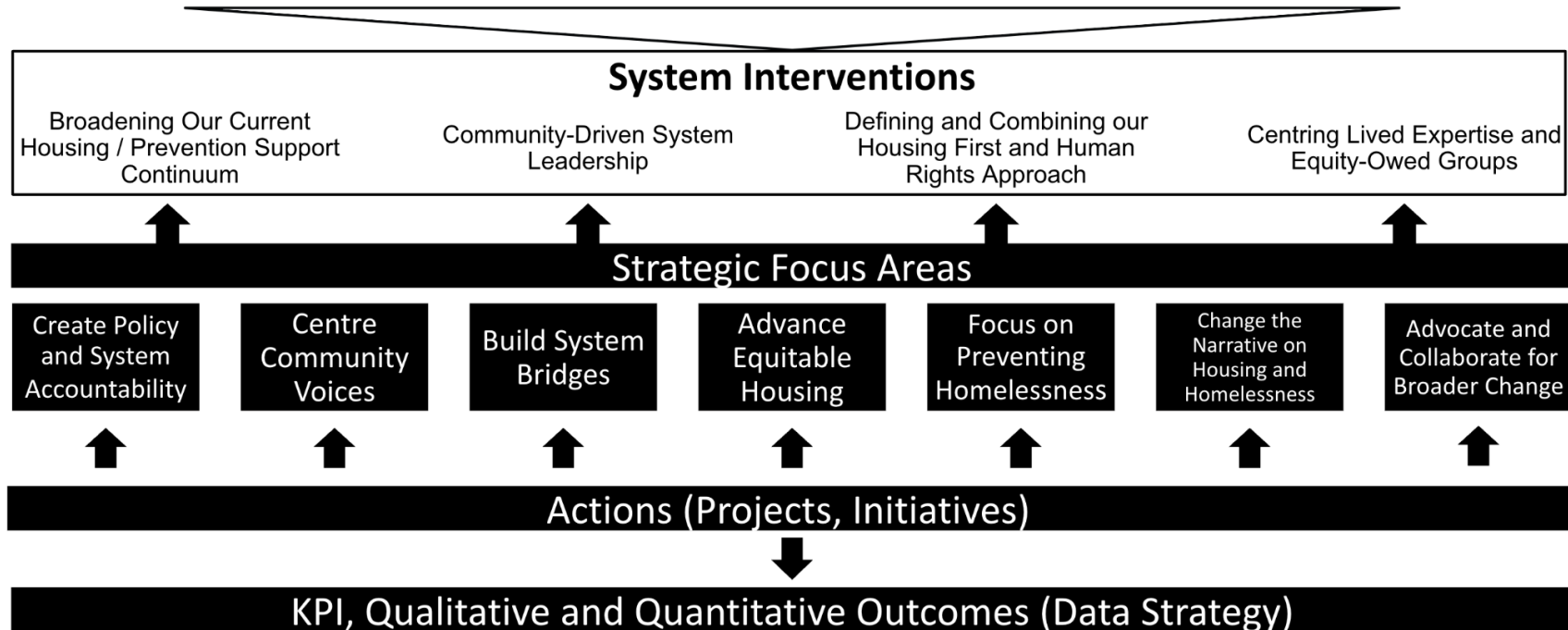



Figure 3. Inside the Plan—PECH High-Level Structure

The background of the slide is a light gray map of a city street grid. The grid is composed of numerous thin, light gray lines representing streets, which are arranged in a complex, non-uniform pattern. The lines vary in thickness and orientation, creating a dense, textured background. The overall color is a muted gray, providing a subtle and professional backdrop for the white text.

Our Vision for Housing Stability System Transformation

Our Vision for Housing Stability

System Transformation

We will reach functional zero chronic homelessness by 2030 by transforming the Housing Stability System to be a **responsive, sustainable, integrated, inclusive, and adaptive ecosystem**.

To accomplish this transformation and resulting end goal we must intervene at different levels of our systems and communities. We must respond quickly and over the short-term to "branch-level issues" to reduce immediate suffering in our community and we must do our best to address the "root causes of homelessness" to transform the system over time.

To do this Co-Creators and Lived Experts have pointed to key shifts that we hope will transform the system. These "interventions" are proposed in direct response to our learnings from community engagement and environmental scanning.

Mapping the Problem Space to Our Solutions

The Tree Analogy

Early in the process of developing the Plan to End Chronic Homelessness, Lived Experts introduced the analogy / imagery of a tree to describe the causes of homelessness in our community. To properly transform our system and end chronic homelessness we must intervene at different levels of our systems and communities—if we do not we will continue to be in a reactionary state, using downstream fixes for upstream issues. For example: focusing exclusively on the branches results in reactive and short-lived actions. While solutions at the branches level are required, they cannot be the only solutions implemented, otherwise we will perpetuate the status quo. (LE Prototyping Cohort, 2024)

This tree analogy has since been central throughout the Lived Experts Prototyping and broader plan development process. It now acts as a framework for us to align our Problem Space and Solution Space directly:

Problem Space and System Interventions

Problem Space Our Learnings

The current system is not designed or adequately resourced to address the increase in numbers of individuals (volume) requiring support or the increased complexity of needs that individuals have—specifically, those who are precariously housed or experiencing hidden homelessness and those who require deeply therapeutic and supportive housing.

The current structure of siloed and hierarchical decision-making is creating a lack of transparency and trust within the Housing Stability System and the broader community.

Lack of Lived Expertise and Equity Focus is creating system responses that do not align with the needs of the community and is actively causing harm—systems need to sense and see themselves in order for change to occur.

The Province and the Federal government's retrenchment of building community housing in the 70's and 80's has led to a reliance on the private market which has driven a hyper-financialized capitalist model of housing. Increased housing costs are reducing access to housing for broad groups of our population.

BRANCHES & FRUIT (CONSEQUENCES)

Access to services, protocols, rules and regulations, risk management process, research, consultations, etc.

TRUNK (ENFORCING STRUCTURES)

Systems such as laws/courts, policing/ criminalization, hierarchies, governments, education, health care, etc.

ROOTS (CAUSES)

Colonization, capitalism, land theft and privatization, spiritual disconnect to land, Western rational thought and dogmatic beliefs, etc.

Solution Space Interventions for Transformation

Broadening Our Current Housing / Prevention Support Continuum

Increased capacity at all levels of current continuum + Broadening the continuum to support deeper level of complexity and to prevent people from falling rapidly into homelessness are reducing access to housing for broad groups of our population.

Community-Driven System Leadership

Establishing a Whole of Community Governance Model that will include Lived Experts, Equity Deserving Groups, System Leaders, ROW Staff. Disseminating system decision-making power to increase transparency, accountability and trust.

Centring Lived Expertise and Equity-Owed Groups

Through this the system will better see itself, avoid future mistakes and be better equipped to acknowledge ongoing trauma, loss and death. Striving for Restoration, Reconciliation.

Defining and Combining our Housing First and Human Rights Approaches

Human Rights needs to be a building block of our community approach to housing—alongside Housing First—and should drive our empathy, action and advocacy.

Figure 1: Tree Analogy depicting the problem and solution spaces of the PECH

Interventions for System Transformation

Responding directly to our articulation of the Problem(s) Lived Experts and Co-Creators identified four (4) High-level System Interventions:

1. Broadening Our Current Housing / Prevention Support Continuum
2. Community-Driven System Leadership
3. Centring Lived Expertise and Equity-Owed Groups
4. Define and Combine our Housing First and Human-Rights Approaches

(LE Prototyping Cohort, 2024)

These interventions also interact and support each other in different ways. For example, Intervention 1 is outcome driven (the “what”) and meant to react quickly with resources to address current service gaps in the system. However, this continuum of needed housing and supports will shift over time alongside our population and system environment. Interventions 2, 3 and 4 are process-driven (the “how”) and are the methods we use to continuously update and implement in alignment with changing needs in our community.

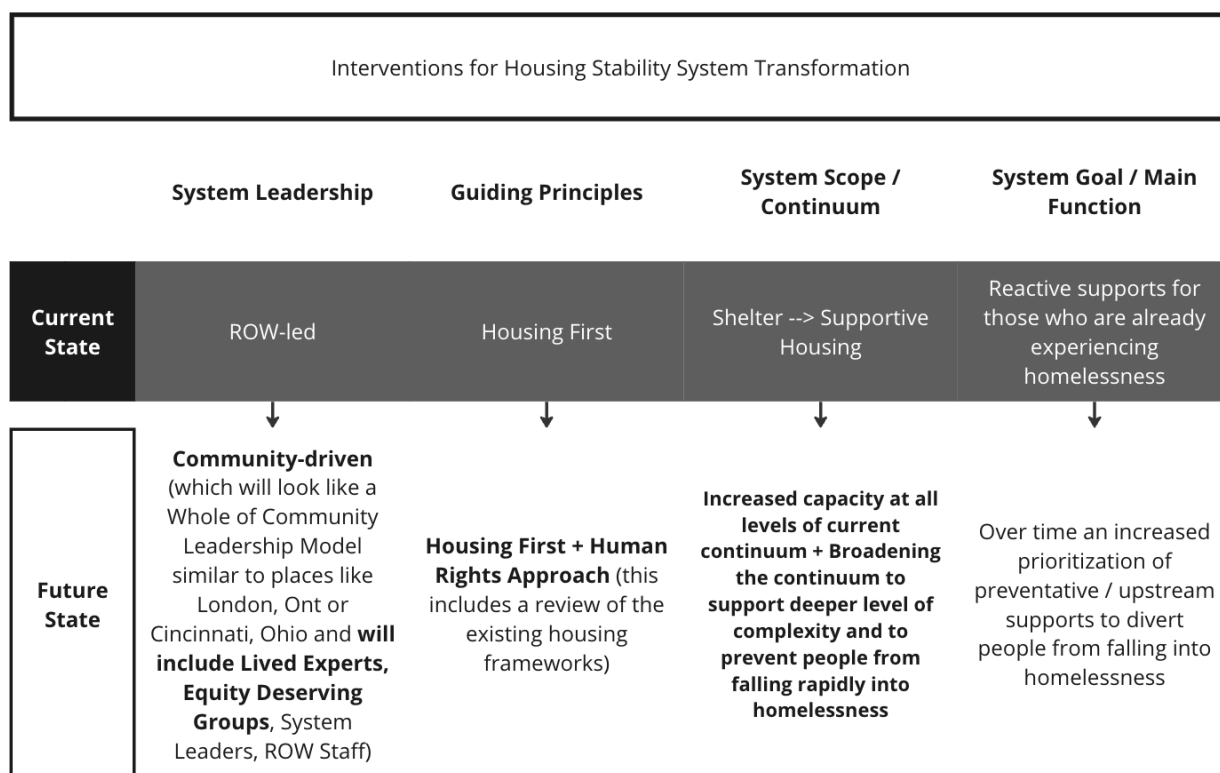


Figure 5. Current State and Future State of Interventions for Housing Stability System Transformation

Intervention 1: Broadening Our Current Housing / Prevention Support Continuum

We will increase capacity at all levels of current housing continuum and we will broaden the continuum to support deeper levels of complexity and to prevent people from falling rapidly into homelessness.

Housing Continuum



Figure 6. Housing Continuum

Prevention and Supports Continuum



Figure 7. Prevention and Supports Continuum

“If we can’t fix whatever led them to homelessness, we aren’t going to solve it” —

Engagement Participant

Intervention 2: Community-Driven System Leadership

We will establish a Whole of Community Leadership Model that includes Lived Experts, Equity-Owed groups, service providers, system leaders, area municipalities and ROW Staff. The goal of establishing community-driven system leadership is to disseminate system decision-making power to increase transparency and trust and responsibility to ensure that the system is built to be accountable to the needs of those experiencing homelessness. We will follow and learn from examples of other communities who have taken a similar approach including London (Ontario), Edmonton (Alberta), and Cincinnati (USA).

We envision this Whole of Community Leadership Model to be built around key governance tables. This new structure would have decision-making power over the implementation of the PECH. The Model will also work toward an integrated systems planning approach. The role of the Region as the Service System Manager remains, but would move from singularly driving these decisions to collaborating and supporting—working alongside the new leadership tables to guide PECH implementation. As diagrammed below, PECH Implementation will be centred on the work of System Interventions and Strategic Focus Area Recommendations. *Also see page 44 - 62 for more details.*

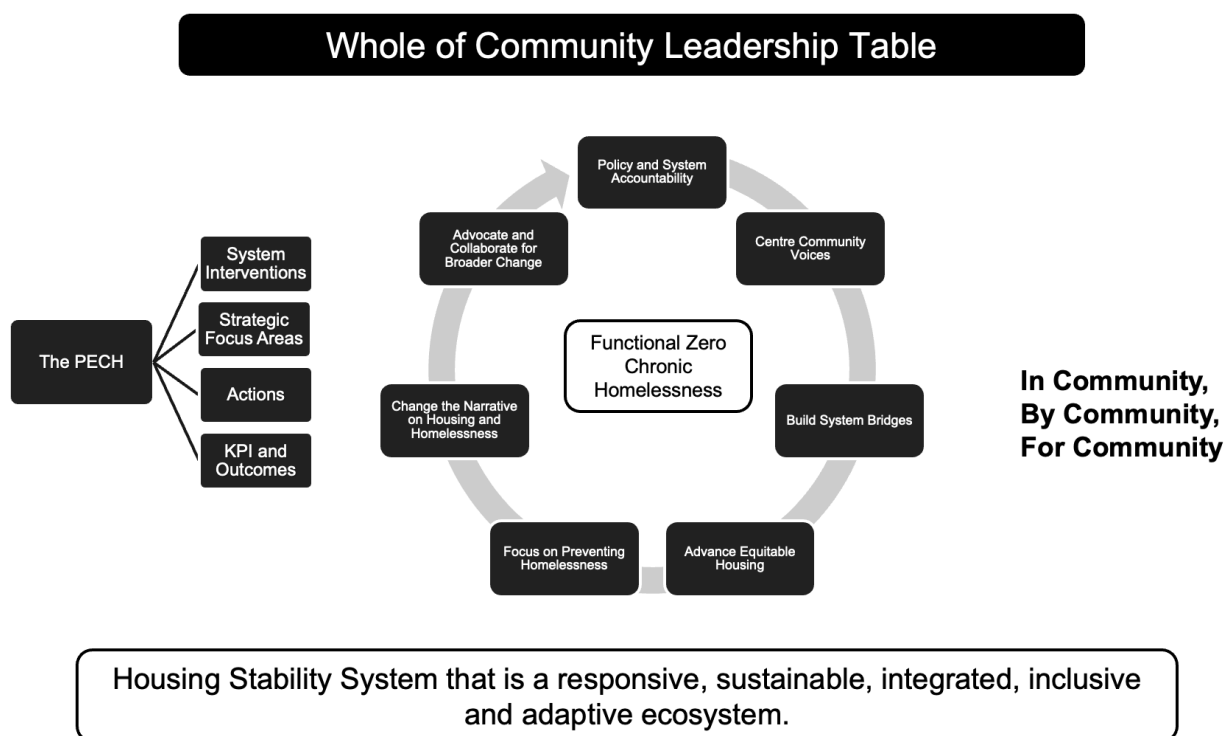


Figure 8. Community-Driven System Leadership Diagram

We are recommending that from April to December of 2024 PECH Co-Creators along with the SDC Prototyping Cohort work to design and implement this Model (LE Prototyping Cohort, 2024). This will include activities such as creating a member Terms of Reference, developing policy and procedure for model operation, etc.

Situating the PECH

The creation of the Whole of Community Leadership Table will allow us to better intersect and coordinate with other sectors and the system planning table. It will be important to have representation from the following groups to ensure we are creating opportunities for enhanced system integration.

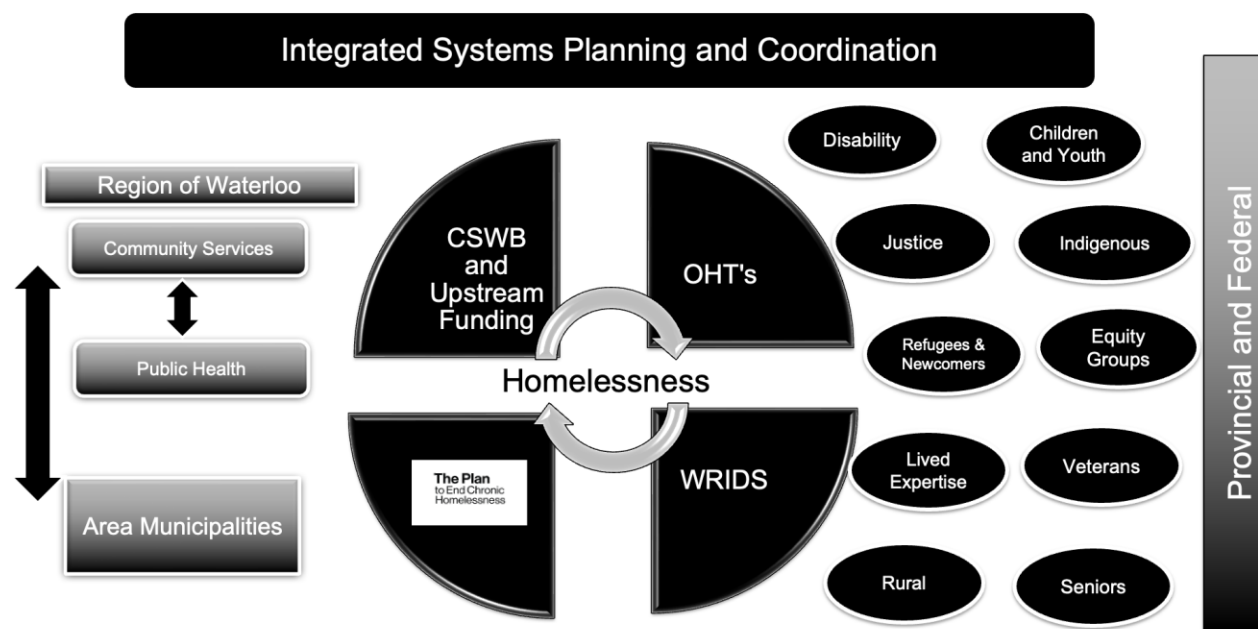


Figure 9. Whole of Systems Coordination Diagram

“Last time implementation was driven by the Region, power dynamics became an issue.” —

Engagement Participant

Intervention 3: Centring Lived Expertise and Equity-Owed Groups

Through this intervention, “the system will better see itself”, avoid future mistakes and be better equipped to acknowledge ongoing trauma, loss and death (LE Prototyping Cohort, 2024). There is deep work to do to restore trust with those who have been marginalized. As well, there is acknowledgement that the system must do better with community members of Indigenous, racialized, and intersectional groups where reconciliation and equity is owing in order to have systems of support and resources that go further to move towards an equitable and inclusive whole of community. We will do these through a variety of methods including:



Figure 10. Ways we will centre Lived Expertise and Equity-Owed Groups

“Listen to lived experience.” —Engagement Participant

Intervention 4: Defining and Combining our Housing First and Human Rights Approaches

Human Rights needs to be a building block of our community approach to housing (LE Prototyping Cohort, 2024)—alongside Housing First—and should drive our empathy, action and advocacy. **It is important to note that we are not moving away from a Housing First approach, but updating it to match our current context.**

The SDC Lived Experts Prototyping Cohort has defined our Human Rights approach as:

People experiencing homelessness are treated as rights holders, where their agency is respected, and where the Region has a duty of care for their housing needs. Region will be compliant with national and international human rights law and ensure it is appropriately prioritized amidst other legal obligations such as those regarding property rights, privacy, and liability. (LE Prototyping Cohort, 2024)

There is work to be done as the PECH is implemented and as the Whole of Community Governance Leadership Model is established to validate this and integrate it with our existing Housing First principles.

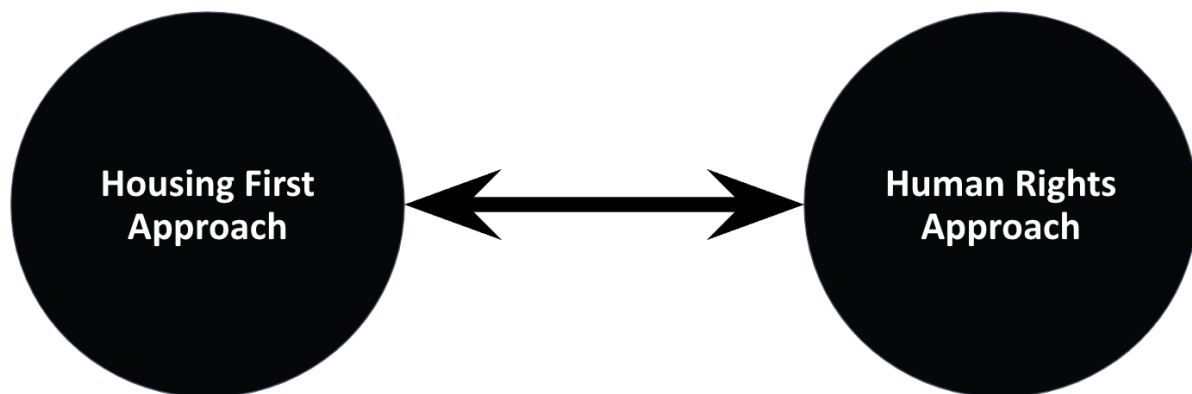


Figure 11. Housing First Approach Integration with Human Rights Approach Diagram

“To say we’re a Housing First community is ringing less-and-less true given the lack of wrap-around health supports that are inherent to the model and critical to its success.” —Engagement Participant

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Strategic Focus Areas

Strategic Focus Areas

The below high-level PECH Focus Areas are in *draft form*. They emerged from our collaborative sense-making activities (of our Community Engagement and Needs Analysis) with the Co-Creator Group in August of 2023 and have been refined several times since. These Focus Areas were used as categories to ideate PECH Actions—tangible initiatives that the PECH will outline.

- Create Policy and System Accountability
- Centre Community Voices
- Build System Bridges
- Advance Equitable Housing
- Focus on Preventing Homelessness
- Change the Narrative on Housing and Homelessness
- Advocate and Collaborate for Broader Change

How our Strategic Focus Areas Support our System Interventions

The PECH Strategic Focus Areas, underlying Actions provide tangible descriptions of the work of implementing our High-Level System Interventions. The chart below illustrates how the work of the Strategic Focus Areas advance each for the System Interventions. Black dots indicate where the work of each Focus Area contributes to bringing about each of the System Interventions.

| High-Level System Interventions | Strategic Focus Areas | | | | | | |
|---|--|--|---|---|--|--|--|
| | Large categories of work / activity within the Plan | | | | | | |
| | Create Policy and System Accountability | Centre Community Voices | Build System Bridges | Advance Equitable Housing | Focus on Preventing Homelessness | Change the Narrative on Housing and Homelessness | Advocate and Collaborate for Broader Change |
| | Strengthen Policy and System Accountability within the HSS and with Adjacent Sectors | Centre Lived Expertise, Racial Justice, Social Justice and shift power relationships | Increase and Broaden Collaboration Within the Homelessness System and with Adjacent Sectors | Create a Variety of Housing to Meet Diverse Needs | Address Both Economic and Social-Economic Causes of Chronic Homelessness | Foster a Shared Community Response | Coordinate our advocacy efforts to bring about broader changes |
| Broadening Our Current Housing/Support Continuum | ● | | ● | ● | ● | | ● |
| Community-Driven System Leadership | ● | ● | ● | | ● | ● | ● |
| Applying an Intersectional Human Rights Lens to all system attributes | ● | ● | | ● | ● | ● | |
| Centring Lived Expertise and Equity-Deserving Groups | ● | ● | ● | | ● | ● | ● |

Figure 12. How each PECH Focus Area contributes to the System Interventions

Focus Area #1: Create Policy and System Accountability

Strengthen Policy and System Accountability within the HSS and with Adjacent Sectors

We will review and update current HSS programs, policies and frameworks. This work will be facilitated by the Service System Manager in collaboration with the Whole of Community Leadership structure and will be ongoing as the PECH is implemented. This work will include ensuring policies and frameworks are integrated with our Housing First and Human Rights approach, applying a gender-based analysis plus (GBA+) lens to homelessness prevention policy, establishing Reconciliation, Equity, Diversity, and Inclusion (REDI) specific strategies and Indigenous-focused reconciliation strategies. There will also be a focus on creating frameworks and MOU's with other systems (i.e. health, justice, etc.).

Summary:

- Revise Homelessness & Supportive Housing Frameworks to align with Housing First and Housing as a Human Right principles, emphasizing cultural competency, anti-oppression, and GBA+ lenses.
- Implement a housing-focused Street Outreach Framework and Human Rights Based Approach encampment response protocol to aid those experiencing unsheltered homelessness (LE Prototyping Cohort, 2024).
- Apply an intersectional GBA+ lens to homelessness prevention policies, targeting equitable housing outcomes for women and gender-diverse individuals.
- Expand the Coordinated Access System (PATHS) to improve integration between critical system partnerships, enhancing service pathways, connections, and permanent housing outcomes. Launch a Housing Stability System Data Strategy to monitor progress and establish data-informed decision-making processes.

Focus Area #2: Centre Community Voices

Centre Lived Expertise, Racial Justice, Social Justice and Shift Power Relationships

We will centre community voices by shifting roles, ownership, and accountability in the HSS. This is more than an “amplification” of voices as that suggests we are maintaining systems of oppression—we need to completely redesign how we include interest-holders in this work. Advancing a Whole of Community approach, where lived/living

expertise of chronic homelessness, racial equity, and social justice are central in decision-making, funding choices, and policy creation, will ensure the homelessness system will be culturally competent, inclusive, and proactive in addressing systemic harm. For this to succeed, traditional power holders also need to let power transfer to others. (LE Prototyping Cohort, 2024)

Summary:

- Establish All of Community Leadership Table to oversee chronic homelessness plan implementation.
- Develop Lived Expertise process with regional representation for policy review. (LE Prototyping Cohort, 2024)
- Create partnerships, strategies, and funding streams specific to REDI to enhance equitable homelessness response supports and initiatives.
- Expand partnerships and networks to include Black, Indigenous, and Racialized groups, as well as other marginalized communities with intersecting systemic challenges.
- Implement annual funding for community organizations addressing homelessness. (LE Prototyping Cohort, 2024)

Focus Area #3: Build System Bridges

Increase and Broaden Collaboration Within the Homelessness System and with Adjacent Sectors

We will establish greater system collaboration and integration—within and with other sectors including healthcare, justice, rural, income support and other social determinants of health serving systems. Silos are barriers to access—by welcoming and encouraging more collaboration, we can explore and reduce the duplicity of work and barriers to access to enhance system navigability. This means resourcing and advocating for partnerships in the implementation of the PECH to implement trauma-informed and harm-reduction (LE Prototyping Cohort, 2024) solutions that respond to the intersections between the drug and housing crises.

Summary:

- Identify surplus/underutilized land for housing, and partner with municipalities, nonprofits, faith-based groups, and postsecondary institutions to create more housing options and address homelessness. (LE Prototyping Cohort, 2024)
- Integrate health and homelessness services to coordinate efforts with local health system partners to enhance care integration, involving Ontario Health Teams, Public Health, hospitals, mental health providers, and community health programs.
- Support newcomers experiencing homelessness by aligning initiatives with resettlement organizations to provide support for newcomers facing homelessness across the region. (LE Prototyping Cohort, 2024)

Focus Area #4: Advance Equitable Housing

Create a Variety of Housing to Meet Diverse Needs

We will create more variety and quantity of housing offerings that respond to a spectrum of needs—developing an HSS that is accessible and responsive to all including Indigenous led and equity-owned groups. This includes increasing the quantity of our current shelter, transitional housing and supportive housing stock. This is about getting creative with how we create quality housing options for our community—such as repurposing and re-habiting municipal or local structures, developing social enterprises, and establishing community land trusts.

Summary:

- Develop Seniors Strategy within PECH, and collaborate on Rural Homelessness and Veteran homelessness initiatives.
- Increasing supportive housing to address the highest complexity of substance use and concurrent mental health needs. (LE Prototyping Cohort, 2024)
- Building capacity for Indigenous and equity-owned groups to respond to the needs of their communities in a culturally appropriate approach. (LE Prototyping Cohort, 2024)

Focus Area #5: Focus on Preventing Homelessness

Address Both Economic and Social-Economic Causes of Chronic Homelessness

We will address the root causes of homelessness by being preventative and viewing those experiencing homelessness as a whole person (LE Prototyping Cohort, 2024). By focusing on upstream action with key populations such as youth, seniors, veterans, newcomers, students, Indigenous people, those who are gender-diverse and those who identify with a disability we aim to prevent experiences of homelessness. Our goal is to shift the main focus of the HSS from reactive with emergency supports to providing preventative and proactive services and programs.

Summary:

- Partner with municipalities for policies and programs to preserve affordable housing and promote development, reducing chronic homelessness inflow.
- Strengthen eviction prevention via enhanced rent bank and rapid rehousing, aiming for significant inflow reduction.
- Establish a Youth Strategy to address homeless youth needs and prevent future generations' homelessness. (LE Prototyping Cohort, 2024)
- Expand multi-service housing hubs for universal access to support and public space availability for people experiencing homelessness. (LE Prototyping Cohort, 2024)

Focus Area #6: Change the Narrative on Housing and Homelessness

Foster a Shared Community Response

We will change the narrative and increase community empathy and spirit regarding homelessness inequities. This includes a narrative of shared responsibility and action, and a recognition of the many community members of our community currently supporting this shift in narrative and contributing to solutions. Deepening public understanding and providing ways for individuals to see themselves as part of a community approach to ending chronic homelessness in Waterloo Region will create trust, transparency, accountability, and dispel myths and misconceptions about poverty and experiences of chronic homelessness (LE Prototyping Cohort, 2024)—this about is the social change required to support our goal of systemic transformation.

Summary:

- Launch comprehensive public engagement and education initiative targeting partners, government, businesses, and residents to raise awareness of homelessness challenges and responses. (LE Prototyping Cohort, 2024)
- Implement robust Housing Stability System Data Strategy to track progress on ending chronic homelessness, inform decision-making, and support advocacy efforts. (LE Prototyping Cohort, 2024)

Focus Area #7: Advocate and Collaborate for Broader Change

Coordinate our Advocacy Efforts to Influence Broader Changes

We will combine our advocacy efforts within our community to secure resources and policy changes needed to achieve our goal. To do this we must present a united and coordinated advocacy strategy (LE Prototyping Cohort, 2024), which includes working more closely with Area Municipalities, agencies, faith-based organizations, and grassroots advocates. Homelessness is a problem that requires alignment with and support from other levels of government—advocating and collaborating strategically will allow us to affect broader change.

Summary:

- Forge partnerships with schools, universities, and colleges to involve academics in housing strategy development under the Whole of Community Leadership Model. (LE Prototyping Cohort, 2024)
- Integrate PECH activities with local addiction and harm reduction initiatives for holistic support to individuals experiencing homelessness. (LE Prototyping Cohort, 2024)
- Create and execute an advocacy plan to enhance multi-tiered responses to chronic homelessness. (LE Prototyping Cohort, 2024)



Actions

Actions

Our 30 PECH Actions are clear projects, initiatives, and/or achievements we will work toward. Each Action aligns with one or more Strategic Focus Areas. Below we have grouped Actions by the Focus Group they most strongly align with; however, a key feature of the resiliency and flexibility of our PECH is that progress toward any one Action moves us forward toward multiple Strategic Focus Areas.

It is imperative that these actions be reviewed with an understanding that further work to prioritize them and assign system accountability is necessary and still to come. No one organization, sector, or level of government can solve the crisis of homelessness in isolation. As such, accountability for leading these actions will lie with community organizations, all three levels of government, civil society, and the community leadership table.

Create Policy and System Accountability

- | | | | |
|------------|---|------------|---|
| 1.1 | Revise current Homelessness & Supportive Housing Frameworks to ensure all Housing Stability System programs/services operate according to Housing First and Housing as a Human Right principles, cultural competency, anti-oppression, gender-based analysis plus (GBA+) lenses and ensure that equity and reconciliation are centred within all system frameworks. (LE Prototyping Cohort, 2024) | 1.2 | Implement a housing-focused Street Outreach Framework and a Human Rights Based Approach encampment response protocol (LE Prototyping Cohort, 2024) to better support people living rough/experiencing unsheltered homelessness. |
| 1.3 | Apply an intersectional gender-based analysis plus (GBA+) lens to homelessness prevention policy and strategies to ensure equitable housing outcomes are advanced for women, | 1.4 | Expand the local Coordinated Access System (PATHS) to enhance integration and coordination between health, addictions, mental health, acquired brain injury, justice, income support, |

and gender-diverse individuals and communities.

- 1.5 Implement a Housing Stability System Workforce Strategy, across the region, to ensure a professionalized and healthy workforce. We will advance salary and benefit compensation, employee well-being and retention, as well as training and professional development.
- 1.7 Implement a User Experience Strategy, across the region, to ensure system service users are supported in all Housing Stability System programs and services. (LE Prototyping Cohort, 2024)

child welfare, and other critical system partnerships to increase service pathways, service connections, and permanent housing outcomes.

- 1.6 Launch a Housing Stability System Data Strategy to monitor and track progress on ending chronic homelessness and establish data-informed decision-making processes.
- 1.8 Create a climate and extreme weather protocol based on a human rights approach. (LE Prototyping Cohort, 2024)

Centre Community Voices

- | | |
|--|---|
| <p>2.1 Establish an All of Community Leadership Table to lead the implementation of The Plan to End Chronic Homelessness recommendations and perform ongoing assessments of activities and progress towards our community's goal of ending chronic homelessness by 2030. The work of the All of Community Leadership table will be to ensure systems and strategic planning integration that work together to end chronic homelessness. This will include: Ontario Health Teams Strategic Plans, Region of Waterloo Strategic Plan, Waterloo Integrated Drug Strategy, Rural Upstream Collaborative-Engage Rural and the Community Safety and Wellbeing Plan.</p> <p>2.3 Establish REDI-specific partnerships, strategies, and funding streams to advance equitable homelessness response supports and initiatives to build capacity.</p> <p>REDI work is inclusive of not only Black, Indigenous, and Racialized groups, but also groups where there is established systemic intersectionality. These partnerships, relationships and networks are currently lacking and must be expanded to a great extent. Where work is currently underway such as with Black communities, Indigenous communities,</p> | <p>2.2 Develop a comprehensive and integrative Lived Expertise process, including establishing a Lived Expert Working Group, with representation from across the region, to support ongoing learning and system reviews of organizational and system policies and processes. (LE Prototyping Cohort, 2024)</p> <p>2.4 Establish an annual funding application and review process for community organizations, across the region, to support emerging ideas and prototypes to respond to homelessness. (LE Prototyping Cohort, 2024)</p> |
|--|---|

communities supporting physical disabilities, developmental disabilities, acquired brain injury, people living in rural areas, as well as, people experiencing criminalization in the Justice system, these relationships must be built out and resourced in order to flourish.

Build System Bridges

- 3.1 Identify surplus/underutilized land(s) with the intention of creating more housing options and respond to unsheltered experiences of homelessness, across the region. We will do this through partnerships with area municipalities/townships, not-for-profits, faith-based organizations, and postsecondary institutions. (LE Prototyping Cohort, 2024)
- 3.2 Establish specific health-related coordination efforts, processes, and supports with local health system partners to create a more integrated health and homelessness system of care. This includes embedding the work of the PECH within the local Ontario Health Teams, Public Health programs, local hospitals, mental health and addictions providers, community health programs, and other health system programs across the region.
- 3.3 Align the PECH and related initiatives with local resettlement organizations and services to support Newcomers to Canada experiencing homelessness across the region. (LE Prototyping Cohort, 2024)

Advance Equitable Housing

- 4.1** Implement Indigenous homelessness and Indigenous-focused reconciliation strategies, led by Indigenous groups and leaders, to enhance permanent housing outcomes for Indigenous communities and support generational healing, guided by Key Concerns identified through Wellbeing Waterloo, Truth and Reconciliation Commission Calls to Action, The National Inquiry into Missing and Murdered Indigenous Women and Girls Calls to Justice, and the United Nations Declaration of the Rights of Indigenous Peoples.
- 4.2** Expand on use of existing community housing stock to increase permanent housing outcomes for individuals experiencing homelessness; including the use of community housing units to support people who have recovered from their experience of homelessness to leave Supportive Housing.
- 4.3** Create new permanent Affordable and Supportive Housing to meet current and future housing needs to end chronic homelessness. This includes deeply therapeutic and harm reduction-focused Supportive Housing to ensure those with the greatest depth of need are supported to stay housed. (Our current 570 Supportive housing units are meeting 50% of our current need) (LE Prototyping Cohort, 2024)
- 4.4** Create a Seniors Strategy, embedded within the broader PECH, to respond to the unique needs of Seniors experiencing homelessness, including but not limited to addressing lack of social connection and income support for Seniors experiencing or at risk of experiencing homelessness due to a lack of affordability in the private market and appropriate housing options.
- 4.5** Co-Create with rural based agencies a Rural Homelessness strategy and actions, embedded within the border PECH, to address the unique needs of people at risk of or experiencing homelessness in each of the four Townships.
- 4.6** Implement alongside system partners, a housing-focused strategy with dedicated resources to end Veteran homelessness.

Focus on Preventing Homelessness

5.1 Reduce inflow into chronic homelessness by working with area municipalities to implement policies and programs focused on mitigating the loss of affordable housing in the private market, while continuing to incent affordable housing development. (LE Prototyping Cohort, 2024)

Expand on inflow prevention and eviction prevention work through the expansion of the rent fund, eviction prevention (from all housing including supportive and community housing) and rehousing services to significantly reduce inflow into chronic homelessness.

5.3 Expand and create new multi-service agency housing hubs across Waterloo Region to ensure universal access to community-based supports that increase housing stability and for public spaces to be readily available for individuals experiencing homelessness outside of shelter operating hours. (LE Prototyping Cohort, 2024)

5.2 Create a Youth Strategy, embedded within the broader PECH, to respond to the unique needs of youth experiencing homelessness and develop upstream approaches that target youth at risk of experiencing homelessness and end generational experiences of homelessness. (LE Prototyping Cohort, 2024)

Change the Narrative on Housing and Homelessness

6.1 Launch a comprehensive public engagement and education strategy for partners, Council, area municipalities, provincial and federal government, businesses, and residents to

6.2 Implement a comprehensive Housing Stability System Data Strategy to monitor and track progress on ending chronic homelessness and establish data-informed decision-making

increase awareness and understanding of homelessness related challenges and responses. (LE Prototyping Cohort, 2024)

- 6.3** Establish an ongoing memorializing process for those lost to homelessness. This includes partnering with interest-holders in the Housing Stability System, Lived Experts, Mutual Aid Groups, Unsheltered Communities, and the Coroner's Office. (LE Prototyping Cohort, 2024)

processes. This resource will also be leveraged to support advocacy efforts and inform our community of the realities of homelessness. (LE Prototyping Cohort, 2024)

Advocate and Collaborate for Broader Change

- 7.1 Strengthen partnerships with school boards, local universities and colleges to ensure that professors and academics in multiple fields are engaged in developing upstream education programs on the risks of homelessness. (LE Prototyping Cohort, 2024)
- 7.2 Align the All of Community Leadership Model and PECH activities with existing addictions, substance use, and harm reduction community-led initiatives to ensure integrative supports for individuals experiencing homelessness active in their substance-use. This includes alignment and integration with WRIDS, Public Health, and other community-based services and supports across the region.
- 7.3 Develop and implement a coordinated advocacy and inter-governmental relations plan to strengthen a multi-tiered response to chronic homelessness. (LE Prototyping Cohort, 2024)

The background of the entire page is a light gray map of a city street grid. The grid is composed of numerous thin, light gray lines representing streets, which are arranged in a complex, non-uniform pattern. The lines vary in thickness and orientation, creating a dense, textured appearance that covers the entire background.

Investment Strategy

2024–2030

Investment Strategy 2024-2030

To respond to the growing homelessness and affordable housing crisis, the Region of Waterloo is directing unprecedented investments towards programs, supports, and capital projects to meet the needs across the community. In 2024, the Region of Waterloo will invest more than \$245 million into Affordable Housing and Homelessness, including capital and operating investments, from all sources of funding. Of the approximately \$245 million invested across the housing continuum, 23% is directed towards homelessness and supportive housing programs.

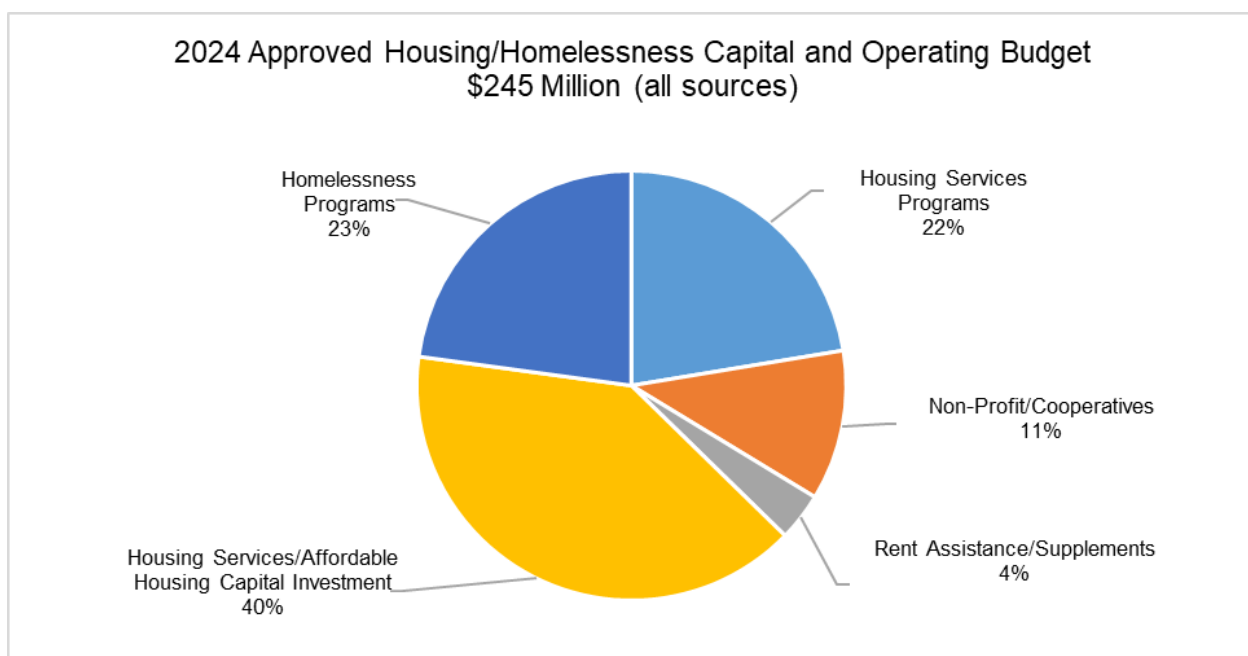


Figure 13. highlights the current investment by the Region of Waterloo, from all sources, in Housing and Homelessness. Of the \$245 million invested in 2024, 23% is directed towards Homelessness and Supportive Housing.

Between 2019 and 2024, the Region has increased municipal tax levy and reserve investment in this critical service area by approximately 83% from \$104 million to \$191 million, signalling a deep and historic commitment to achieving homes for all in Waterloo Region. This level of municipal commitment to homelessness and affordable housing is unique when compared to other Regional governments and System Service Managers in Ontario.

The Plan to End Chronic Homelessness Investment Plan and Strategy (2025-2030) totals \$270 million in operating and capital investments to prevent, address, and end chronic homelessness.

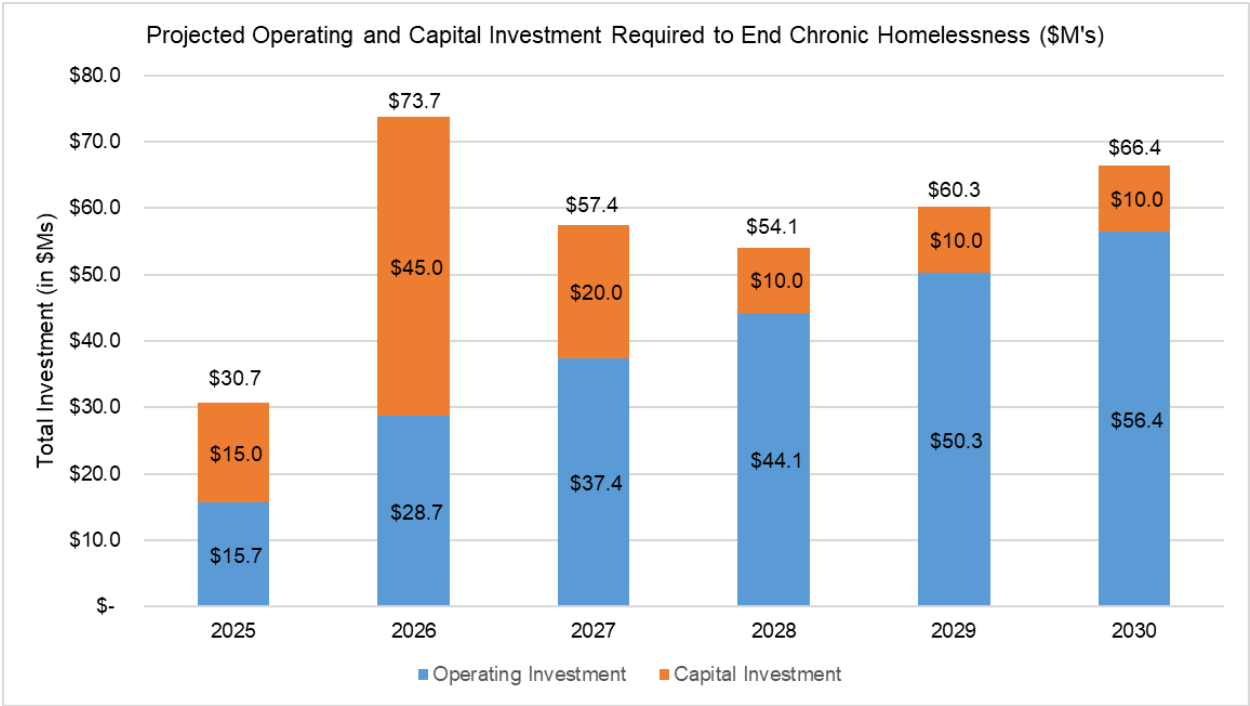


Figure 14. details the investments required to address, prevent, and end chronic homelessness in Waterloo region, both Capital and Operating.

The staggering investment needed to address this growing crisis is required from all sectors and levels of government. To achieve an end to chronic homelessness in Waterloo Region, a deepening of commitment and engagement is needed from all levels of government, public and private sector, and key system partners (healthcare, mental health and addictions, justice, etc.). This shared community challenge is not to be owned or solved by one order of government in isolation.

The Investment Plan and Strategy address the immediate community needs and plans for a more stable and outcomes-focused future where every resident of Waterloo Region has a place to call home. This Investment Plan and Strategy shifts the collective focus from reactive emergency-based responses to upstream intervention and permanent solutions. We will shift our collective approach from managing homelessness to ending it.

Shifting the Collective Focus: Managing Homelessness to Ending It

The significant investment into homelessness services and programs cannot be overstated. At approximately 23% of the total investment made by the Region of Waterloo into Affordable Housing and Homelessness, this level of commitment and investment is unprecedented. \$56 million will be invested into homelessness and supportive housing programs in 2024. Despite this significant and encouraging commitment and investment into the local Housing Stability System, currently the majority of funding is dedicated towards reactive and emergency-based responses as the local crisis of homelessness continues to rise at alarming rates. The Plan to End Chronic Homelessness sets out to shift the collective focus towards permanent housing outcomes and upstream interventions so the significant investments being made into the system have a greater return on investment and, most importantly, create permanent housing outcomes for the most vulnerable residents of Waterloo Region.

Current State: Managing Homelessness

Inspiring homelessness prevention and supportive housing work happens on a day-to-day basis across the Housing Stability System and this work cannot be undervalued or overlooked. Since 2019, the Housing Stability System and related investments have been directed towards managing the growing homelessness crisis, including the development of hundreds of emergency shelter beds, increasing street outreach, and hybrid shelter models.

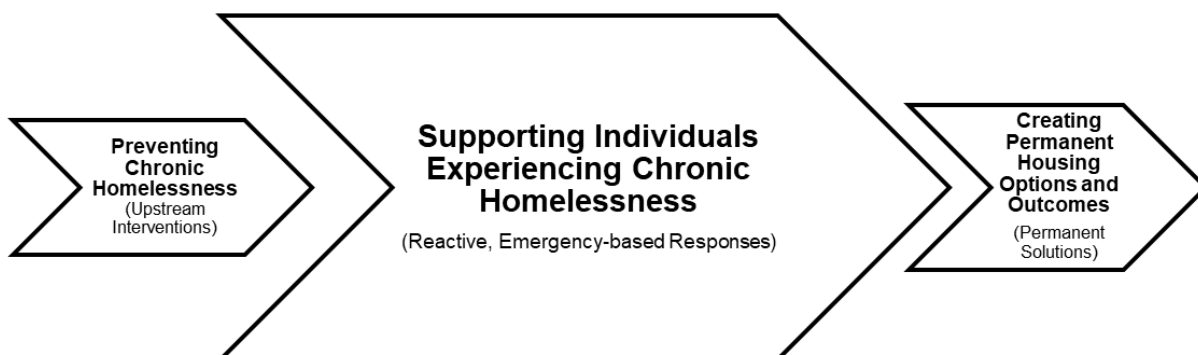


Figure 15. Current state: Managing Homelessness

Future State: Ending Homelessness

As the Plan begins to be implemented, the strategic shift that is required is moving towards a system that is focused on ending homelessness rather than managing it. This means investing resources towards preventing chronic homelessness and creating permanent housing options and outcomes. This shift does not mean reducing service

standard levels for individuals experiencing homelessness rather, the intention is to strengthen efforts to meet the needs of individuals and families experiencing homelessness so their experiencing of homelessness can be brief, rare, and non-recurring.

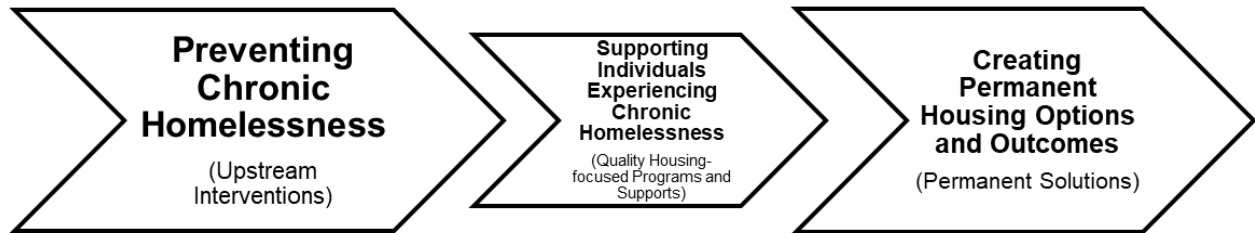


Figure 16. Future state: Ending Homelessness

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Tracking Our Progress

KPIs, Outcomes, Solutions and Experiences

Tracking Our Progress—KPIs

As a Built for Zero community (<https://bfzcanada.ca/getting-to-zero/>) we know that the path to ending chronic homelessness is best supported by a data-driven and collaborative peer-learning approach. We also know from other Built for Zero communities that experiencing homelessness is not about having bad luck or the result of individual choices, it is a systems problem that is solvable.

Waterloo Region has achieved a quality by-name list of people experiencing chronic homelessness and a Reaching Home ([About Reaching Home: Canada's Homelessness Strategy](#)) defined coordinated access system (that works to ensure that those with the greatest depth of need are prioritized for housing vacancies). These are key milestones that work towards ensuring we have the data to understand the scope of the issue, help to make data-informed decisions, and measure progress towards ending all experiences of chronic homelessness.

Establishing and monitoring key performance indicators (KPIs) will be an essential part of the implementation of the Plan to End Chronic Homelessness, and will be a collaborative responsibility amongst various community and system partners who will make up the All of Community Leadership Table.

We need to set measurable goals and measure progress. We also need to prioritize investments that will help us achieve our goals.

As outlined in the investment strategy, we know that more financial resources and attention need to be put to Preventing Chronic Homelessness and Creating Permanent Housing Outcomes. The more we can invest in preventing experiences of chronic homelessness (Focus Area #5) and accelerate permanent housing outcomes from experiences of chronic homelessness (Focus Area #4), the faster we will achieve our community's goal of Functional Zero chronic homelessness.

Establishing performance indicators and measuring our communities progress towards achieving functional zero chronic homelessness will rest within three areas:

- 1) **Inflow** - Preventing Experiences of Chronic Homelessness: how are the programs, services, and interventions within our community working together to prevent experiences of chronic homelessness to occur?
- 2) **Active** - Supporting Individuals Experiencing Chronic Homelessness: how are the strategies and actions of our community working to reduce the overall number of people experiencing chronic homelessness?

- 3) **Outflow** - Creating Permanent Housing Options and Outcomes: how are investments in permanent housing and permanent housing with supports (Supportive Housing) supporting people to quickly and permanently end experiences of chronic homelessness?

We know that racialized, black, and Indigenous communities are overrepresented amongst people experiencing homelessness. As part of the work to establish community performance indicators, it will be essential to better collect, report on, and act on identity based data. We will need to work alongside Indigenous, black, and racialized communities to better understand and address the disparities and disproportionalities as we work to create equitable systems that work together and serve the housing, health, and human needs of all community members. At the heart of this work will be creating and nourishing relationships with equity-owed groups to better understand their community's experiences of homelessness, and supporting these communities' self-determined priorities and actions to address homelessness within their community.

The background of the slide is a light gray map pattern, showing a network of streets and roads. The pattern is dense and covers the entire area.

Change Management Approach

Change Management Approach

Our change management approach consists of five elements:

- **A set of Shared Principles for Change**—these principles will guide those working to implement the PECH.
- **An integrated systems planning approach**—this will be achieved through the formation of a Whole of Community leadership Table that includes the Region of Waterloo (SSM), Area Municipalities, community leaders and lived experts and equity-owed groups/sectors.
- **An investment in the Equipping of Community Leaders and ROW Staff** to practise and implement change management, providing a path forward for authentic system transformation.
- **The Two Loops Model of Systems Change** is a nonlinear theory of system change. It provides a useful framework to understand the transformation process occurring within the HSS.
- **Short-term Action Plan and Next Steps** to keep the work and momentum moving forward.

Shared Principles for Change

By following and enacting our **shared principles** to inform our decision-making, guide our behaviour and shape our values as a community:

- Have Lived Expertise Leadership throughout to help the system see itself
- Champion Intersectional Human Rights
- Prioritize Human Well-being Over the Financialization of Housing
- Reform governance and service systems
- Solutions must be for and by equity-owned communities
- Commit to Safe Housing First

(LE Prototyping Cohort, 2024)

Incorporate Lived Expertise Leadership Throughout

- Through this the system will better see itself (LE Prototyping Cohort, 2024) and be further equipped to acknowledge ongoing trauma, loss and death.
- Incorporating lived expertise leadership ensures our past mistakes are not repeated and enables us to try new approaches from a bottom-up approach.
- Homelessness is a wicked problem meaning that it is highly complex. To solve complex problems we must explore, test, and iterate to find solutions. This work requires committing to responsive adaptation and a recognition that "messy is a process." (LE Prototyping Cohort, 2024)

Champion Intersectional Human Rights

- Human Rights needs to be a building block for our community approach to housing and should drive our empathy, action, and advocacy. (LE Prototyping Cohort, 2024)
- There are deep wounds that need to be healed in our community. Restorative conflict resolution offers a possible pathway. (LE Prototyping Cohort, 2024)
- Recognize that everyone involved brings their whole self to this work of reconciliation - by using the mind, heart, body, and spirit to take appropriate actions and rebuild communities of care. (LE Prototyping Cohort, 2024)
- Intersectionality must also be a core tenant of our approach as each individual's story and situation is unique and must be accommodated for. (LE Prototyping Cohort, 2024)
- Decriminalize poverty and homelessness – policing, bylaws enforcement, risk management, policies, and procedures (e.g., neo-vagrancy bylaws) to be either removed or transformed to benefit the poor and people experiencing homelessness. (LE Prototyping Cohort, 2024)

Prioritize Human Well-being Over Financial Gain

- An economic and value shift is required related to our perception of housing. Currently, being over-housed is a measure of success in our current society. (LE Prototyping Cohort, 2024)
- "Housing is both a human right and a speculative commodity from which to extract wealth. Therein lies the crux of the housing problem. Until we fully reconcile these contradictory roles that housing plays, we will be in a perpetual state of crisis."—(Doucet, McDougall and Jay 2023) (LE Prototyping Cohort, 2024)
- Challenge the appropriation and privatization of the Indigenous land – partner with the Six Nations of the Grand River, Haudenosaunee Confederacy Chiefs Council, and local First Nations, Inuit and Metis communities and release public lands for alternative housing solutions outside of the private market to Indigenous-led groups, while providing capital funding and capacity building support.

Reform Governance and Service Systems

- Requires a redistribution of power and resources to lived experience groups, equity-owed groups, and community-based entities for the irreplaceable work they do alongside service providers. (LE Prototyping Cohort, 2024)
- ROW/SSM role/responsibility for systems accountability/coordination and funding allocations will also include backbone support to the community systems table rather than singular decision-maker through the Whole of Community Leadership Model.
- By focusing at the trunk and root levels of this issue we will create change—funding sustainable prevention, committing to continual and intentional evaluation of solutions and leveraging data and evidence to inform our decisions and discussions. (LE Prototyping Cohort, 2024)

Rebuild Communities and Involve the Capacity of the Whole Community

- Redirect/invest resources to equity-serving organizations that are doing this work and are led by deserving groups to ensure a “for them, by them” approach is taken for increasing service system capacity. (LE Prototyping Cohort, 2024)
- Homelessness is an equity issue, as such we need to include non-traditional partners, systems and voices in decision-making. By leveraging the collective intelligence and experience in our community we will solve this community problem. (LE Prototyping Cohort, 2024)

- View residents, support groups, advocates, and activists as a part of the continuum of care that reaches from informal to formal system supports, with both types of support complementing each other. (LE Prototyping Cohort, 2024)
- A collaborative or co-design solutions approach is imperative to build trust with those in the community most impacted by homelessness and for others in the community to see themselves as a part of solutions. (LE Prototyping Cohort, 2024)

Commit to Safe Housing First

- Housing First (HF) will remain an important foundation to our Community Approach to Housing, however it needs to be reviewed/refined with a Human Rights approach. HF must be updated to match our current context and to ensure it is not perpetuating harm to individuals we are trying to support. The application of HF currently prioritizes permanent and supportive housing solutions, flexible wrap-around supports, and integration of health supports. To further implement HF alongside a Human Rights approach requires self-determination and choice to be upheld during experiences of homelessness and for this to continue once someone is housed. (LE Prototyping Cohort, 2024)
- Rethink public land both as a source of housing and reframing it as a health support. Right now, anybody who is rendered homeless has nowhere to be legally. Which directly impacts their health. How might we integrate those two possibilities to consider a lack of housing as a health issue fundamentally? (LE Prototyping Cohort, 2024)
- Tailoring solutions to housing (i.e. integrated health supports that address social determinants of health) that meet a specific need is integral to keeping people housed.

Whole of Community Leadership – Integrated Systems Planning

The creation of a Whole of Community Leadership structure is a key element in the change management process for PECH. The change management goal is to transform the way in which the work of ending chronic homelessness is done in Waterloo Region. This structure will empower the community to have greater input and influence into prioritizing investments and actions needed to transform the Housing Stability System to achieve the vision set out in PECH.

At present this is a conceptual model that will be co-developed. The community leadership model would include the following:

- Membership will include the ROW as the Service System Manager (SSM), Area Municipalities and leadership from key sectors and groups that represent the diversity of the community voices that are needed to provide guidance into the implementation of the PECH.
- The role of the SSM will continue to oversee their mandated responsibilities for funding allocations and ensuring accountability to the system frameworks and outcomes.
- Moving to a community systems leadership mode will require more work to be done in defining the distinct and respective roles and responsibilities through a terms of reference. This work will be done in collaboration with the members of the current Co-Creator Table while continuing to invite broader representation from the community that will reflect the context of Waterloo Region.
- Establishing a community systems leadership model will ensure that the implementation of PECH will maintain an adaptive and inclusive leadership that is needed to respond to the current complexities and future challenges of chronic homelessness.
- Dedicated change management process will be required to help table partners to identify the differences of power and influence that they represent. The process must address cultural understandings and lived experience of community partnership that have been hindered by legacies of power and privilege. The goal is to create a new approach and collaboration that both respects the roles and responsibilities ascribed with embracing transparency for change and inclusion on the work to end chronic homelessness. (LE Prototyping Cohort, 2024)

Whole of Community Leadership Conceptual Model

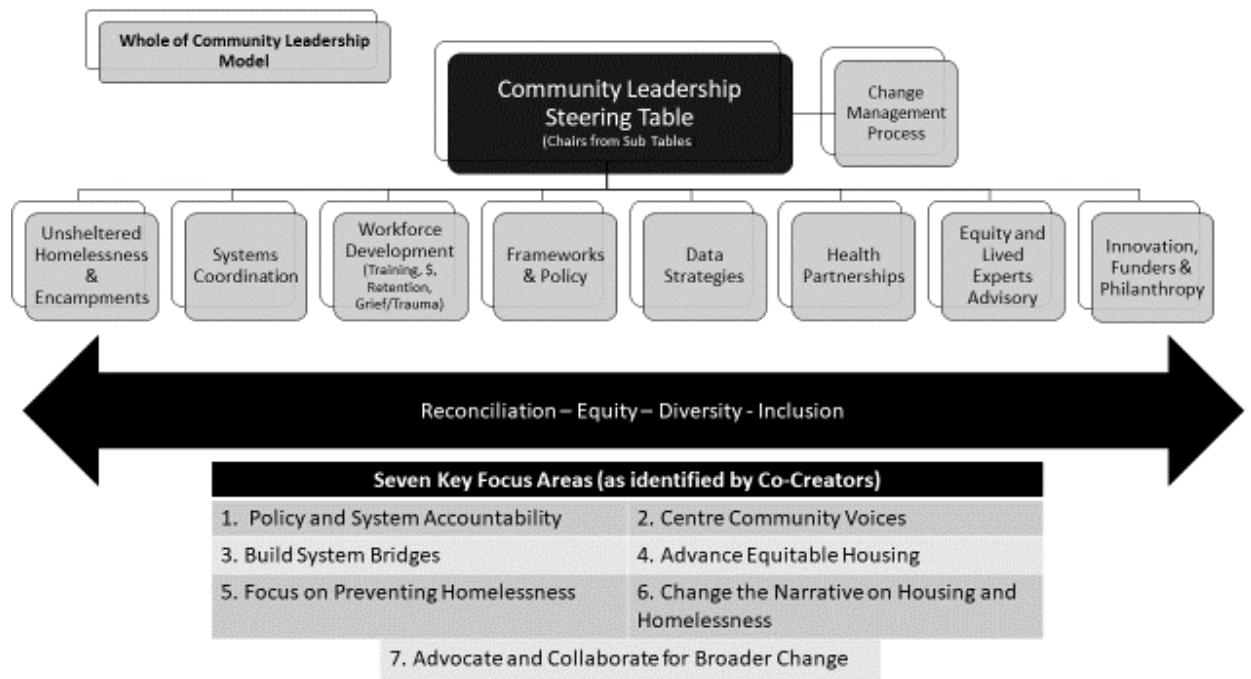


Figure 17. Conceptual Community Leadership Steering Table

An Investment in the Equipping of Community Leaders and ROW Staff

An investment in the Equipping of Community Leaders and ROW Staff to practice and implement change management, providing a path forward for authentic system transformation.

“**Nothing changes unless people do.**” concluded Scott Keller and Bill Schaninger when their 2019 research indicated that around 40% of change management failure is related to employee resistance and almost 35% to management behaviours that didn’t support change. *This is* a staggering display of how much people affect the outcome of change. 70% of change programmes fail. A large part of this sits with the leadership team and their ability to develop themselves and their people throughout the change. This is about seeing leaders as enablers of change rather than change agents, where their focus needs to be on creating an environment that encourages and facilitates change.” (Short, 2021)

The SDCWR Prototyping community of practice, which engaged marginalized voices with lived experience as well as SDCWR and ROW staff, discovered:

- That we as leaders, “get to go first” and model a way forward for others. There are no shortcuts.
- That this work is first and foremost relational work, requiring that we are present to ourselves, compassionate with one another, and passionate about finding and activating the best way forward for all. (LE Prototyping Cohort, 2024)
- The importance of the ongoing investment of time and energy in creation of the conditions that encourage and facilitate adaptive change. This year long investment resulted in the evolution of prototypes which sought to address the problem of chronic homelessness. Prototype groups continue to adapt as they learn and respond to changing contexts and unanticipated challenges. (LE Prototyping Cohort, 2024)

Ronald Heifetz, Marty Linsky, and Alexander Grashow are credited with developing the *Adaptive Leadership* framework. The framework distinguishes between technical fixes and adaptive change. When the problems we are seeking to solve overwhelm us, we often seek technical fixes, rather than placing ourselves on the necessary path of adaptive change. Change management requires us to appropriately transition from the application of shorter-term technical fixes to longer-term work of adaptive change. Technical issues rely on protocol, procedures, rules and regulations to solve them. Adaptive challenges, on the other hand, depend on dynamic, people-focused solutions. Responding adaptively is long-term, relatively simple and challenging to maintain over time. These ideas are based on the following quotes.

“The most common leadership failure stems from trying to apply technical solutions to adaptive challenges.”

The Practice of Adaptive Leadership: Tools and Tactics for Changing Your Organization and the World, Ronald A. Heifetz, Marty Linsky, Alexander Grashow, 2009, Harvard Business Review Press

“We look for solutions that are complex, easy, and quick when mostly they are simple, difficult, and long-term.”

ALL: CHANGE - Unlocking Kingdom Potential in a World We Weren't Prepared For, Rich Robinson, to be released Sept 2024, 100 Movements Publishing

As part of the implementation of the Plan to End Chronic Homelessness, leaders must apply an *Adaptive Leadership* approach to guide housing stability system transformation. Along with addressing immediate concerns through technical fixes, they must also attend to the adaptive challenges which most often arise in crises, do not respond to previously applied solutions, and require multiple parts of a system to engage what are often competing perspectives and priorities.

Figure 18, describes the shift from *Technical* to *Technical and Adaptive* and eventually to *Adaptive* Challenges. The final row, describes the problem definition, solution and locus of work in a system that is wholly proactive and able to fully adapt. At this point in time, PECH will require both technical fixes (reactive) and respond to adaptive challenges (proactive).

We have started this work/approach through the SDCWR PECH 2023 community of practice. It will need to continue and expand to other leaders in order to implement the plan. Community and ROW leaders who implement change management must be well equipped to know when and how best to apply a technical fix and to know when and how to respond adaptively. Reaching Functional Zero Chronic Homelessness in Waterloo Region is an adaptive challenge while sub-elements of the challenge may be Technical and Adaptive. This means that a learning mindset is important throughout and that the locus of work should be with interest-holders. (*Adaptive Challenges*, n.d.)

| Technical vs Adaptive Challenges | | | |
|----------------------------------|--------------------|-------------------|--------------------------------|
| Challenge | Problem Definition | Solution | Locus of Work |
| Technical | Clear | Clear | Authority |
| Technical and Adaptive | Clear | Requires learning | Authority and Interest-holders |
| Adaptive | Requires Learning | Requires Learning | Interest-holders |

(*ADAPTIVE LEADERSHIP*; n.d.)

The only way to ensure that the PECH will result in long-term, sustainable change, is to equip community leaders and ROW staff to practice and implement change management; or else we’re at risk of collectively creating results that no one wants. Any leader who holds responsibility for PECH results, must invest with others to tend to both the individual leadership awareness and to strengthen their change management competencies. To not invest in leaders for the well-being of our community puts them at risk of being out-of-step and blocking the results we’re collectively wanting to achieve. The work of transformational change, to move from current state to the desired future state, will often be met with moments of challenge that can feel “messy”. It is critical that leaders understand this is part of the journey of learning and is not an indication that the approach is wrong or failing. It is rather an indication that change is happening.

Investment in the equipping of Community Leaders and ROW Staff must include but not limited to:

- Community Leaders and ROW staff who have primary decision-making responsibility.
- Participation in a community of practice over the next 18 months that is intentional, rhythmic and sustainable over time (ie. a commitment of two hours per month, with the expectation that this community of practice is part of each leader's responsibility and role).
- Attention to interior work of leaders, inviting self-awareness and clarity of intention. (LE Prototyping Cohort, 2024)
- Attention to strengthening the competencies required to manage change well, ensuring that leaders have the requisite knowledge and ability for their particular role. (e.g. PROSCI Change Management training might be a helpful starting point)
- A robust and accountable "action-reflection" cycle, which reinforces the increase in leaders nurturing adaptive responses to problems, rather than technical fixes.

Otto Scharmer, senior lecturer at the Massachusetts Institute of Technology (MIT) and co-founder of the Presencing Institute notes that all systems thinking starts with distinguishing the symptoms (above the surface) from the root issues (below the surface). A leader needs to do more than just react against symptoms, they seek to understand the root issues in order to drive awareness-based systems change.

Otto summarizes this with four principles:

- *You can't understand a system unless you change it.*
- *You can't change a system unless you transform consciousness/mindset. You need to address all symptoms and root issues.*
- *You can't transform consciousness unless you make a system see and sense itself.*
- *You can't transform a system unless you sense and actualize the emerging future.*

The essence of leadership is stepping from one territory into another. It's our collective responsibility to learn from the past and connect it to emerging future possibilities.

If authentic and sustainable change is to be achieved, an investment in leaders will be required. Along with the system's investment in them, leaders must also be willing to invest in themselves, strengthening their capacity to lead boldly and engage others with competence and care.

The Two Loops Model of Systems Change

The two loops model is helpful as it acknowledges the reality that we need to invest in solutions that are part of the current system (branch-level solutions) to respond to current suffering and challenges in our community, while simultaneously focusing on transforming contributing system structures (trunk and roots).

The Current System

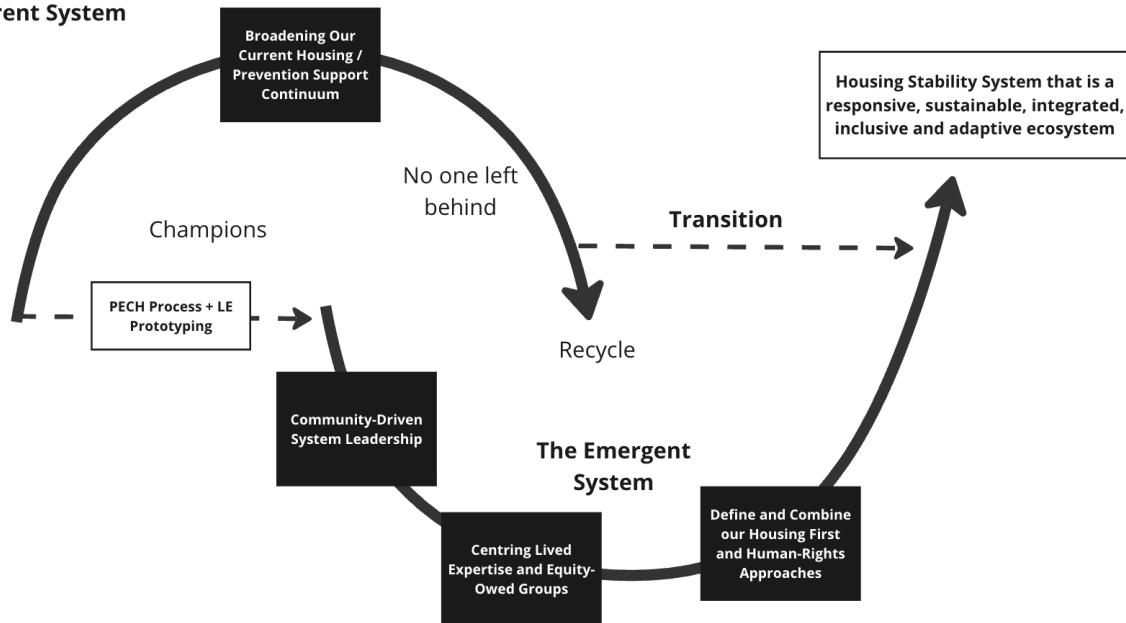


Figure 18. Two Loops Model of Systems Change Diagram

The **Two Loops model** is a nonlinear theory of change. It provides insight into the simultaneous growth and decline processes that are underway within a system during a transition period. It offers a conceptual framework for better connecting the past to the future during change.

- **Champions**—The Two Loops model reaffirms the importance of change agents/champions and their ideas. It provides a pragmatic approach for supporting them, including naming, connecting, nourishing, and illuminating them.
- **No one left behind**—Seeding opportunities for everyone to flourish in an emergent system- particularly those who have been excluded or harmed in the past – is important to its stability and long-term viability. It is also important to assist those who are prospering within the dominant/incumbent system as they are the ones who are most likely to oppose the desired change that is emerging.

- **Recycling**—The model suggests a need to carry forward lessons from the incumbent/dominant system to the new/emergent model. That way, we can maintain and find comfort in the valuable connections to the past, while ushering in new practices.

(Berkana Two Loop Model: A Quick Introduction to an Accessible Model for Systems Change, 2023) (Rose, n.d.)

To stimulate and manage change:

- Name the champions
- Connect them together
- Nourish them, with time, connection and resources
- Illuminate their work, or stories of change

“Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it is the only thing that ever has” (Margaret Mead, circa 1982).

Short-Term Action Plan and Next Steps

| 2024 | | | 2025 |
|--|---|--|---|
| Q2 | Q3 | Q4 | |
| Monthly Meetings of the Co-Creator Cohort: <ul style="list-style-type: none"> Design and implement the Whole of Community System Leadership Model Work on implementation and prioritization of PECH Actions Input into 2025 budget recommendations Develop and update yearly action plans | | | Whole of Community System Leadership Model in place and guiding PECH Implementation |
| Continuation of the SDC Lived Experts Prototyping Process <ul style="list-style-type: none"> broadening representation of LE voices from across the Region. | | | Lived Expertise Advisory Board(s) and Process(es) |
| Fee-For-Service and 2024 PECH Budget Initiatives Begin Implementation | | 2025 Budget report to Council for FFS and PECH priorities | 2025 Budget implementation |
| System Leadership Capacity Building (Topics may include Adaptive Leadership, Community Co-Creation, Human Centred Design) | | | |
| | Return to Regional Council with updated 2025-2030 Investment and Advocacy Strategy | | |
| On-going Communication, Engagement and Change Management <ul style="list-style-type: none"> Education on PECH vision, initiatives and coming changes to system agencies and partners Communication strategy to educate broader community including establishing a central website / dashboard Leverage Central communication resources to illuminate stories of success and change Implement a change management process across Whole of Community Leadership partners. | | | |

- Continue change management through identifying, connecting and nurturing champions within the system

The Final Plan to End Chronic Homelessness Report is the culmination of deep, collective community-based work to respond to a growing crisis. The Final Report does not end the collective work of preventing, addressing, and ending chronic homelessness in Waterloo Region. Rather, this is the beginning of a renewed collective focus to create Homes for All for our community's most vulnerable residents. Staff, Co-Creators, and the community more generally are committed to the work ahead and are deeply encouraged and motivated to begin the work of implementing the Plan.

“A community means we're all in this together. We shouldn't 'other' people in need or blame them.

Any of us could see a reversal of fortune and some of us have never had the benefit of a network.”—Engagement Participant

The background of the page is a light gray map of a city street grid. The grid is composed of numerous thin, light gray lines representing streets, which intersect to form a pattern of rectangular blocks. The lines vary slightly in thickness and orientation, creating a complex, organic-looking grid that covers the entire page.

References

References

- Adaptive Challenges*. (n.d.). The Impact Center. Retrieved March 19, 2024, from <https://impact.fpg.unc.edu/glossary/adaptive-challenges>
- ADAPTIVE LEADERSHIP*:. (n.d.). Eastside Pathways. Retrieved March 19, 2024, from <https://eastsidepathways.org/wp-content/uploads/2021/07/Practice-of-Adaptive-Leadership.Heifetz-et-al.EBS .pdf>
- Berkana Two Loop Model: A quick introduction to an accessible model for systems change*. (2023, March 28). LinkedIn. Retrieved March 15, 2024, from <https://www.linkedin.com/pulse/berkana-two-loop-model-quick-introduction-accessible-systems-proud>
- Built for Zero Canada Functional Zero Homelessness Question and Answer Document*. (2021, February 11). https://www.google.com/url?q=https://www.google.com/url?q%3Dhttps://bfzcanada.ca/wp-content/uploads/Functional-Zero-QA.pdf%26sa%3DD%26source%3Ddocs%26ust%3D1710533099303838%26usg%3DAOvVaw2G1XmQM8mQ2utZAhfiDU_&sa=D&source=docs&ust=1710533356958821&usq=AOvV
- Dr. Geoffrey Nelson, Department of Psychology, Wilfrid Laurier University. (n.d.). [Letter to Peter Sweeney, Commissioner of Community Services, Waterloo Region].
- Homeless Individuals and Families Information System (HIFIS)*. (2023, November 21). Infrastructure Canada. Retrieved March 21, 2024, from <https://www.infrastructure.gc.ca/homelessness-sans-abri/hifis-sisa/index-eng.html>
- Homelessness Data Snapshot: The National Shelter Study 2021 Update*. (2023, August 10). Infrastructure Canada. Retrieved March 21, 2024, from <https://www.infrastructure.gc.ca/homelessness-sans-abri/reports-rapports/data-shelter-2021-donnees-refuge-eng.html>
- LE Prototyping Cohort, L. E. (2024, March 28). *Lived Expertise Prototyping* [Report for the Plan to End Chronic Homelessness] [pdf].
- Reaching Home: Canada's Homelessness Strategy Directives*. (2023, June 2). Infrastructure Canada. Retrieved March 15, 2024, from <https://www.infrastructure.gc.ca/homelessness-sans-abri/directives-eng.html#n2>
- Rose, D. (n.d.). *How change happens*. The Moment. Retrieved March 15, 2024, from <https://www.themoment.is/how-change-happens/>
- Short, I. (2021, July 2). *Human Error: Why Change Doesn't Work and What to Do About It*. Write the Talk Ltd. Retrieved March 28, 2024, from <https://writethetalk.com/wp-content/uploads/2021/07/WTT-research-Human-error.pdf>

Supportive Addiction & Mental Health Housing (SAMH). (n.d.). Stonehenge Therapeutic Community. Retrieved March 28, 2024, from <https://stonehengetc.com/supportive-addiction-mental-health-housing-samh/>

Turner, D. A. (2023, Dec). *Getting Ahead of the New Homelessness By 2030*. HelpSeeker.

2023 CYPT DATA BRIEF. (2024, January 19). Children and Youth Planning Table of Waterloo Region. Retrieved March 20, 2024, from <https://childrenand youthplanningtable.ca/wp-content/uploads/2024/01/CYPT-2023-DATA-BRIEFS.pdf>



Waterloo Region
April 2024

The Plan
to End Chronic
Homelessness

IN COMMUNITY,
BY COMMUNITY,
FOR COMMUNITY.
#ThePlan

THIS IS **EXHIBIT “C”** REFERRED TO
IN THE AFFIDAVIT OF DAVID ALTON
SWORN REMOTELY AT THE SAUBLE BEACH
BEFORE ME AT THE CITY OF KITCHENER
DURING A VIDEOCONFERENCE
IN ACCORDANCE WITH O.REG. 431/20,
ADMINISTERING OATH OR DECLARATION REMOTELY
THIS 23rd DAY OF JUNE, 2025

A handwritten signature in black ink, appearing to read 'Ashley Schuitema', written in a cursive style.

ASHLEY SCHUITEMA
A Commissioner, etc.,
Province of Ontario,
While a Barrister and Solicitor.
LSO # 68257G

Lived Expertise Prototyping Report

The Plan
to End Chronic
Homelessness

Prepared by the Social Development Centre
March 2024

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This Report benefited from the contributions of Dr. Laura Pin and Dr. Brian Doucet, as well as input, consultation, and discussions with representatives from Sanguen Health Centre, Waterloo Region Community Legal Services, Ray of Hope, Community Justice Initiatives, KW Urban Native Wigwam, and the Region of Waterloo.

Citation




This document represents over a year of dedicated effort from the prototyping cohort, encompassing research, collective dialogue, and rigorous editing. It is both a significant research output and a formal publication. Should you quote, utilize, or derive any benefit from this document, please ensure proper attribution.

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Key Terms

To support a shared understanding of findings and recommendations, key terms are defined below. We encourage the Region and municipalities to adopt these terms so that we are working from a common language.

-  Definitions that are consistent with the overarching report submitted to the council. These terms reflect a shared vocabulary that underpins the report's findings and recommendations.
-  Terms unique to the Lived Expertise Prototyping Report, which do not appear or are not elaborated upon in the Region's staff report. These terms offer specialized insights from lived experience perspectives and are critical to the nuanced understanding of the chronic homelessness issues at hand.
-  Terms found in both this report and the Region's staff report that are defined differently. These differences highlight the variety of perspectives and the evolving nature of our work with lived expertise. Recognizing these varied definitions helps us understand the issue more fully and work together more effectively.

Accessibility

Specific features incorporated by design with the goal to reduce or remove barriers to participation or enjoyment by all people.

Adequate Housing

Housing that meets the legal standards for security of tenure, affordability, habitability, accessibility, availability of services, location and cultural appropriateness. In the absence of such, the right to housing is not met.

Affordability

The definition of affordability must be geared to income. Ontario has a definition where rent that does not exceed 30% of a household's income is considered affordable. The prototyping cohort

advocates for a definition of affordability as not exceeding 10% of a household's income. In the case of having no income, that means no rent is charged.

Agency

The ability to make decisions and exert willpower in the world. The ability to say no and have it respected. A recognition that individuals and communities have sovereignty over themselves.

Chronic Homelessness and Hidden Homeless

Chronic homelessness refers to individuals living in inadequate housing for more than a year, or experiencing this situation repeatedly over a span of two to three years. It encompasses those who are unsheltered, as well as those in shelter spaces and transitional housing. Additionally, it includes individuals experiencing hidden homelessness—those who may be couch-surfing, living in housing without a lease in their name, or residing in precarious housing situations. This broader definition ensures a comprehensive understanding of homelessness, capturing the varied experiences of individuals who lack secure, permanent, and adequate housing.

Cultural Appropriateness

The needs and expectations of housing vary depending on cultural context and family structure. These must be considered when developing housing options so communities have choices that meet their needs. For example, there is a lack of multi-family homes.

Dignity of Risk

Usually considered when the mind is obscured, injured, dissociative or otherwise not functional in a socially “normal” way, Dignity of Risk is a framework to return dignity to those who have those decisions taken from them. This is done by allowing a person the ability to determine if a risk is personally worth it without impeding on individual agency, through empowering experiential learning, knowledge acquisition and awareness of consequence.

Functional Zero Homelessness

When there are enough adequate housing options so that no one experiences more than a year of inadequate housing, with adequacy defined by international human rights standards (see definition of “adequate housing” above).

Homelessness

Homelessness describes the situation of an individual, family or community without stable, safe, permanent, appropriate housing, or the immediate prospect, means and ability of acquiring it. It

is the result of systemic or societal barriers, a lack of affordable and appropriate housing, the individual/household's financial, mental, cognitive, behavioural or physical challenges, and/or racism and discrimination. Most people do not choose to be homeless, and the experience is generally negative, unpleasant, unhealthy, unsafe, stressful and distressing.

Housing First

Prioritizing adequate and accessible housing for all people as a first step to remove barriers to participation in society. In an approach to chronic homelessness, people are provided housing first without needing to complete any forms, treatment, programming or participating in any other created barriers to shelter. The Housing First Approach and Human Rights Approach are fundamentally tied to each other. This means that agency and informed consent must be provided alongside housing first.

Human Rights Approach

People experiencing homelessness are treated as rights holders, where their agency is respected, and where the Region has a duty of care for their housing needs. The Region will be compliant with national and international human rights law and ensure it is appropriately prioritized amidst other legal obligations such as those regarding property rights, privacy and liability.

Indigenous Homelessness

“Unlike the common colonialist definition of homelessness, Indigenous homelessness is not defined as lacking a structure of habitation; rather, it is more fully described and understood through a composite lens of Indigenous worldviews. These include: individuals, families and communities isolated from their relationships to land, water, place, family, kin, each other, animals, cultures, languages and identities. Importantly, Indigenous people experiencing these kinds of homelessness cannot culturally, spiritually, emotionally or physically reconnect with their Indigeneity or lost relationships” (Thistle, 2017; see also Aboriginal Standing Committee on Housing and Homelessness, 2012).

Informed Consent

Informed Consent is a pillar of the Human Rights Approach. It means the Housing Stability System educates the people it is serving about the risks, benefits, and alternatives of a given housing offer. It is also a requirement for any encampment relocation.

Security of Person

The ability to secure oneself in bodily health and liberty. This includes having an adequate standard of living that allows a person to have access to food, clothing, housing, medical care, necessary social services, and the right to security in circumstances beyond their control.

Security of Residence/Tenure

Legal protection for all persons against forced eviction, harassment, threats and discrimination.

Overview of Calls to Action

| FOCUS AREA | CALLS TO ACTION | |
|--|-----------------|---|
| Centre Community Voice | 1 | Adopt a Human Rights Approach for consulting people with first-hand experience of homelessness. |
| | 2 | Establish a Lived Expertise oversight process for homelessness services funded by the Region of Waterloo. |
| | 3 | Develop a common process to obtain informed consent from encampment communities, shelter users, and other unsheltered communities. |
| Focus on Preventing Homelessness | 4 | Endorse a tenant protections package and work with area municipalities to adopt subsequent bylaws and policies |
| | 5 | Establish a Tenant Rights Hub. |
| | 6 | Endorse a licensing process for landlords and work with area municipalities to implement consistently. |
| | 7 | Ensure comprehensive rehousing support and integrate preventive measures |
| | 8 | Hire an outreach coordinator to evaluate stability of rehousing initiatives and standardize supports for transitional housing. |
| | 9 | Update property tax code to encourage development of new and preservation of existing affordable housing options. |
| Create Policy and System Accountability | 10 | Adopt the Key Terms defined by the Lived Expertise Prototyping Cohort. |
| | 11 | Conduct a review of shelter system providers and transitional housing providers. |
| | 12 | Launch a lifelong support worker program to provide continuous support for individuals navigating the housing stability system during and after experiences of homelessness. |
| | 13 | Prioritize Community Services funding in budget season until functional zero homelessness is achieved. |
| Build System Bridges | 14 | Focus on prioritizing youth homelessness by recognizing their unique rights and needs. |
| | 15 | Partner with key stakeholders in the education sector to ensure there are wrap-around services available and accessible in schools and educational institutions. |
| | 16 | Acknowledge and formally integrate the contributions of the unhoused in roles such as cleaning, security, construction, property management, harm reduction, and community support into the region's labour strategies. |

| | | |
|---|-----------|---|
| | 17 | Implement a peer mentorship program to facilitate transitions from lived experience to employment. |
| | 18 | Work to reduce barriers to safe supply in collaboration with harm reduction initiatives. |
| | 19 | Update the plans for the transit hub to ensure the continuation of 100 Victoria Street as a sanctioned encampment until functional zero homelessness has been achieved. |
| Advance Equitable Housing | 20 | Prioritize a base level 'floor' of low barrier options to meet fundamental needs of people falling through gaps. |
| | 21 | Design housing options through a relational lens. |
| Change the Narrative on Housing and Homelessness | 22 | Launch a homelessness advocacy office to run public education campaigns. |
| | 23 | Facilitate Lived Expertise workshops that allow the public to engage directly with and learn from the experiences of those who have lived through homelessness. |
| | 24 | Create a comprehensive Public Housing and Homelessness dashboard. |
| | 25 | Collaborate with the coroner's office to establish a memorializing process for those lost to homelessness. |
| | 26 | Fund and implement homelessness prevention education. |
| | 27 | Advocate to other levels of government for Universal Basic Income. |
| | 28 | Hire an outreach coordinator to liaise with neighbourhood groups and conduct public education initiatives that disrupt stigma |
| Climate and Extreme Weather Planning | 29 | Develop a Proactive Extreme Weather Mitigation Protocol (i.e. winter warming packages 3.0) |
| | 30 | Draft an extreme weather homelessness response plan (i.e. out of the cold with paid staff) |

1.0 INTRODUCTION

1.1 Background and purpose

Lived Expertise Prototyping is an ongoing initiative aimed at incorporating the knowledge and insights of those with lived experience into the operations of the Waterloo Region. Facilitated by the Social Development Centre throughout 2023, this process will extend until the end of 2024.

Lived experts are people with lived/living experience of homelessness and housing instability, advocacy experience, and connections to communities. This process was also supported by representatives from advocacy groups, mutual aid groups, front line service agencies and regional staff.

The purpose of this report is to outline the theory of change and recommendations developed by the prototyping cohort for the Plan to End Chronic Homelessness. It aims to establish a shared vocabulary and clarify terms, enabling productive discussions and dialogues about the necessary changes. Additionally, it advocates for a human rights-based approach to address chronic homelessness in the Waterloo Region. This document is directed at the Regional Council and the broader community, highlighting the issues and potential for positive transformation as perceived by the lived expertise prototyping cohort. While informing the comprehensive Plan to End Chronic Homelessness, authored by Overlap and its core team, this report also serves as a standalone document. It ensures that the community has direct access to the insights generated by the cohort.

1.2 The Problem

The overarching aim of the Plan to End Chronic Homelessness is to achieve a state of “functional zero” homelessness in the region. However, the lived expertise prototyping cohort has pinpointed several obstacles to reaching this objective. Initially, there is a lack of a precise definition for “functional zero.” Similarly, fundamental principles such as the “housing first approach” and the “human rights approach” require clear articulation. It's essential that “functional zero” is defined at the regional level, as these are terms with locally specific

meanings. Despite the absence of a universal definition for functional zero, establishing a clear definition is vital for accurately monitoring progress.

We—the "Housing Stability System" (another term that lacks clarity)—have not successfully implemented the housing first approach. The Region's strategy for addressing homelessness does not adhere to a human rights framework. Instead, private interests are often prioritized over human rights, as evidenced by the ongoing eviction of encampments in our community, which resulted in a Charter ruling against the Region. Infrastructure Canada has observed that municipalities frequently place greater emphasis on complaints from neighbours than on the human rights of encampment residents.

The term "Chronic Homelessness" also demands clarification. The prototyping cohort defines it as situations where an individual resides in inadequate housing for more than a year or on a recurring basis over several years. Although this might appear to be a straightforward definition, the Region's current measurement tools, such as the Point-in-Time Count (PIT Count) conducted every two to three years and the PATHS List, do not fully capture the extent of hidden homelessness. This oversight is particularly problematic for groups with higher rates of hidden homelessness, such as seniors, newcomers, students, people with disabilities, and women (Schwan et al., 2021).

The prototyping cohort views colonial systems of genocide, slavery, and apartheid as the fundamental causes of homelessness. These systems have evolved in recent decades into de-industrialization, neoliberal economics, austerity, the financialization of housing, and the criminalization of homelessness. To eradicate chronic homelessness, it is imperative to acknowledge these failures and advocate for new economic and housing models that prioritize the perspectives of those most adversely impacted by colonialism.

1.3 The Goal

The prototyping cohort envisions a Region where no one needs to live in an encampment because there are enough adequate housing options available to all. A Region where all people have the ability to choose housing that meets their needs. A Region that embraces a diversity of

persons, especially those currently experiencing dehumanization. A Region where everyone has a home.

The Region of Waterloo will be human rights compliant, and act consistent with domestic and international frameworks on the right to housing. Specifically the Region will maintain compliance with the internationally recognized dimensions of the right to housing including the security of the person, security of residence/tenure, adequacy, dignity of risk, accessibility, affordability, and cultural appropriateness. The Region will incorporate lived expertise knowledge, and recognize the fundamental agency and dignity of risk of all people. The Region will enable the Housing First approach through a diversity of non-market housing options.

2.0 SETTING THE LEGAL CONTEXT

This section sets the legal context for this report, outlining the human rights framework within which the Region and its partners should operate. It examines the intersection of housing with human rights as delineated by various domestic and international laws, and underscores the importance of integrating Indigenous and post-colonial perspectives into these legal standards. This legal context was compiled by one of the prototyping projects called the Human Rights Review. This prototype has been working with Regional Staff to begin integrating a human rights lens into Regional policy and procedure.

2.1 Literature review

The Region and partners must operate, at minimum, in the context of human rights as defined by domestic and international declarations as cited below. Existing human rights declarations and legislation were written largely as part of a colonial system. Therefore, the Region and partners should also be guided by definitions emerging from Indigenous and post-colonial sources. The Region should be compliant with human rights law as a minimum.

“Everyone has the right to life, liberty and security of person.”

Article 3 of the *Universal Declaration of Human Rights* 1948

“Everyone has the right to a standard of living adequate for the health and well-being of [them]self and of [their] family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond [their] control.”

Article 25.1 of the *Universal Declaration of Human Rights* 1948

“Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.”

Section 7 of the *Canadian Charter of Rights and Freedoms* 1982

“Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them”

Article 23, *United Nations Declaration on the Rights of Indigenous Peoples*, 2017

“It is declared to be the housing policy of the Government of Canada to recognize that the right to adequate housing is a fundamental human right affirmed in international law”

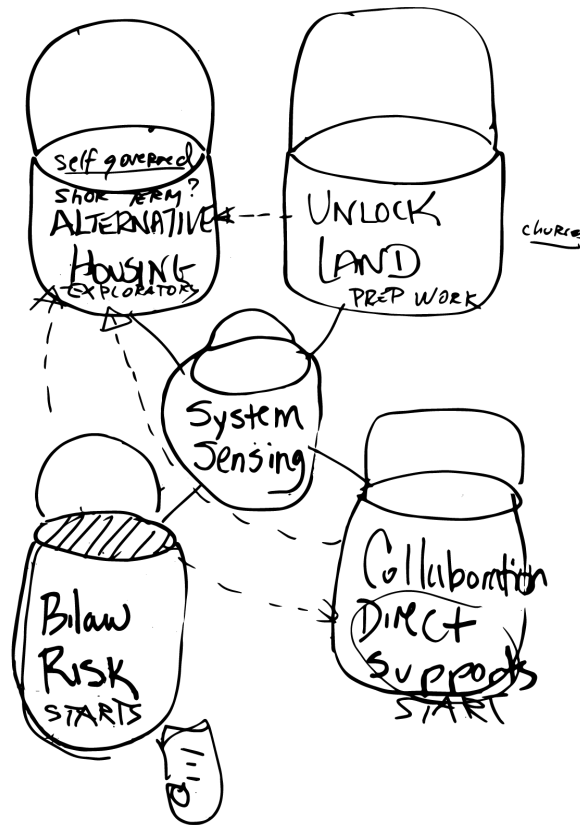
Section 4 (a) of the *National Housing Strategy Act* 2019

3.0 PROTOTYPING APPROACH

The Lived Expertise Prototyping project represents a dynamic partnership, evolving from consultations to integrating the real-world experiences of individuals and communities affected by homelessness into pilot projects. This integration aids in crafting solutions to eradicate chronic homelessness in our community. The group's research utilized the U-Lab Process, based on the methods developed by Otto Scharmer and colleagues at the Presencing Institute. The process was split into two distinct phases.

Phase 1: Co-Initiation, Co-Sensing, and Co-Presencing (March–July 2023)

- **Co-Initiating:** This stage established shared intentions and laid the groundwork. Participants focused on relationship building, exchanging intentions and queries through mutual interviews.
- **Co-Sensing:** This period was dedicated to observation and reflection to define priorities, employing 3D mapping for visualizing current and desired states, and delineating the path for community-led participatory action research.
- **Co-Presencing:** Engaging deeply with the source of inspiration, the phase included holding community dialogues with individuals who have lived experience of unsheltered and hidden homelessness, and initiating conversations with lived experts and front-line workers aiding hidden homeless populations, including immigrants, refugees, and students.



This sketch is a conceptual framework with various 'buckets' identified by the lived expertise group through the prototyping process.

The comprehensive report for this initial phase is available here: [Lived Expertise Prototyping Project - The Plan to End Chronic Homelessness](#).

Phase 2: Co-Creation and Co-Evolution (August 2023–March 2024)

In the latter half of the research, from August 2023 to March 2024, the group entered a phase of Co-Creation and Co-Evolution. This part of the process is set to continue until the year's end and includes regular and emergent meetings with various stakeholders.

During this time, the specific cohort listed at the beginning of this document, encompassing lived experts, mutual aid groups, and advocates, convened over a six-week period. Their discussions produced the content of this report, which will directly inform the Plan to End Chronic Homelessness.

This Phase will continue to December 2024. In the appendix we have included a summary report written by the SDC and University of Waterloo. This document dives further into the methodology and learnings from Phase 2.

3.0 RATIONALE FOR CALLS TO ACTION

The Lived Expertise prototyping cohort, through an iterative and emergent process, has resulted in **30 calls to action** for the Plan to End Chronic Homelessness and its subsequent implementation. We have organized these recommendations into six focus areas, each accompanied by supporting rationale drawn from document reviews and consultations.

3.1 Centre Community Voices

To meaningfully centre community voices, the Region should:

1. Adopt a Human Rights Approach for consulting people with first-hand experience of homelessness.
2. Establish a Lived Expertise oversight process for homelessness services funded by the Region of Waterloo.
3. Develop a common process to obtain informed consent from encampment communities, shelter users, and other unsheltered communities.

This approach involves defining 'Lived Expertise' to encompass a broad range of personal experiences with homelessness, advocating for equitable compensation, and ensuring that participation does not jeopardize individuals' social support. The Oversight Board will ensure that consultations are effectively managed and that micro-grants are provided to support low-income initiatives. Furthermore, informed consent will be integral, ensuring that the rights of

the unsheltered are upheld and that their ability to decline participation is respected, drawing on international human rights standards.

3.2 Focus on Preventing Homelessness

To strengthen tenant rights and enhance housing stability, the Region should:

4. Endorse a tenant protections package and work with area municipalities to adopt subsequent bylaws and policies.
5. Establish a Tenant Rights Hub to support and educate tenants.
6. Endorse a licensing process for landlords and work with area municipalities to implement consistently.
7. Ensure comprehensive rehousing support and integrate preventive measures.
8. Hire an outreach coordinator to evaluate stability of rehousing initiatives and standardize supports for transitional housing.
9. Update property tax code to encourage development of new and preservation of existing affordable housing options.

These recommendations aim to address the full spectrum of housing issues from tenant protection to rehousing and community involvement. They involve adopting bylaws that prevent unfair evictions and define adequate housing, coupled with increased funding for enforcement of tenant protections. A Tenant Rights Hub would provide comprehensive support, from property standards to eviction prevention, with a collaborative framework for service delivery. A consistent landlord licensing process with human rights training aims to enhance rental experiences and follows similar processes that have been implemented in other Ontario municipalities. An outreach coordinator to evaluate the stability of rehousing initiatives and advocate for standardizing support for transitional housing. Finally, tax reform proposals and a targeted land acquisition plan are geared toward increasing the supply of affordable, non-market housing,

drawing on successful models from other cities and tools like the Housing Assessment Resource Tools (HART) initiative.

3.2 Create Policy and System Accountability

To advance housing stability and system accountability, the Region should:

10. Adopt the Key Terms defined by the Lived Expertise Prototyping Cohort.
11. Conduct a review of shelter system providers and transitional housing providers.
12. Launch a lifelong support worker program to provide continuous support for individuals navigating the housing stability system during and after experiences of homelessness.
13. Prioritize Community Services funding in budget season until functional zero homelessness is achieved.

These steps include adopting terminology developed by those with lived experience to ensure consistency and clarity across services. An integrated approach emphasizes the necessity of housing as a foundation for stability while respecting individual autonomy and choices. Reviews and audits of housing services aim to identify areas for improvement and ensure transitions from temporary to stable housing are effectively planned and executed. Implementing a lifelong support worker program acknowledges the need for ongoing support beyond housing placement, ensuring individuals remain housed and stable. Finally, reallocating funding towards Community Services and evaluating administrative expenses against social service benchmarks emphasizes a commitment to addressing homelessness through sustainable investment in services that directly support individuals experiencing and at risk of experiencing chronic homelessness.

3.3 Build System Bridges

To address and bridge systemic gaps in the housing stability system, the Region should:

14. Focus on prioritizing youth homelessness by recognizing their unique rights and needs.

15. Partner with key stakeholders in the education sector to ensure there are wrap-around services available and accessible in schools and educational institutions.
16. Acknowledge and formally integrate the contributions of the unhoused in roles such as cleaning, security, construction, property management, harm reduction, and community support into the region's labour strategies.
17. Implement a peer mentorship program to facilitate transitions from lived experience to employment.
18. Work to reduce barriers to safe supply in collaboration with harm reduction initiatives.
19. Update the plans for the transit hub to ensure the continuation of 100 Victoria Street as a sanctioned encampment until functional zero homelessness has been achieved.

Youth homelessness requires a tailored approach that respects their human rights and provides platforms for their voices and leadership, ensuring access to services without barriers.

Collaborations with educational sectors aim to create a supportive network around housing, addiction, and family services within schools. Recognizing the contributions of the unhoused in community services can redefine engagement and provide meaningful opportunities for involvement and employment. A peer mentorship program, inspired by successful models, offers a pathway to professional development and empowerment for those with lived experience. Efforts to ensure a safe supply address critical health concerns, with input from those most affected by housing instability. Lastly, updating the plans for the transit hub highlights the importance of maintaining supportive spaces for the unhoused during transitional periods towards achieving functional zero homelessness.

3.4 Advance Equitable Housing

To effectively end chronic homelessness, the lived expertise group suggest the following best practices for the Region:

20. Prioritize a base level of low barrier options to meet fundamental needs of people falling through gaps.

21. Design housing options through a relational lens.

Insights highlight the significance of initiatives like 24-hour barrier-free drop-ins, which can serve multiple functions including emergency shelter and climate respite centres. These recommendations are born out of a collaborative effort to recognize and amplify the work of impactful community projects such as A Better Tent City.

3.5 Change the Narrative on Housing and Homelessness

To shift societal perspectives and enhance support systems for homelessness, stakeholders recommend the following best practices:

22. Launch a homelessness advocacy office to run public education campaigns. This office would focus on reducing stigma, highlighting the rights of tenants and the unsheltered, and advocating for housing and homelessness to become central issues in political discourse.

23. Facilitate Lived Expertise workshops that allow the public to engage directly with and learn from the experiences of those who have lived through homelessness, fostering understanding, empathy, and community connections.

24. Create a comprehensive Public Housing and Homelessness dashboard displaying key data points such as inflow/outflow, eviction statistics, Point-In-Time (PIT) count, shelter usage, rehousing figures, and mortality rates related to homelessness.

25. Collaborate with the coroner's office to establish a memorializing process for those lost to homelessness, ensuring there is space for both private and public mourning and story sharing.
26. Fund and implement homelessness prevention education. Partner with educational institutions to integrate prevention education into curricula, covering tenant rights, navigating the Housing Stability System, and practical life skills.
27. Advocate for Universal Basic Income (UBI): Push for UBI as a fundamental policy change at all government levels, supported by public education campaigns to address misconceptions and advocate for adjustments in social welfare programs to match the cost of living.
28. Hire an outreach coordinator to liaise with neighbourhood groups and conduct public education initiatives that disrupt stigma.

These recommendations aim to change the narrative around homelessness through education, advocacy, and public engagement. By establishing a dedicated advocacy office and leveraging direct experiences from lived expertise, the Region can foster a more compassionate and informed public discourse. Creating accessible data points and memorials acknowledges the reality and humanizes the issue, while prevention education and a push for UBI address systemic causes and potential solutions. Finally, an outreach coordinator whose focus is on public education and challenging stigma would be central to fostering inclusive neighbourhoods. This multifaceted approach encourages a societal shift towards understanding, empathy, and action in addressing homelessness.

3.6 Climate and Extreme Weather Planning

This focus area is unique to the prototyping cohort. It was added to reflect the ongoing work of the broader prototyping process on climate and extreme weather planning. Since the fall of 2023, there has been a prototyping project called the Continuum of Care that has been learning from current climate and extreme weather planning to develop calls to action as well as more immediate interventions for 2024 and beyond.

To effectively address the challenges posed by extreme weather conditions for vulnerable populations, it is recommended that the Region

29. Implement a comprehensive Extreme Weather Mitigation and Response Strategy. This strategy should include the development of proactive protocols for both summer cooling and winter warming, leveraging flexible outreach funding and engaging in quarterly planning to ensure preparedness year-round.

Additionally, the strategy should incorporate insights from emergency response experts, such as the Red Cross and military, to enhance the efficacy of homelessness response plans. This would involve establishing frameworks for the rapid mobilization of temporary shelters and ensuring that staff and volunteers receive adequate training. The unified approach aims to streamline efforts, foster cross-sector collaboration, and adapt to emerging needs, ensuring the safety and well-being of individuals experiencing homelessness during extreme weather events.

4.0 DETAILED CALLS TO ACTION

| FOCUS AREA | CALLS TO ACTION |
|--|--|
| Centre Community Voices | <ol style="list-style-type: none"> 1 Adopt a Human Rights Approach for consulting people with first-hand experience <ul style="list-style-type: none"> • Define 'Lived Expertise' as: <ul style="list-style-type: none"> ○ Having personal experience with homelessness (including situations where people aren't visibly homeless). ○ Ensuring those most impacted are heard. ○ Including people with experience in advocating for change. ○ Having people who are chosen by their community to speak on its behalf. • Set a Standard Payment for Consultations: <ul style="list-style-type: none"> ○ Agree on a payment rate for those providing their lived expertise, previously \$50/hour. • Sign an Agreement to Change Payment Rules: <ul style="list-style-type: none"> ○ Work with the province to change the rules so money given for this work doesn't count against income for social support programs like ODSP/OW. Make sure it's clear this money is for community service and doesn't need to be reported for taxes. <hr/> <ol style="list-style-type: none"> 2 Establish a Lived Expertise oversight process for homelessness services funded by the Region of Waterloo <ul style="list-style-type: none"> • Create a Central Lived Expertise Oversight Board: <ul style="list-style-type: none"> ○ Approve the processes agencies use to consult with people who have personal experience of homelessness and address any conflicts of interest. ○ Manage a special fund to provide small amounts of money (micro-grants) to people without shelter and support low-income initiatives. ○ Guide staff on the best ways to involve people with lived experience in consultations. ○ Monitor how the Region is doing in getting agreement from people without shelter to be represented. ○ Learn from existing groups like PAG, StepHome, LEWG, and other advisory processes to improve our methods. • Encourage Each Region Funded Agency to Have an Advisory Process: <ul style="list-style-type: none"> ○ Allocate more funds to programs that are guided by people with lived experience, especially when funding is above a set level. Make sure an oversight process by people with lived experience is part of this. ○ Advisory Board's Role: Look at each agency from the perspective of those using services to find and address shortcomings. <hr/> |

| FOCUS AREA | CALLS TO ACTION |
|---|--|
| | <p>3 Develop a common process to obtain informed consent from encampment communities, shelter users, and other unsheltered communities. For example, regional staff and partners would have to use this process if they wanted to move or interfere with an encampment.</p> <ul style="list-style-type: none"> • Consent = Free, prior and informed • The ability to say no is respected • Formally acknowledge all unsheltered (and under-sheltered i.e., hidden homeless) as rights holders • Learn from UN approach to human rights |
| Focus on Preventing Homelessness | <p>4 Endorse a tenant protections package and work with area municipalities to adopt subsequent bylaws and policies, including:</p> <ul style="list-style-type: none"> • A rental replacement bylaw • A renovations bylaw and renovations licensing process • A common definition of adequate housing • Expanded funding for property standards enforcement <ul style="list-style-type: none"> ◦ Fund an analysis of bias and barriers that are preventing property standards teams from enabling adequate housing. ◦ Protections and a pathway forward for tenants in illegal housing situations. • Human rights approach to evictions <ul style="list-style-type: none"> ◦ Banning from a shelter is an eviction ◦ Winnowing is a chronic issue through the housing stability system <p>5 Establish a Tenant Rights Hub to include:</p> <ul style="list-style-type: none"> • A third party property standards assistance team • An eviction prevention team • A tenant organizing team • A landlord and tenant board assistance team • A rent bank that is flexible and not dependent on sheriffs order or eviction order to be accessed. • Recommendation is that RFP requires collaboration between at least two non-profit organizations and at least one grassroots organization. <p>6 Endorse a licensing process for landlords and work with area municipalities to implement consistently.</p> <ul style="list-style-type: none"> • Set up training for landlords on their responsibilities through a human rights lens. |

| FOCUS AREA | CALLS TO ACTION |
|--|---|
| | <p>7 Ensure comprehensive rehousing support and integrate preventive measures.</p> <ul style="list-style-type: none"> • Conduct a review to make visible how stable or unstable rehousing is (i.e. are people falling back into inadequate housing in 3, 6, 12 months?) <ul style="list-style-type: none"> ◦ More options for rehousing based on population segments i.e. options for seniors, options for couples/families ◦ Metrics of success for rehousing need to be tied to metrics around evictions • Set thresholds for caseloads for transition/supportive housing partners <ul style="list-style-type: none"> ◦ Establish standards for supportive housing to ensure stability |
| | <p>8 Hire an outreach coordinator to evaluate stability of rehousing initiatives and standardize supports for transitional housing.</p> <ul style="list-style-type: none"> • Encourage tenant involvement in neighbourhood groups. Make considerations for minorities not represented by neighbourhood groups to be heard. • Address complaint overuse through education and guidelines. |
| | <p>9 Update property tax code to encourage development of new and preservation of existing affordable housing options. This would include:</p> <ul style="list-style-type: none"> • Vacant lot tax; Use it or lose it bylaw; Multiple property tax; Speculation tax • Develop an affordable housing fund that would collect revenue from these taxes to fund non market housing development. • That the Region conduct a regular survey of vacant housing, to make visible how inefficient and inequitable space use contributes to homelessness (i.e. understand how many people are overhoused, how much surplus land is available) • Develop a land acquisition plan to best facilitate the construction of affordable non-market housing <ul style="list-style-type: none"> ◦ Learn from Housing Assessment Resource Tools (HART) tools: https://hart.ubc.ca/ |
| Create Policy and System Accountability | <p>10 Adopt the Key Terms defined by the Lived Expertise Prototyping Cohort.</p> <ul style="list-style-type: none"> • Adopt an integrated Housing First and Human Rights Approach for Housing Stability System. • Adopt processes for informed consent and dignity of risk (disability justice). All people should have the ability to determine their risks and choices in their lives. |

| FOCUS AREA | CALLS TO ACTION |
|------------|-----------------|
|------------|-----------------|

11 Conduct a review of shelter system providers and transitional housing providers.

- Launch a pilot audit of University Ave transitional housing to understand how to gather user feedback and unpack what qualitative and quantitative data is needed for broader review.
 - Ensure the transitional housing on University Ave is effectively temporary by establishing and enacting a clear exit strategy for residents, which includes subsequent, sustainable housing solutions.
 - Identify and incorporate the demographics of shelter populations currently not recognized in official statistics (?) to ensure all individuals receive appropriate support and resources.
 - Set standards for outflow data collection (i.e. bans, evictions, and deaths are not considered outflow)
- Set up an Independent body to review the Housing Stability System (such as an auditor or ombudsman)
 - Intersects with lived expertise advisory process
 - User experiences are considered a factor in service standards
 - Inflow/outflow analysis is undertaken to understand why is experiences of homelessness recurrence are occurring
 - Focus on racism and transphobia within the shelter system
- Remove punitive review models that discourage agencies from giving accurate data.
 - There is a need for provisions for people who are not housing ready
 - All metrics need to reference PIT count and bigger picture of homelessness\Name barriers to housing to turn into advocacy

12 Launch a lifelong support worker program to provide continuous support for individuals navigating the housing stability system during and after experiences of homelessness.

- Create a common framework for social support workers that allows them to support people through the Housing Stability System.
 - Create service connectivity between street outreach, shelter supports, and transitional/supportive housing
 - Support would continue for at least one year after placement in adequate housing.

13 Prioritize Community Services funding in budget season until functional zero homelessness is achieved.

- Strategically redirect a portion of the policing budget to enhance community services.
- Review admin salaries and spending in comparison to key metrics like:
 - OW and ODSP rates
 - Outreach worker salary
 - Cost of Living

| FOCUS AREA | CALLS TO ACTION |
|-----------------------------|--|
| Build System Bridges | <p>14 Focus on prioritizing youth homelessness by recognizing their unique rights and needs. Examples include:</p> <ul style="list-style-type: none"> • Recognize the human rights of youth <ul style="list-style-type: none"> ◦ Advocate for the rights of children to be codified ◦ Homeless children and youth need specific rights • Support the creation of youth drop in centres, particularly in areas lacking dedicated youth programs and services (i.e. low-resourced neighbourhoods, rural townships, etc). • Dedicate funding for a Youth advocacy table to provide a platform for youth lived expertise to be developed <ul style="list-style-type: none"> ◦ Provide mentorship opportunities between youth advocacy table and lived expertise advisory process. |
| | <p>15 Partner with key stakeholders in the education sector to ensure there are wrap-around services available and accessible in schools and educational institution, including</p> <ul style="list-style-type: none"> • Housing supports and tenant supports • Addiction supports • Family supports and alternatives to Family and Child Services |
| | <p>16 Acknowledge and formally integrate the contributions of the unhoused in roles such as cleaning, security, construction, property management, harm reduction, and community support into the region's labour strategies.</p> <ul style="list-style-type: none"> • Require lived expertise in the contracts for security, cleaning and outreach services. • Mandate encampment resident involvement in cleaning and property management to ensure stuff is not lost or stolen. • Provide lockable lockers and storage units on site at encampments with five or more people. • Set up a stipend fund to compensate residents fairly and equitably for their labour. |
| | <p>17 Implement a peer mentorship program to facilitate transitions from lived experience to employment.</p> <ul style="list-style-type: none"> • Have lived expert's shadow HSS staff as a paid mentorship that transition into full employment. • Professionalized staff mentoring themselves out of a job to empower and educate those most impacted by current failure state. • Based on Inuvik model 2010. |
| | <p>18 Work to reduce barriers to safe supply in collaboration with harm reduction initiatives, including partnering with:</p> <ul style="list-style-type: none"> • Harm reduction partners to develop a steady safe supply to remove toxicity risks. • Lived experts to identify and remove dealers who are poisoning people. |

| FOCUS AREA | CALLS TO ACTION |
|---|---|
| Advance Equitable Housing | <p>19 Update the plans for the transit hub to ensure the continuation of 100 Victoria Street as a sanctioned encampment until functional zero homelessness has been achieved.</p> <ul style="list-style-type: none"> • Set aside land/funding for a transition fund through conversation with Metrolinx and the Province. • Ensure residents are provided with comparable land and supports |
| | <p>20 That the Region prioritize a base level ‘floor’ of low barrier options to meet fundamental needs of people falling through gaps.</p> <ul style="list-style-type: none"> • Specialized housing is important but it fundamentally creates barriers • Need a full spectrum of housing options especially low barrier options • Lack of low barrier options undermines specialized housing • Need a place for people we currently banned • Flexibility to move between specialized to low barrier housing to meet needs <ul style="list-style-type: none"> ○ That the Region set up multiple 24hr barrier free drop ins <ul style="list-style-type: none"> ■ Recognize extra work of A Better Tent City (ABTC) ■ Can double as emergency shelters and warming/cooling centres in extreme weather |
| | <p>21 Design housing options through a relational lens</p> <ul style="list-style-type: none"> • Have housing options that accommodate families, found families and community bonds. • Community bonds need to be respected. |
| Change the Narrative on Housing and Homelessness | <p>22 Launch a homelessness advocacy office to run public education campaigns.</p> <ul style="list-style-type: none"> • Focus on changing public perceptions to free up system, minimize criminalization, and expand window of possibilities. • Key areas of focus: tackling stigma, rights of tenants, rights of the unsheltered, challenging dehumanization and criminalization • Pressure other levels of government to make housing and homelessness the top election issue. |
| | <p>23 Facilitate Lived Expertise workshops that allow the public to engage directly with and learn from the experiences of those who have lived through homelessness.</p> |
| | <p>24 Create a comprehensive Public Housing and Homelessness dashboard that includes</p> <ul style="list-style-type: none"> • Inflow and outflow data • Eviction data • PIT Count data • Shelter data • Rehousing data • Deaths |

| FOCUS AREA | CALLS TO ACTION |
|---|---|
| | <p>25 Collaborate with the coroner's office to establish a memorializing process for those lost to homelessness.</p> <ul style="list-style-type: none"> • Updated monthly • Public location with list of names • Opportunities for private and public grieving and story sharing |
| | <p>26 Fund and implement homelessness prevention education.</p> <ul style="list-style-type: none"> • Partner with the school boards and universities to develop prevention education for students <ul style="list-style-type: none"> ◦ Include topics around tenant rights, lived expertise, navigating Housing Stability System. ◦ Challenge streamlining of students where life skills are taught only to those identified as non-worker. • Fund training for users of Housing Stability System <ul style="list-style-type: none"> ◦ Include topics such as tenant rights, lived expertise, navigating Housing Stability System, literacy, how to stay safe on streets for folks who are new, consent, relationships. |
| | <p>27 Advocate to other levels of government for Universal Basic Income.</p> <ul style="list-style-type: none"> • Fund dedicated advocacy staff <ul style="list-style-type: none"> ◦ Liaise with lived experts and grassroots groups. ◦ Advocacy paired with advocacy on OW and ODSP geared to cost of living. • Pair advocacy with a public education campaign <ul style="list-style-type: none"> ◦ Need to counter neoliberal austerity culture that will turn UBI into the failure state that OW and ODSP currently are. |
| | <p>28 Hire an outreach coordinator to liaise with neighbourhood groups and conduct public education initiatives that disrupt stigma.</p> <ul style="list-style-type: none"> • Provide workshops on human rights, tenant rights, extreme weather planning (supporting warming and cooling centres) • Liaise with Neighbourhood Associations, BIAs, condo boards, tenant groups, community connectors, Facebook groups and NextDoor. • Develop a toolkit to address participation barriers (transportation, childcare, accessibility) to encourage more inclusive and diverse participation in neighbourhood conversations. |
| Climate and Extreme Weather Planning | <p>29 Develop a Proactive Extreme Weather Mitigation Protocol (i.e. winter warming packages 3.0)</p> <ul style="list-style-type: none"> • Summer cooling and winter warming • Flexible outreach materials funding (with big lead) • Quarterly planning (i.e. winter planning starts in spring and summer planning starts in fall) • Coordinate between formal and informal outreach embedded with continuum of care learnings so protocol adapts to emerging needs. |

| FOCUS AREA | CALLS TO ACTION |
|------------|-----------------|
|------------|-----------------|

- 30** Draft an extreme weather homelessness response plan (i.e. out of the cold with paid staff)
- Consult with the Red Cross, military, and other emergency response groups to identify learnings that can be translated to homelessness response.
 - Develop a framework to mobilize temporary shelters quickly (i.e. churches account for in kind accounting)
 - Provide training framework to ensure adequate staff and volunteers

REFERENCES

Aboriginal Standing Committee on Housing and Homelessness. <https://www.aschh.ca/>

Brown, A., Gillies, S., Marshall, V., McGurk, Hannah, and Pin, L. Homeless Encampments Through a Human Rights Lens. 2022. Report hosted by Canadian Observatory on Homelessness.
<https://www.homelesshub.ca/resource/homeless-encampments-through-human-rights-lens>

Canadian Charter of Rights and Freedoms, s 7, Part 1 of the *Constitution Act*, 1982, being Schedule B to the *Canada Act 1982* (UK), 1982, c 11.
<https://laws-lois.justice.gc.ca/eng/Const/FullText.html#h-40>

Canadian Observatory on Homelessness. 2017. Canadian Definition Of Homelessness.
<https://homelesshub.ca/sites/default/files/COHhomelessdefinition.pdf>

Farah, L., and Schwan, K. 2020. A National Protocol for Homeless Encampments in Canada.. UN Special Rapporteur on the right to adequate housing.
<https://www.make-the-shift.org/wp-content/uploads/2020/04/A-National-Protocol-for-Homeless-Encampments-in-Canada.pdf>

Flynn, A., Hermer, J., Leblanc, C., Macdonald, S.A., Schwan, K., Van Wanger, E. 2022. Overview of Encampments Across Canada: A Right to Housing Approach. Office of the Federal Housing Advocate.
<https://www.homelesshub.ca/resource/overview-encampments-across-canada-right-housing-approach>

Katz, A. S., Zenger, S., and Hwang, S. W. 2017. Housing First the conversation: Discourse, policy and the limits of the possible. *Critical Public Health*, 27(1), 139-147.

Levac, L., Buchnea, A., Pin, L., Karyar, R., Annan, J., Morton, E. and Malenfant, J. 2022. A National Housing Strategy By and For Whom? Report prepared for the National Housing Council.
<https://assets.cmhc-schl.gc.ca/sites/place-to-call-home/pdfs/national-housing-council/nhs-a-national-housing-strategy-by-and-for-whom-en.pdf?rev=9090b766-002c-4e4a-a757-0502aeca9f9b>

Office of the Federal Housing Advocate. 2024. Upholding dignity and human rights: the Federal Housing Advocate's review of homeless encampments – Final report. Ottawa: The Office of the Federal Housing Advocate.
<https://www.housingchrc.ca/en/publications/upholding-dignity-and-human-rights-federal-housing-advocates-review-homeless>

Office of the United Nations High Commissioner on Human Rights. 2014. The Right to Adequate Housing.

https://www.ohchr.org/sites/default/files/Documents/Publications/FS21_rev_1_Housing_en.pdf

Office of the United Nations High Commissioner on Human Rights. 2014. Guiding Principles on the security of tenure for the urban poor.

<https://www.ohchr.org/sites/default/files/Documents/Issues/Housing/SecurityTenureGuidelinesEN.pdf>

Ontario Human Rights Commission. n.d. A Human Rights Based Approach to Policy and Program Development.

<https://www.ohrc.on.ca/en/human-rights-based-approach-program-and-policy-development#:~:text=The%20HRBA%20Framework%20is%20a,that%20meet%20these%20Code%20obligations>

Ontario Human Rights Commission. n.d. Housing.

https://www.ohrc.on.ca/en/social_areas/housing

National Right to Housing Network. Right to Housing Legislation in Canada.

<https://housingrights.ca/right-to-housing-legislation-in-canada/>

Schwan, K., Vaccaro, M., Reid, L., Ali, N., & Baig, K. (2021). The Pan-Canadian Women's Housing & Homelessness Survey. Toronto, ON: Canadian Observatory on Homelessness.

<https://womenshomelessness.ca/wp-content/uploads/EN-Pan-Canadian-Womens-Housing-Homelessness-Survey-FINAL-28-Sept-2021.pdf>

Thistle, J. 2017. Reframing the Discussion: An Indigenous Definition of Homelessness. Canadian Observatory on Homelessness.

<https://homelesshub.ca/blog/reframing-discussion-indigenous-definition-homelessness>

United Nations General Assembly. 1948. The Universal Declaration of Human Rights (UDHR). New York: United Nations General Assembly, United Nations.

<https://www.un.org/en/about-us/universal-declaration-of-human-rights>

United Nations General Assembly. 2007. United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). United Nations.

https://www.un.org/development/desa/indigenouspeoples/wp-content/uploads/sites/19/2018/11/UNDRIP_E_web.pdf

THIS IS **EXHIBIT “D”** REFERRED TO
IN THE AFFIDAVIT OF DAVID ALTON
SWORN REMOTELY AT THE SAUBLE BEACH
BEFORE ME AT THE CITY OF KITCHENER
DURING A VIDEOCONFERENCE
IN ACCORDANCE WITH O.REG. 431/20,
ADMINISTERING OATH OR DECLARATION REMOTELY
THIS 23rd DAY OF JUNE, 2025

A handwritten signature in black ink, appearing to read 'Ashley Schuitema', written in a cursive style.

ASHLEY SCHUITEMA
A Commissioner, etc.,
Province of Ontario,
While a Barrister and Solicitor.
LSO # 68257G

A HUMAN RIGHTS APPROACH



A National Protocol for Homeless Encampments in Canada

Leilani Farha

UN Special Rapporteur on the right to adequate housing

Kaitlin Schwan

Lead Researcher for UN Special Rapporteur on the right to adequate housing

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EXECUTIVE SUMMARY

A National Protocol for Homeless Encampments in Canada: A Human Rights Approach

Homeless encampments threaten many human rights, including most directly the right to housing. People living in encampments face profound challenges with respect to their health, security, and wellbeing, and encampment conditions typically fall far below international human rights standards. Residents are frequently subject to criminalization, harassment, violence, and discriminatory treatment. Encampments are thus instances of both human rights *violations* of those who are forced to rely on them for their homes, as well as human rights *claims*, advanced in response to violations of the right to housing.

Ultimately, encampments are a reflection of Canadian governments' failure to successfully implement the right to adequate housing.

As encampments increasingly emerge across Canada, there is an urgent need for governments to interact with them in a manner that upholds human rights. This Protocol, developed by the UN Special Rapporteur on the Right to Housing and her lead researcher, Kaitlin Schwan, with the input of many experts, outlines eight Principles to guide governments and other stakeholders in adopting a rights-based response to encampments. While encampments are not a solution to homelessness, it is critical that governments uphold the basic human rights and dignity of encampment residents while they wait for adequate, affordable housing solutions that meet their needs. The Principles outlined in this Protocol are based in international human rights law, and the recognition that encampment residents are rights holders and experts in their own lives. The Protocol is intended to assist governments in realizing the right to adequate housing for this group.

PRINCIPLES

Principle 1: Recognize residents of homeless encampments as rights holders

All government action with respect to homeless encampments must be guided by a commitment to upholding the human rights and human dignity of their residents. This means a shift away from criminalizing, penalizing, or obstructing homeless encampments, to an approach rooted in rights-based participation and accountability.

Principle 2: Meaningful engagement and effective participation of homeless encampment residents

Residents are entitled to meaningful participation in the design and implementation of policies, programs, and practices that affect them. Ensuring meaningful participation is central to respecting residents' autonomy, dignity, agency, and self-determination. Engagement should begin early, be ongoing, and proceed under the principle that residents are experts in their own lives. The views expressed by residents of homeless encampments

must be afforded adequate and due consideration in all decision-making processes. The right to participate requires that all residents be provided with information, resources, and opportunities to directly influence decisions that affect them.

Principle 3: Prohibit forced evictions of homeless encampments

International human rights law does not permit governments to destroy peoples' homes, even if those homes are made of improvised materials and established without legal authority. Governments may not remove residents from encampments without meaningfully engaging with them and identifying alternative places to live that are acceptable to them. Any such removal from their homes or from the land which they occupy, without the provision of appropriate forms of legal protection, is defined as a 'forced eviction' and is considered a gross violation of human rights. The removal of residents' private property without their knowledge and consent is also strictly prohibited.

Common reasons used to justify evictions of encampments, such as 'public interest,' 'city beautification', development or re-development, or at the behest of private actors (e.g., real estate firms), do not justify forced evictions.¹

Principle 4: Explore all viable alternatives to eviction

Governments must explore all viable alternatives to eviction, ensuring the meaningful and effective participation of residents in discussions regarding the future of the encampment. Meaningful consultation should seek to maximize participation and should be supported by access to free and independent legal advice. Where personal needs differ amongst residents of encampments such that a singular best alternative is not unanimous, governments will have to develop several solutions each of which is consistent with the principles outlined in this Protocol.

Principle 5: Ensure that relocation is human rights compliant

Considerations regarding relocation must be grounded in the principle that "the right to remain in one's home and community is central to the right to housing."² Meaningful, robust, and ongoing engagement with residents is required for any decisions regarding relocation. Governments must adhere to the right to housing and other human rights standards when relocation is necessary or preferred by residents. In such cases, adequate alternative housing, with all necessary amenities, must be provided to all residents prior to any eviction. Relocation must not result in the continuation or exacerbation of homelessness, or require the fracturing of families or partnerships.

Principle 6: Ensure encampments meet basic needs of residents consistent with human rights

Canadian governments must ensure, at a minimum, that basic adequacy standards are ensured in homeless encampments while adequate housing options are negotiated and

¹ A/HRC/43/43, para 36.

² A/73/310/Rev.1, para 26.

secured. Governments' compliance with international human rights law requires: (1) access to safe and clean drinking water, (2) access to hygiene and sanitation facilities, (3) resources and support to ensure fire safety, (4) waste management systems, (4) social supports and services, and guarantee of personal safety of residents, (5) facilities and resources that support food safety, (6) resources to support harm reduction, and (7) rodent and pest prevention.

Principle 7: Ensure human rights-based goals and outcomes, and the preservation of dignity for homeless encampment residents

Governments have an obligation to bring about positive human rights outcomes in all of their activities and decisions concerning homeless encampments. This means that Canadian governments must move, on a priority basis, towards the full enjoyment of the right to housing for encampment residents. Any decision that does not lead to the furthering of inhabitants' human rights, that does not ensure their dignity, or that represents a backwards step in terms of their enjoyment of human rights, is contrary to human rights law.

Principle 8: Respect, protect, and fulfill the distinct rights of Indigenous Peoples in all engagements with homeless encampments

Governments' engagement with Indigenous Peoples in homeless encampments must be guided by the obligation to respect, protect, and fulfil their distinct rights. This begins with recognition of the distinct relationship that Indigenous Peoples have to their lands and territories, and their right to construct shelter in ways that are culturally, historically, and spiritually significant. Governments must meaningfully consult with Indigenous encampment residents concerning any decisions that affects them, recognizing their right to self-determination and self-governance. International human rights law strictly forbids the forced eviction, displacement, and relocation of Indigenous Peoples in the absence of free, prior, and informed consent.

Given the disproportionate violence faced by Indigenous women, girls, and gender diverse peoples, governments have an urgent obligation to protect these groups against all forms of violence and discrimination within homeless encampments, in a manner that is consistent with Indigenous self-determination and self-governance.

A National Protocol for Homeless Encampments in Canada: A Human Rights Approach

I. Introduction

1 In the face of escalating homelessness and housing affordability crises, many cities across Canada have seen a rise in homeless encampments. In various Canadian communities, people experiencing homelessness have turned to living in s, vehicles, or other forms of rudimentary or informal shelter as a means to survive.³ While they vary in size and structure, the term '*encampment*' is used to refer to any area wherein an individual or a group of people live in homelessness together, often in tents or other temporary structures (also referred to as *homeless camps*, *tent cities*, *homeless settlements* or *informal settlements*).

2 Homeless encampments in Canada must be understood in relation to the global housing crisis and the deepening of housing unaffordability across the country. Encampments must also be understood in the context of historical and ongoing structural racism and colonization in Canada, whereby Indigenous peoples have been systemically discriminated against and dispossessed of their lands, properties, and legal systems. Other groups have also endured systemic and historical disadvantage that has created barriers to accessing housing and shelters, including 2SLGBTQ+, Black and other racialized communities, people living with disabilities, and people who are criminalized. While encampments are often framed and discussed as matters of individual poverty or deficiency, they are the result of structural conditions and the failure of governments to implement the right to housing or to engage with reconciliation and decolonization materially and in good faith.

3 Homeless encampments threaten many human rights, including most specifically the right to housing. In international human rights law, homelessness - which includes those residing in encampments - is a *prima facie* violation of the right to adequate housing.⁴ This means that governments have a positive obligation to implement an urgent housing-focused response, ensuring that residents have access to adequate housing in the shortest possible time and, in the interim, that their human rights are fully respected.

4 Government responses to homeless encampments often fail to employ a rights-based approach. Residents of encampments are frequently the victims of abuse, harassment, violence, and forced evictions or 'sweeps.' In many cases, the issues

³ Encampments have arisen in cities across the country, including: Abbotsford, Vancouver, Victoria, Edmonton, Toronto, Ottawa, Gatineau, Peterborough, Winnipeg, Montreal, Nanaimo, Calgary, Saskatoon, Fredericton, Moncton, Oshawa, Halifax, and Maple Ridge.

⁴ A/HRC/31/54, para. 4.

associated with encampments are within the jurisdiction and responsibility of municipal authorities, including through bylaws specific to policing, fire and safety, sanitation, and social services. This has led to a pattern whereby municipal governments deploy bylaws, local police, and zoning policies that displace people in encampments, in turn compromising the physical and psychological health of people who have no place else to go and who rely on encampments to survive, absent accessible alternatives.⁵

5 Provincial, territorial, and federal governments have historically left engagement with encampments to city officials, who receive little (if any) guidance and support. Municipal authorities are often unaware of their legal obligations under international human rights law, including with respect to the duty to ensure the dignity and security of encampment residents.⁶ Further, accountability mechanisms with respect to the right to housing remain weak in Canada, meaning that people living in encampments have limited avenues through which to claim this right.

6 Ensuring a human rights-based response to homeless encampments should be a key concern for every Canadian city, and all governments should employ a human rights-based framework to guide their engagement with encampment residents.

II. Purpose of the National Protocol on Homeless Encampments

7 The purpose of this document is to provide all levels of government with an understanding of their human rights obligations with respect to homeless encampments, highlighting what is and is not permissible under international human rights law. This Protocol outlines 8 broad human rights-based Principles that must guide state⁷ action in response to homeless encampments of all kinds.

8 This Protocol does not attempt to foresee every possible context or challenge that may arise within encampments. Governments and relevant stakeholders must apply human rights principles as described in the Protocol to each case as it arises, endeavouring at all times to recognize and respect the inherent rights, dignity, and inclusion of encampment residents.

9 This Protocol has been developed by the UN Special Rapporteur on the right to housing in consultation with a range of experts from across Canada, including those

⁵ *Abbotsford (City) v. Shantz* (2016 BCSC 2437). Online, <https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc2437/2016bcsc2437.html?resultIndex=1>

⁶ A/HRC/43/43, para 7.

⁷ 'State' refers to all levels and branches of government and anyone exercising government authority.

with lived expertise of homelessness, urban Indigenous leaders, community advocates, researchers, lawyers, and experts in human rights law.⁸

III. Encampments in Canada in the context of the Human Right to Adequate Housing

10 Under international human rights law, everyone has the right to adequate housing as an element of the right to an adequate standard of living.⁹ This requires States to ensure that housing is accessible, affordable, habitable, in a suitable location, culturally adequate, offers security of tenure, and is proximate to essential services such as health care and education.¹⁰ The right to adequate housing includes the right to be protected from: arbitrary or unlawful interference with an individual's privacy, family, and home; any forced eviction (regardless of legal title or tenure status); and from discrimination of any kind.¹¹

11 Homelessness constitutes a prima facie violation of the right to housing. It is a profound assault on a person's dignity, security, and social inclusion. Homelessness violates not only the right to housing, but often, depending on circumstances, violates a number of other human rights, including: non-discrimination; health; water and sanitation; freedom from cruel, degrading, and inhuman treatment; and the rights to life, liberty, and security of the person.¹²

12 Encampments constitute a form of homelessness, and thus are a reflection of the violation of residents' right to adequate housing. People living in encampments typically face a range of human rights violations and profound challenges with respect to their health, security, and wellbeing. Encampment conditions typically fall far below international human rights standards on a variety of fronts, often lacking even the most

⁸ This Protocol was prepared by: Leilani Farha and Kaitlin Schwan with the assistance of Bruce Porter, Vanessa Poirier, and Sam Freeman. Reviewers include, among others: Margaret Pfoh (Aboriginal Housing Management Association), Cathy Crowe (Shelter and Housing Justice Network), Greg Cook (Sanctuary Toronto), Tim Richter (Canadian Alliance to End Homelessness), Anna Cooper (Pivot Legal Society), Caitlin Shane (Pivot Legal Society), Emily Paradis (University of Toronto), Emma Stromberg (Ontario Federation of Indigenous Friendship Centres), and Erin Dej (Wilfred Laurier University).

⁹ United Nations Committee on Economic, Social and Cultural Rights Committee's General Comments No. 4 (1991) on the right to adequate housing and No. 7 (1997) on forced evictions.

¹⁰ United Nations Committee on Economic, Social and Cultural Rights Committee's General Comment No. 4 (1991) on the right to adequate housing. At the domestic level, adequate housing and core housing need is defined in relation to three housing standards: adequacy, affordability, and suitability. The Canadian Mortgage and Housing Corporation [defines](#) these housing standards in the following ways: "(1) [Adequate](#) housing are reported by their residents as not requiring any major repairs; (2) [Affordable](#) dwellings cost less than 30% of total before-tax household income; and (3) [Suitable](#) housing has enough bedrooms for the size and make-up of resident households, according to National Occupancy Standard (NOS) requirements."

¹¹ A/HRC/43/43.

¹² A/HRC/31/54; A/HRC/40/61, para 43.

basic services like toilets.¹³ Residents of encampments are also frequently subject to criminalization, harassment, violence, and discriminatory treatment.¹⁴

13 In the face of poverty and deep marginalization, people without homes face many untenable choices. For example, they may be forced to choose between ‘sleeping rough’ on their own (putting themselves at risk of violence and criminalization), entering an emergency homeless shelter (which may be inaccessible or inappropriate for their needs, or in which their autonomy, dignity, self-reliance, and/or independence may be undermined), or residing in a homeless encampment (in which they may lack access to basic services and face threats to their health). These choices are further narrowed for those living in communities that lack any emergency shelters, or where existing shelters are at (or over) capacity.

14 For people without access to adequate housing, the availability, accessibility, appropriateness, and adequacy of shelters plays a significant role in determining whether or not a person chooses to reside in a homeless encampment. In some cities, emergency shelters operate at 95-100% capacity,¹⁵ necessitating that some individuals sleep rough or reside in an encampment. Existing shelters may also not be low-barrier, wheelchair accessible, trans-inclusive, or safe for people experiencing complex trauma or other challenges. Homeless persons with mental health challenges, drug or alcohol dependencies, or pets may find themselves barred from shelters. Under such conditions, some individuals may prefer, or feel they have little choice but to, reside in an encampment. Encampments thus may become a necessity or the best option available for some of those the most marginalized people in Canadian society.

15 For Indigenous peoples, a desire to avoid state surveillance and a mistrust of institutional settings, including shelters, may be a factor in turning to or living in an encampment. Negative or harmful interactions with colonial institutions, such as residential schools, the child welfare system, corrections, hospitals, asylums or sanatoriums, and shelters, may be intergenerational in nature and highly traumatic. For these reasons and others, Indigenous peoples are overrepresented in homeless populations across Canada, and further to this, are more likely to be part of “outdoor” or “unsheltered” populations – including homeless encampments.¹⁶

¹³ See Cooper, A. (2020). *Why People Without Housing Still Need Heat*. Pivot Legal Society. Available from: http://www.pivotlegal.org/why_people_without_housing_still_need_heat

¹⁴ A/HRC/43/43, para 31; see also *Homelessness, Victimization and Crime: Knowledge and Actionable Recommendations*. Available from: <https://www.publicsafety.gc.ca/lbrr/archives/cnmcs-plcng/cn35305-eng.pdf>

¹⁵ Employment and Social Development Canada. (2018). *Shelter Capacity Report 2018*. Ottawa. Available from <https://www.canada.ca/en/employment-social-development/programs/homelessness/publications-bulletins/shelter-capacity-2018.html>

¹⁶ See Ontario Federation of Indigenous Friendship Centres. (2020). *Indigenous Homelessness in the 20 Largest Cities in Canada*. Submission to the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities, Canada.

16 Regardless of the reasons why a person resides in a homeless encampment, homeless encampments *do not* constitute adequate housing, and do not discharge governments of their positive obligation to ensure the realization of the right to adequate housing for all people. Under international human rights law, “States have an obligation to take steps to the maximum of their available resources with a view to achieving progressively the full realization of the right to adequate housing, by all appropriate means, including particularly the adoption of legislative measures.”¹⁷ As part of these obligations, States must prioritize marginalized individuals or groups living in precarious housing conditions - including residents of homeless encampments.¹⁸

17 Governments have an urgent, positive obligation to provide or otherwise ensure access to adequate housing - for residents of encampments as they do for all people experiencing homelessness. Governments must act to immediately pursue deliberate, concrete, and targeted efforts to end homelessness by ensuring access to adequate housing. In the interim, governments must ensure the availability of sufficient shelter spaces - accessible and appropriate for diverse needs - where dignity, autonomy, and self-determination are upheld.

18 The fact that encampments violate the right to housing does not in any way absolve governments of their obligations to uphold the basic human rights and dignity of encampment residents while they wait for adequate, affordable housing solutions that meet their needs. The Principles outlined in this Protocol seek to support governments and other stakeholders to ensure that their engagements with encampments are rights-based and recognize residents as rights holders, with a view to realizing the right to adequate housing for these groups while respecting their dignity, autonomy, individual circumstances, and personal choices.

19 International human rights law does not permit government to use force to destroy peoples’ homes, even if they are made of canvas or improvised from available materials and constructed without legal authority or title. States may not remove residents from encampments without meaningfully engaging them to identify alternative places to live that are acceptable to them. Any such removal from their homes or from the land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection, consistent with international human rights law is defined as a ‘forced eviction’ and is considered a gross violation of human rights.

20 Unfortunately, such forced evictions or sweeps have become common in Canada. Evictions have contravened international law by being carried out without meaningful consultation with communities and without measures to ensure that those affected have access to alternative housing. They have been justified on the basis that the

¹⁷ International Covenant on Economic, Social and Cultural Rights, art. 2 (1).

¹⁸ A/HRC/43/4.

residents are there illegally, are at risk to themselves, are on land that is slated for development, or are obstructing the enjoyment of the community by others. Declining conditions at encampments and public health and safety concerns are also frequently the grounds on which local governments and provinces seek injunctions for removal. The impact of municipalities' failure to proactively provide resources and services to mitigate or improve those conditions and concerns is most often ignored. Some communities have engaged bylaw officers or local police to tear down encampments at first sight.¹⁹

21 None of these reasons, however, justify forced evictions under international law. Forced evictions often have harmful or disastrous consequences for encampment residents.²⁰ Victims may face life-threatening situations that compromise their health and security, or result in the loss of access to food, social supports, social and medical services, and other resources.²¹

22 Few governments have recognized encampments as a response to violations of fundamental human rights and a response to the isolation and indignity of homelessness. They have failed to treat those living in such encampments as legally entitled to the protection of their homes and their dignity.

IV. Relevant Authority

23 Canadian governments' responsibilities and relevant authority to ensure the right to adequate housing, including for people residing in encampments, is found in: (1) international human rights treaties, (2) the *National Right to Housing Act*, (3) the *Canadian Charter of Rights and Freedoms* and human rights legislation, and (4) the UN *2030 Agenda for Sustainable Development (The Sustainable Development Goals)*.

1. International Human Rights Treaties

24 Canada has ratified multiple international human rights treaties that articulate the right to adequate housing. In 1976, Canada ratified the *International Covenant on Economic, Social and Cultural Rights*, which contains the chief articulation of the right to housing under Article 11.1 "the right of everyone to an adequate standard of living for [themselves] and [their] family, including adequate food, clothing and housing, and to

¹⁹ Ball, V. (2019). *Encampment residents fear eviction*. The Expositor. Available from: <https://www.brantfordexpositor.ca/news/local-news/encampment-residents-fear-eviction>

²⁰ A/HRC/43/43, para 36.

²¹ UN Office of the High Commissioner. (2014). *Forced Evictions: Fact Sheet No. 25/Rev.1*. Available from: <https://www.ohchr.org/Documents/Publications/FS25.Rev.1.pdf>; Collinson, R. & Reed, D. (2018). *The Effects of Eviction on Low-Income Households*. Available from: https://www.law.nyu.edu/sites/default/files/upload_documents/evictions_collinson_reed.pdf

the continuous improvement of living conditions.”²² The right to housing and the prohibition against forced evictions has been interpreted in General Comments No. 4 and 7²³ by the UN Committee on Economic, Social and Cultural Rights. In addition, Canada has ratified other treaties that codify the right to adequate housing, including:

- *Convention on the Rights of Persons with Disabilities*
- *Convention on the Rights of the Child*
- *Convention on the Elimination of Racial Discrimination*
- *Convention on the Elimination of Discrimination against Women*

25 Human rights ratified by Canada “extend to all parts of federal States without any limitations or exceptions,” thus federal, provincial/territorial, and municipal governments are equally bound by these obligations.²⁴ In interpreting the right to adequate housing, the Committee on Economic, Social and Cultural Rights has emphasized that “the right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one’s head or views shelter exclusively as a commodity. Rather it should be seen as the right to live somewhere in security, peace and dignity.”²⁵

26 Canada has also formally recognized the *UN Declaration on the Rights of Indigenous Peoples*, which also codifies the right to adequate housing and affirms that Indigenous Peoples have the right to be actively involved in developing and determining housing programmes and policies that affect them.²⁶ Further, Indigenous Peoples’ right to land and self-determination is indivisible from the right to housing under international human rights law, meaning that they “shall not be forcibly removed from their lands or territories and that no relocation shall take place without their free, prior and informed consent.”²⁷ All encampments are located on the traditional territories of Indigenous nations, including in cities, towns, and rural areas. On these territories, Indigenous Peoples’ right to land and self-determination is in effect, whether or not those lands are subject to land claims or treaty.

1. Canadian Housing Policy and Legislation

27 The right to housing has also recently been recognized in Canadian legislation. In June 2019, the *National Housing Strategy Act* (the *Act*) received royal assent in Canada. The *Act* affirms Canada’s recognition of the right to housing as a fundamental human

²² ICESCR, Article 11, masculine pronouns corrected.

²³ General Comment 4 (1991), UN Doc. E/1992/23; General Comment 7 (1997), UN Doc. E/1998/22.

²⁴ A/69/274.

²⁵ General Comment 4 (1991), para 7.

²⁶ A/74/183.

²⁷ A/74/183.

right and commits to further its progressive realization as defined under the *International Covenant on Economic, Social and Cultural Rights*.

28 The Preamble and Section 4 of the *Act* underscore the interdependence of the right to housing with other fundamental rights, such as the right to life and an adequate standard of health and socio-economic wellbeing. Specifically, Section 4 states:

It is declared to be the housing policy of the Government of Canada to:

- (a) recognize that the right to adequate housing is a fundamental human right affirmed in international law;
- (b) recognize that housing is essential to the inherent dignity and well-being of the person and to building sustainable and inclusive communities;
- (c) support improved housing outcomes for the people of Canada; and
- (d) further the progressive realization of the right to adequate housing as recognized in the International Covenant on Economic, Social and Cultural Rights.

2. The Canadian Charter and Provincial/Territorial Human Rights Legislation

29 The government of Canada's international human rights obligations must be considered by courts in Canada when determining the rights of residents of encampments under domestic law,²⁸ particularly the *Canadian Charter of Rights and Freedoms*.²⁹ The Supreme Court has recognized that the right to "life, liberty and security of the person" in section 7 of the *Charter* may be interpreted to include the right to housing under international law.³⁰ Canada has told the UN that it accepts that section 7 at least ensures access to basic necessities of life and personal security.³¹

²⁸ It should be noted that a human rights-based approach under domestic law should entail mindfulness about core human rights and equality principles, such as substantive equality and non-discrimination, which recognizes that state interventions be particularly attuned to the specific needs of particular groups, including those impacted by systemic and historical disadvantage. In this regard, a 'one size fits all' approach may not fully capture the distinct needs of groups residing within encampments.

²⁹ *R. v. Hape*, [2007] 2 S.C.R. 292, 2007 SCC 26, para 56: "In interpreting the scope of application of the Charter, the courts should seek to ensure compliance with Canada's binding obligations under international law where the express words are capable of supporting such a construction."

³⁰ *Irwin Toy Ltd. v. Quebec (Attorney General)*, [1989] 1 S.C.R. 927; See Martha Jackman and Bruce Porter, "[Social and Economic Rights](#)", in Peter Oliver, Patrick Maklem & Nathalie DesRosiers, eds, *The Oxford Handbook of the Canadian Constitution* (New York: Oxford University Press, 2017), 843-861.

³¹ Canada's commitments are described in *Victoria (City) v. Adams*, 2008 BCSC 1363 (CanLII), paras 98-99. Online, <http://canlii.ca/t/215hs>

30 In Canada, courts have considered the human rights implications of encampments, and have emphasized that Section 7 life and security of the person interests are engaged where state action poses significant harm to the health and wellbeing of persons enduring homelessness and housing insecurity. For example, Canadian courts have recognized that the daily displacement of people experiencing homelessness causes physical and psychological harm. The Court accepted in the case of *Abbotsford (City) v. Shantz*, that "the result of repeated displacement often leads to the migration of homeless individuals towards more remote, isolated locations as a means to avoid detection. This not only makes supporting people more challenging, but also results in adverse health and safety risks." The court recognized that these health and safety risks include "impaired sleep and serious psychological pain and stress."³²

31 In the case of *Victoria v. Adams*,³³ residents of an encampment challenged a bylaw that prevented them from constructing temporary shelter in a park, on the basis of which city officials had secured an injunction to evict them. The British Columbia Supreme Court agreed that while the *Charter* does not explicitly recognize the right to housing, international law is a persuasive source for *Charter* interpretation and found that the bylaw violated the residents' right to security of the person. The BC Court of Appeal upheld the decision of the BC Supreme Court and other decisions in British Columbia have followed.³⁴ In *British Columbia v. Adamson* 2016,³⁵ for example, the court found that in the absence of alternative shelter or housing for all people experiencing homelessness, encampment residents must not be evicted from their encampment. In *Abbotsford v. Shantz* 2015³⁶ the Court found that denying encampment residents space to erect temporary shelters on public property was "grossly disproportionate to any benefit that the City might derive from furthering its objectives and breaches the s. 7 *Charter* rights of the City's homeless."³⁷

32 The right to equality is also protected under the Canadian Charter as well as under federal, provincial, and territorial human rights legislation. Not all levels of government interpret or administer human rights codes in the same manner, with each province and territory administering its own human rights codes.³⁸ Regardless of jurisdiction, the UN Committee on Economic, Social and Cultural Rights has stated that the right to

³² *Abbotsford (City) v. Shantz*, 2015 BCSC 1909, paras 213 and 219.

³³ *Victoria (City) v. Adams*, 2008 BCSC 1363 (CanLII), paras 85-100. Online, <http://canlii.ca/t/215hs>

³⁴ Key examples of case law includes: *Victoria v. Adams* 2008/ 2009, *Abbotsford v. Shantz* 2015, *BC v. Adamson* 2016, and *Vancouver (City) v. Wallstam* 2017.

³⁵ *British Columbia v. Adamson* (2016 BCSC 1245). Online, <https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc1245/2016bcsc1245.html?resultIndex=1>

³⁶ *Abbotsford (City) v. Shantz* (2016 BCSC 2437). Online, <https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc2437/2016bcsc2437.html?resultIndex=1>

³⁷ *Abbotsford (City) v. Shantz* (2016 BCSC 2437), para 224. Online, <https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc2437/2016bcsc2437.html?resultIndex=1>

³⁸ For an overview of provincial and territorial human rights codes, see: <https://ccdi.ca/media/1414/20171102-publications-overview-of-hr-codes-by-province-final-en.pdf>

equality should be interpreted to provide the widest possible protection of the right to housing and has urged Canadian courts and governments to adopt such interpretations.³⁹

33 While it is clear that the *Charter* provides some protection from forced evictions and sweeps of encampment residents, the extent to which it requires governments to address the crisis of homelessness that has led to reliance on encampments remains unresolved. The Supreme Court of Canada has yet to agree to hear an appeal in a case that would clarify the obligations of governments to address homelessness as a human rights violation. The Supreme Court has, however, been clear that the *Charter* should, where possible, be interpreted to provide protection of rights that are guaranteed under international human rights law ratified by Canada.

34 Governments should not use uncertainty about what courts might rule as an excuse for violating the human rights of those who are homeless. Canadian governments have an obligation, under international human rights law, to promote and adopt interpretations of domestic law consistent with the right to adequate housing. The UN Committee on Economic, Social and Cultural Rights has expressed concern that governments in Canada continue to argue in court against interpretations of the *Canadian Charter* that would protect the rights of homeless persons and residents of homeless encampments.

35 Therefore, it is critically important that, as part of a Protocol based on respect for human rights, municipal, provincial/territorial, and federal governments instruct their lawyers not to undermine international human rights or oppose reasonable interpretations of the *Charter* based on international human rights. They should never seek to undermine the equal rights of residents of homeless encampments to a dignified life, to liberty, and security of the person.

3. UN 2030 Agenda for Sustainable Development

36 In September 2015, member states of the United Nations, including Canada, adopted the *2030 Agenda for Sustainable Development (2030 Agenda)*. Target 11.1 of the SDGs specifically identifies that by 2030, all States must “ensure access for all to adequate, safe and affordable housing and basic services and to upgrade informal settlements.” This means governments must take steps to eliminate homelessness and make cities inclusive, safe, resilient and sustainable. Upgrading informal settlements

³⁹ CESCR, General Comment No. 9, para 15; E/C.12/1993/5, paras 4, 5, and 30.

includes the upgrading of homeless encampments.⁴⁰ States have affirmed that a rights-based approach to the SDG's is critical if they are to be achieved.⁴¹

V. Key Principles

37 It is critical that all levels of government in Canada employ an integrated human rights-based approach when engaging with encampments. The Principles outlined here aim to support the right to housing for all encampment residents as part of Canada's commitment to the right to housing under international human rights treaties and domestic law.

PRINCIPLE 1: Recognize residents of homeless encampments as rights holders

38 All government action with respect to homeless encampments must be guided by a commitment to upholding the human rights and human dignity of their residents. For many governments and those exercising governmental authority, this will mean a shift away from criminalizing, penalizing, or obstructing encampments, to an approach rooted in rights-based participation and accountability.⁴²

39 This will mean understanding encampments as instances of both human rights *violations* of those who are forced to rely on them for their homes, as well as human rights *claims* advanced in response to violations of the right to housing. While encampments arise as a result of governments failing to effectively implement the right to housing, they can also be an expression of individuals and communities claiming their legitimate place within cities, finding homes within communities of people without housing, asserting claims to lands and territories, and refusing to be made invisible. They are a form of grassroots human rights practice critical to a democracy such as Canada's.⁴³ For Indigenous peoples, the occupation of lands and traditional territories vis-à-vis encampments may also be an assertion of land rights, claimed in conjunction with the right to housing.

40 In recognition of encampments as rights violations and rights claims, governments must rectify the policy failures that underpin the emergence of homeless encampments, while simultaneously recognizing residents as rights holders who are advancing a legitimate human rights claim. Their efforts to claim their rights to home

⁴⁰ A/73/310/Rev.1.

⁴¹ The *National Housing Strategy* of Canada mirrors many of the commitments made in the *2030 Agenda*. However, the *Strategy* only commits Canada to reducing chronic homelessness by 50%, despite the *2030 Agenda's* imperative to eliminate homelessness and provide access to adequate housing for all.

⁴² A/73/310/Rev.1, para 15.

⁴³ A/73/310/Rev.1.

and community must be supported, not thwarted, criminalized, or dismissed as illegitimate or gratuitous protest.⁴⁴

PRINCIPLE 2: Meaningful engagement and effective participation of encampment residents

41 Ensuring encampment residents are able to participate in decisions that directly affect them is “critical to dignity, the exercise of agency, autonomy and self-determination.”⁴⁵ As rights holders, encampment residents are entitled to “participate actively, freely and meaningfully in the design and implementation of programmes and policies affecting them.”⁴⁶ Meaningful engagement must be grounded in recognition of the inherent dignity of encampment residents and their human rights, with the views expressed by residents of homeless encampments being afforded adequate and due consideration in all decision-making processes.

42 Governments and other actors must engage encampment residents in the early stages of discussion without using the threat of eviction procedures or police enforcement to coerce, intimidate, or harass.⁴⁷ Engagement should proceed under the principle that residents are experts in their own lives and what is required for a dignified life.⁴⁸ Indigenous residents of encampments should also be engaged in decision-making processes in a manner that is culturally-safe and trauma informed.

43 In the context of homeless encampments, the right to participate requires that all residents be provided with information, resources, and opportunities to directly influence decisions that affect them. All meetings with government officials or their representatives regarding the encampment should be documented and made available to encampment residents upon request.

44 Participation processes must comply with all human rights principles, including non-discrimination. Compliance with international human rights law requires:

- i. **Provision of necessary institutional, financial, and other resources to support residents’ right to participate**
In order to participate in decisions that affect them, encampment residents should be provided with financial and institutional resources (e.g., wifi/internet access, meeting spaces) that support their active participation in decision-making. Such supports should include, but are not

⁴⁴ A/73/310/Rev.1.

⁴⁵ A/HRC/43/43, para 20.

⁴⁶ Ibid. See also the Committee on the Rights of the Child’s General Comment No. 21 (2017) on children in street situations.

⁴⁷ A/HRC/40/61, para 38.

⁴⁸ A/HRC/43/43, para 21.

limited to: legal advice, social service supports, Indigenous cultural supports, literacy supports, translation, mobility supports, and transportation costs to attend consultations or meetings.⁴⁹ These resources should support democratic processes within the encampment, including community meetings, the appointment of community leaders, and the sharing of information.⁵⁰ Residents must be granted a reasonable and sufficient amount of time to consult on decisions that affect them.

ii. **Provision of relevant information about the right to housing**

Encampment residents must be provided with information about their right to housing, including information about procedures through which they can hold governments and other actors accountable, as well as specific information about the rights of Indigenous Peoples.⁵¹

iii. **Provision of relevant information concerning decisions that affect residents, ensuring sufficient time to consult**

Encampment residents must be provided with all relevant information in order to make decisions in matters that affect them.⁵²

iv. **Establishment of community engagement agreement between homeless encampment residents, government actors, and other stakeholders**

In order to facilitate respectful, cooperative, and non-coercive communication between residents, government, and other stakeholders, government may seek to collaborate with residents to create a formal community engagement agreement (when appropriate and requested by residents).⁵³ This agreement should outline when and how encampment residents will be engaged,⁵⁴ and should be ongoing and responsive to the needs of the encampment residents.⁵⁵ It should allow the residents of homeless encampments to play an active role in all aspects of relevant proposals and policy, from commencement to conclusion. Residents should be able to challenge any decision made by government or other actors, to propose alternatives, and to articulate their own demands and priorities. Third party mediators should be available to protect against power imbalances that may lead to breakdown in negotiations or create

⁴⁹ Committee on Economic, Social and Cultural Rights' General Comment No. 4, para. 12, and the basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I, para. 39).

⁵⁰ A/73/310/Rev.1.

⁵¹ A/73/310/Rev.1, para 19.

⁵² A/73/310/Rev.1.

⁵³ A/73/310/Rev.1.

⁵⁴ A/73/310/Rev.1.

⁵⁵ United Nations. *Guiding Principles on Extreme Poverty and Human Rights*, foundational principles, para 38.

unfair results.⁵⁶ Relevant government authorities and professionals should also be provided with “training in community engagement and accountability.”⁵⁷

v. **Provision of equitable opportunities for the meaningful participation of all encampment residents**

As a matter of human rights law, particular efforts must be taken to ensure equitable participation by women, persons with disabilities, Indigenous Peoples, migrants, and other groups who experience discrimination or marginalization.⁵⁸ Where possible, members of these groups should be afforded central roles in the process.⁵⁹

Principle 2 in Action – The “People’s Process” in Kabul, Afghanistan

The upgrading of informal settlements was identified as a key goal in the *2030 Agenda for Sustainable Development*, committing States to “upgrade slums” by 2030 (target 11.1). As identified by the UN Special Rapporteur on the right to adequate housing, “Participation in upgrading requires democratic processes through which the community can make collective decisions.” Under international human rights law, the democratic processes required to upgrade slums mirrors encampment residents’ right to participate in plans to resolve their housing needs. As such, democratic processes implemented to upgrade informal settlements in cities around the world can provide helpful examples for Canadian homeless encampments.

One such example is the “people’s process” in Kabul, Afghanistan. This process delineates community leadership and control over the upgrading process, and includes an organizational structure that enables the community to engage different levels of government. As part of this process, “local residents elect community development councils responsible for the selection, design, implementation and maintenance of the projects.” City staff are trained to work alongside informal settlement residents to implement and complete upgrading.

⁵⁶ A/HRC/43/4, para 42.

⁵⁷ A/73/310/Rev.1, para 20.

⁵⁸ A/HRC/43/4.

⁵⁹ Committee on Economic, Social and Cultural Rights, General Comment No. 21 (2009) on the right of everyone to take part in cultural life, in particular para 16.

PRINCIPLE 3: Prohibition of forced evictions of encampments

45 Under international human rights law, forced evictions constitute a gross violation of human rights and are prohibited in all circumstances, including in the context of encampments.⁶⁰

46 Forced evictions are defined as “the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection ... in conformity with the provisions of the International Covenants on Human Rights.”⁶¹

47 Forced evictions are impermissible irrespective of the tenure status of those affected. This means that the forced eviction of encampments is prohibited if appropriate forms of protection are not provided – including all of the requirements described in this Protocol.⁶² It may also be considered a forced eviction when governments’ and those acting on their behalf harass, intimidate, or threaten encampment residents, causing residents to vacate the property.⁶³

48 Common reasons used to justify evictions of encampments, such as ‘public interest,’ ‘city beautification,’ development or re-development, or at the behest of private actors (e.g., real estate firms), do not justify forced evictions.⁶⁴ Evictions (as opposed to “forced evictions”) may be justified in rare circumstances, but they may only be carried out after exploring all viable alternatives with residents, in accordance with law and consistent with the right to housing, as described in this Protocol.

49 Governments must repeal any laws or policies that sanction forced evictions and must refrain from adopting any such laws, including for example anti-camping laws, move-along laws, laws prohibiting tents being erected overnight, laws prohibiting personal belongings on the street, and other laws that penalize and punish people experiencing homelessness and residing in encampments.⁶⁵

⁶⁰ A/HRC/43/43, para 34; CESCR General Comment No.7.

⁶¹ CESCR General Comment No.7.

⁶² A/HRC/43/43, para 34; also see: “Security of tenure under domestic law should not, consequently, be restricted to those with formal title or contractual rights to their land or housing. The UN guiding principles on security of tenure (A/HRC/25/54, para. 5), states that security of tenure should be understood broadly as “a set of relationships with respect to housing and land, established through statutory or customary law or informal or hybrid arrangements, that enables one to live in one’s home in security, peace and dignity.”

⁶³ UN Office of the High Commissioner. (2014). *Forced Evictions: Fact Sheet No. 25/Rev.1*. Available from: <https://www.ohchr.org/Documents/Publications/FS25.Rev.1.pdf>

⁶⁴ A/HRC/43/43, para 36.

⁶⁵ See, for example, Ontario’s *Safe Street’s Act* (1999).

Principle 3 in Action: Forced Eviction & Harassment of Homeless Encampment Residents

In cities around the world, people experiencing homelessness are frequently subject to discriminatory treatment, harassment, and extreme forms of violence because of their housing status. People residing in homeless encampments are exposed to similar or worse treatment, particularly when faced with pressure to relocate or disperse.

In some cases, local laws, policies, or practices can provide the mechanisms for this harassment. For example, in British Columbia local authorities enforced a bylaw prohibiting overnight shelters in parks by using tactics that included spreading chicken manure and fish fertilizer on a homeless encampment. Residents and allies of the homeless encampment subsequently filed a human rights complaint with regard to these practices (*Abbotsford (City) v. Shantz*), and the BC Supreme Court found that certain bylaws violated encampment residents' constitutional rights to life, liberty and security of the person.

Under international human rights law, such activities are strictly prohibited and constitute instances of forced eviction, even if they align with local laws or policies. Given this, it is critical that Canadian governments review local and national policies and laws to ensure they do not violate the prohibition against the forced eviction of homeless encampments.

PRINCIPLE 4: Explore all viable alternatives to eviction

50 Government authorities must explore all viable alternatives to eviction, in consultation with encampment residents.⁶⁶ This means ensuring their meaningful and effective participation in discussions regarding the future of the encampment.

51 Free and independent legal advice should be made available to all residents to help them understand the options, processes, and their rights. Consultations should be conducted at times and locations that are appropriate and accessible for residents to ensure their participation is maximised. Financial and other support should be available to residents so that they can fully participate in all discussions regarding the future of the encampment and so that residents can retain outside consultants (e.g., environmental engineers, architects) where needed to assist them in developing alternative options to eviction.

52 Discussions regarding viable alternatives to eviction must include meaningful engagement with Indigenous Peoples and be grounded in principles of self-determination, free, prior and informed consent. In urban contexts, for example, urban Indigenous organisations should be engaged early in the planning process to establish service delivery roles and to ensure the availability of culturally appropriate services.

⁶⁶ A/HRC/43/4.

53 Where personal needs differ amongst residents of encampments such that a singular best alternative is not unanimous, governments will have to develop several solutions each of which is consistent with the principles outlined in this Protocol.

PRINCIPLE 5: Ensure that any relocation is human rights compliant

54 Homeless encampments are not a solution to homelessness, nor are they a form of adequate housing. Governments have an urgent, positive obligation to ensure encampment residents have access to long-term, adequate housing that meets their needs, accompanied by necessary supports. Rather than eviction, governments must engage with homeless encampments with a view to ensuring residents are able to access such housing.

55 Despite this obligation, many governments respond to encampments by simply moving residents from one bad site to another through the use of law enforcement, physical barriers, or other means, and without meaningfully engaging residents. This in no way addresses the underlying violations of the right to housing experienced by residents of encampments, is often costly, and can contribute to increased marginalization. If relocation is deemed necessary and/or desired by encampment residents, it is critical that it is conducted in a human rights compliant manner.

56 As a starting point, meaningful, robust, and ongoing engagement with residents (as defined in Principle 2) is required for the development of any relocation of homeless encampments or of their residents. Meaningful engagement with communities should ensure the development of plans that respect the rights of residents and can be implemented cooperatively, without police enforcement.⁶⁷ Considerations regarding relocation must be grounded in the principle that “the right to remain in one’s home and community is central to the right to housing.”⁶⁸ If relocation is consistent with the human rights of residents, it will almost always be achievable without the use of force.

57 If government authorities propose the relocation of residents of homeless encampments, and the residents desire to remain in situ, the burden of proof is on the government to demonstrate why in situ upgrading is unfeasible.⁶⁹

58 If, after meaningful engagement with those affected, relocation is deemed necessary and/or desired by encampment residents, adequate alternative housing must be provided in close proximity to the original place of residence and source of livelihood.⁷⁰ If governments have failed to provide residents with housing options that

⁶⁷ A/HRC/40/61, para 38.

⁶⁸ A/73/310/Rev.1, para 26.

⁶⁹ A/73/310/Rev.1, para 32.

⁷⁰ A/HRC/4/18, annex I, para. 60.

they find acceptable, residents must be permitted to remain or be provided with a satisfactory alternative location, while adequate permanent housing options are negotiated and put in place.

59 If, in the exceptional case there is no viable alternative to eviction by authorities, eviction must be compliant with all aspects of international human rights law.⁷¹ Compliance with international human rights law requires:

i. **Prohibition against the removal of residents' private property without their knowledge and consent**

The removal of residents' private property by governments and those acting on their behalf, including the police, without their knowledge and consent, is strictly prohibited.⁷² Such actions are contrary to the rights of residents and may contribute to the deepening of residents' marginalization, exclusion, and homelessness.⁷³ Governments and police must also seek to actively prevent the removal of homeless residents' private property by private actors or any other form of harassment.

ii. **Adherence to the right to housing and other human rights standards when relocation is necessary or preferred**

Adequate alternative housing, with all necessary amenities (particularly water, sanitation and electricity), must be in place for all residents prior to their eviction.⁷⁴ Alternative housing arrangements should be in close proximity to the original place of residence and to services, community support, and livelihood.⁷⁵ It is critical that all encampment residents be allowed to participate in decisions regarding relocation, including the timing and site of relocation.⁷⁶ A full hearing of the residents' concerns with the proposed relocation should be held, and alternatives explored.

⁷² A/HRC/4/18, *Basic Guidelines on Development Based Evictions*, see para 50: "States and their agents must take steps to ensure that no one is subject to direct or indiscriminate attacks or other acts of violence, especially against women and children, or arbitrarily deprived of property or possessions as a result of demolition, arson and other forms of deliberate destruction, negligence or any form of collective punishment. Property and possessions left behind involuntarily should be protected against destruction and arbitrary and illegal appropriation, occupation or use."

⁷³ National Law Centre on Homelessness & Poverty. (2017). *Violations of the Right to Privacy for Persons Experiencing Homelessness in the United States*. Available from: <https://nlchp.org/wp-content/uploads/2018/10/Special-Rapporteur-Right-to-Privacy.pdf>. See para 7: "For them, whatever shelter they are able to construct, whether legally or illegally, is their home, and their right to privacy should inhere to that home the same as it would for any regularly housed person. To deny them that right is to further marginalize and dehumanize this already highly marginalized and dehumanized population."

⁷⁴ A/73/310/Rev.1, para 34.

⁷⁵ Basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I, para. 60) and A/HRC/4/18, annex I, para. 60.

⁷⁶ A/73/310/Rev.1, para 31.

iii. **Relocation must not result in the continuation or exacerbation of homelessness, or require the fracturing of families or partnerships**

Relocation must not result in the continuation or deepening of homelessness for residents.⁷⁷ Relocation must not require the separation of families or partners, as defined by rights-holders themselves, including chosen family and other kinship networks.⁷⁸ Governments should engage encampments with a view to keeping the community intact, if this is desired by the residents.⁷⁹ Governments should also ensure that relevant housing policies are supportive of the ways in which rights-holders define their own families, partnerships, communities and extended Indigenous kinship structures, and accommodate these whenever possible in public or social housing.

iv. **Access to justice to ensure procedural fairness and compliance with all human rights**

Access to justice must be ensured at all stages of government engagement with encampment residents, not just when eviction is imminent.⁸⁰ Access to justice and legal protection must meet international human rights law standards,⁸¹ including the provision of due process, access to legal aid, access to fair and impartial legal advice, and the ability to file complaints in a relevant forums (including Indigenous forums) that are geographically proximate.⁸²

⁷⁷ A/73/310/Rev.1.

⁷⁸ UN Office of the High Commissioner. (2014). *Forced Evictions: Fact Sheet No. 25/Rev.1*. Available from: <https://www.ohchr.org/Documents/Publications/FS25.Rev.1.pdf>. See para 52: “States should also ensure that members of the same extended family or community are not separated as a result of evictions.”; also, UNHR Summary Conclusions on the Family Unit, Available at <https://www.unhcr.org/protection/globalconsult/3c3d556b4/summary-conclusions-family-unity.html>, see para 8: “International human rights law has not explicitly defined ‘family’ although there is an emerging body of international jurisprudence on this issue which serves as a useful guide to interpretation. The question of the existence or non-existence of a family is essentially a question of fact, which must be determined on a case-by-case basis, requiring a flexible approach which takes account of cultural variations, and economic and emotional dependency factors. For the purposes of family reunification, ‘family’ includes, at the very minimum, members of the nuclear family (spouses and minor children).”

⁷⁹ A/HRC/43/43, para 42.

⁸⁰ A/HRC/43/43.

⁸¹ Committee on Economic, Social and Cultural Rights, General Comment No. 7, para 3.

⁸² It should be noted that broad and inclusive participatory-based processes can potentially foster access to justice for equity-seeking groups, and such processes should be responsive to the unique barriers to justice these groups face.

Principle 5 in Action - *Melani v. City of Johannesburg*

Globally, there are many compelling examples of courts upholding the rights of informal settlements or homeless encampments right to remain in place (“in situ”) in their community. One such example is *Melani v. City of Johannesburg* in South Africa. In this case, the Slovo Park informal settlement challenged the City of Johannesburg’s decision to relocate the community to an alternative location 11 km away. The court held that the Government’s upgrading policy, as required by the constitutional right to housing, envisages “a holistic development approach with minimum disruption or distortion of existing fragile community networks and support structures and encourages engagement between local authorities and residents living within informal settlements.” The Court concluded that relocation must be “the exception and not the rule” and any relocation must be to a location “as close as possible to the existing settlement.” The Court ordered the City of Johannesburg to reverse the decision to relocate the community, and mandated the city to apply for funding for in situ upgrading.

The South African approach is an example of how some national courts are making the shift to adopt a human rights-based approach to encampments. This is a shift that moves in the right direction and should be applied by all courts in Canada.

PRINCIPLE 6: Ensure encampments meet basic needs of residents consistent with human rights⁸³

60 Much of the stigma attached to residents of encampments is a result of governments failing to ensure access to basic services, including access to clean water, sanitation facilities, electricity, and heat, as well as support services.⁸⁴ These conditions violate a range of human rights, including rights to housing, health, physical integrity, privacy, and water and sanitation.⁸⁵ In these conditions, residents face profound threats to dignity, safety, security, health, and wellbeing.⁸⁶ The denial of access to water and sanitation by governments constitutes cruel and inhumane treatment, and is prohibited under international human rights law.⁸⁷

⁸³ Details regarding securing basic needs consistent with human rights can be found in Schedule B.

⁸⁴ A/73/310/Rev.1.

⁸⁵ A/HRC/43/4.

⁸⁶ UN Water. *Human Rights to Water and Sanitation*. Available from: <https://www.unwater.org/water-facts/human-rights/>

⁸⁷ A/73/310/Rev.1, para 46: “Attempting to discourage residents from remaining in informal settlements or encampments by denying access to water, sanitation and health services and other basic necessities, as has been witnessed by the Special Rapporteur in San Francisco and Oakland, California, United States of

61 Canadian governments must ensure, at a minimum, that rudimentary adequacy standards are ensured in homeless encampments on an urgent and priority basis, while adequate housing options are negotiated and secured. Government's compliance with international human rights law requires:

i. **Access to safe and clean drinking water**

Water and sanitation are critical to health for all people. Through *Resolution 64/292*, the United Nations explicitly recognized the right to safe and clean drinking water and sanitation as a "human right that is essential for the full enjoyment of life and all human rights."⁸⁸ The *Resolution* calls upon States and international organizations "to provide safe, clean, accessible and affordable drinking water and sanitation for all." This obligation extends to those residing in homeless encampments.⁸⁹

ii. **Access to hygiene and sanitation facilities**

Homeless encampments must be provided with sufficient resources and supports to ensure access to hygiene and sanitation facilities – toilets, showers, hand-washing stations, for example – within the encampment, or within very close proximity. Using existing facilities that remain open to the general public will not be appropriate. Facilities should ensure the hygiene and dignity of all residents irrespective of needs or identity. Peer-led hygiene and sanitation facilities have worked well in some contexts.

iii. **Resources and support to ensure fire safety**

General safety precautions should be implemented in an encampment environment to ensure residents are safe from fire and chemical exposure. Fire Departments should assist residents in developing a harm reduction approach to fire safety.

iv. **Waste management systems**

The lack of waste management systems in encampments has serious health and safety implications. Encampments necessarily create garbage during the course of daily activities. Garbage piles can become combustible fire hazards and can increase the risk of exposure to chemical waste. Human and animal biological waste also poses a particular danger. Without sanitary facilities, accumulated fecal waste can contaminate the

America, 29 constitutes cruel and inhuman treatment and is a violation of multiple human rights, including the rights to life, housing, health and water and sanitation."

⁸⁸ A/RES/64/292, para 2. Available at: https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292.

⁸⁹ A/RES/64/292, para 3. Available at: https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292.

ground and transmit diseases.⁹⁰ The improper disposal of needles can also transmit diseases through puncture wounds or re-use of needles. It is the responsibility of governments to ensure that homeless encampments have sufficient resources for the establishment of waste management systems.

v. **Social Supports and Services**

Residents of homeless encampments should be ensured access to health, mental health, addiction, and broader social services in a manner equitable to other community residents and consistent with human rights. All supports should be culturally appropriate and anti-oppressive. Governments should consult encampment residents on how best to provide access to these services, including through approaches such as outreach and/or on-site service provision. The provision of social services should not be linked to data gathering of any kind.

vi. **Guarantee Personal Safety of Residents**

Although research indicates that unsheltered people in Canada are disproportionately targets of violence, rather than perpetrators,⁹¹ interpersonal violence and exploitation can occur within encampments. Interpersonal violence is often exacerbated when people do not have their basic needs met,⁹² thus the provision of meaningful resources and supports will likely help ameliorate issues of safety.

It is the State's duty to protect the safety of all residents, particularly those who may be particularly vulnerable to abuse, harm, trafficking, or exploitation. Responses to violence must be guided by principles of transformative justice, rather than reproduce punitive outcomes and must be based in community-developed safety protocols. Governments must recognize that engaging police or other state authorities as a response to violence in encampments may put people at increased risk of harm, including due to risks of being criminalized or incarcerated.

vii. **Facilities and resources that support food safety**

Consuming contaminated food or water can cause a variety of foodborne

⁹⁰ CalRecycle. *Homeless Encampment Reference Guide*. Available at:

<https://www.calrecycle.ca.gov/illegaldump/homelesscamp#SolidWaste>

⁹¹ Sylvia, N., Hermer, J., Paradis, E., & Kellen, A. (2009). "More Sinned Against than Sinning? Homeless People as Victims of Crime and Harassment." In: Hulchanski, J. David; Campsie, Philippa; Chau, Shirley; Hwang, Stephen; Paradis, Emily (Eds.), *Finding Home: Policy Options for Addressing Homelessness in Canada* (e-book), Chapter 7.2. Toronto: Cities Centre, University of Toronto.

www.homelesshub.ca/FindingHome

⁹² Slabbert, I. (2017). Domestic violence and poverty: Some women's experiences. *Research on social work practice*, 27(2), 223-230.

illnesses. Encampments are often more susceptible to foodborne illnesses due to a lack of storage, cooling appliances, improperly cooked foods, and limited or no access to clean water. Diseases can spread quickly in an encampment setting.

One of the best ways to prevent the spread of illness is to for governments to provide resources that enable the encampment to implement food safety measurements such as refrigeration facilities, which are also important for storing medicines.

viii. **Resources to support harm reduction**

Governments must provide encampments with the resources to implement effective harm reduction measures. Appropriate professionals should support residents to establish emergency protocols for responding to overdoses and other health emergencies.

ix. **Rodent and pest prevention**

The presence of rodents and pests can pose a significant threat to the health of residents. Appropriate prevention and treatment options should be available for pest management that are safe for use in human environments. Encampment residents should be provided with the resources to prevent and address the presence of rodents and pests.

62 In implementing these standards, it must be recognized that residents of encampments are experts with respect to their living spaces — they often know what resources are needed and how best to mobilize them. As a matter of human rights, residents must be engaged in planning and carrying out any measures developed to improve access to basic services. Practices, systems, and agreements residents have already put in place should be respected by government officials and should inform any further improvements.

PRINCIPLE 7: Ensure human rights-based goals and outcomes, and the preservation of dignity for encampment residents

63 As a matter of international human rights law, the rights and dignity of residents must be at the heart of all government engagement with homeless encampments.⁹³ Dignity is an inherent human rights value that is reflected in the *Universal Declaration of Human Rights*. As such, Canadian governments have an obligation to bring about positive human rights outcomes in all of their activities and decisions concerning homeless encampments.

⁹³ ICESCR.

64 Where Canadian governments at any level make decisions with regards to encampments, it is essential that they do so taking into account the full spectrum of human rights of residents and ensure that their enjoyment of those rights is enhanced by all decisions. Any decision that does not lead to the furthering of human rights, fails to ensure their dignity, or represents a backwards step in terms of their enjoyment of human rights, is contrary to human rights law.

65 More broadly, the Canadian government has an obligation to the progressive realization of the right to housing, alongside all other human rights.⁹⁴ A central component of that obligation is to address on an urgent basis the needs of those in the greatest need. This means that Canadian governments must move, as a matter of priority, towards the full enjoyment of the right to housing for encampment residents.⁹⁵ When governments fail to bring about positive human rights outcomes for encampment residents, they fail their obligation to progressively realize the right to housing.⁹⁶

PRINCIPLE 8: Respect, protect, and fulfill the distinct rights of Indigenous Peoples in all engagements with encampments

66 Indigenous Peoples in Canada experience some of the most severe and egregious forms of housing need, and are dramatically overrepresented in homeless populations across the country, including specifically amongst those who are sleeping rough.⁹⁷ Under these conditions, many Indigenous Peoples experience profound violations of the right to housing and the right to self-determination, as well as violations of the right to freely pursue their economic, social, and cultural development.⁹⁸

67 For Indigenous Peoples in Canada, encampments and political occupation may occur simultaneously as a means of survival and a means of asserting rights to lands and

⁹⁴ ICESCR, in General Comment No.3 on the nature of states parties' obligations under Art 2(1) of the ICESCR.

⁹⁵ ICESCR, Article 2(1).

⁹⁶ Further, if governments failed to ensure human rights outcomes were obtained for encampment residents, and residents suffered some detriment to their enjoyment of their rights (e.g., loss of dignity or ended up street homeless without any shelter at all), this might be classed as retrogression and a breach of obligations.

⁹⁷ See ESDC (Employment and Social Development Canada). (2019). *Everyone counts highlights: Preliminary results from the second nationally coordinated point-in-time count of homelessness in Canadian communities*. Retrieved from <https://www.canada.ca/en/employment-social-development/programs/homelessness/reports/highlights-2018-point-in-time-count.html#3.5>. Similarly, the [2018 Toronto Street Needs Assessment](#) documented that 16% of those enumerated were Indigenous, and 38% of those sleeping rough were Indigenous. See also Patrick, C. (2014). *Aboriginal Homelessness in Canada: A Literature Review*. Toronto: Canadian Homelessness Research Network Press. Retrieved from <https://www.homelesshub.ca/sites/default/files/AboriginalLiteratureReview.pdf>.

⁹⁸ Article 3 of the *Declaration* and article 1 of the *Covenant*.

territories within cities and elsewhere. Whatever the impetus, any government engagement with Indigenous Peoples in encampments must be guided by the obligation to respect, protect, and fulfil their distinct rights. These rights are outlined in the United Nations Declaration on the Rights of Indigenous Peoples, as well as many other international human rights treaties.

68 Under international human rights laws, the enjoyment of the right to housing for Indigenous Peoples is “deeply interconnected with their distinct relationship to their right to lands, territories and resources, their cultural integrity and their ability to determine and develop their own priorities and strategies for development.”⁹⁹ Recognition of the indivisible nature of Indigenous Peoples’ human rights, and the obligation to uphold these rights, must shape all government engagement with Indigenous encampment residents, as well as the Indigenous Peoples who own or occupy the land or territories upon which the encampment is located.

69 Compliance with international human rights law requires:

i. **Recognition of the distinct relationship that Indigenous Peoples have to their lands and territories**

In order to ensure adequate housing for Indigenous Peoples, States, Indigenous authorities, and other actors must recognize the distinct spiritual and cultural relationships that Indigenous Peoples have with their lands and territories.¹⁰⁰ This recognition includes protection for Indigenous residents of encampments, who have the right to utilize their lands and territories in line with their own economic, social, political, spiritual, cultural, and traditional practices (as defined and assessed by the Peoples themselves).¹⁰¹

Under international human rights law, governments “should respect those housing structures which an Indigenous community deems to be adequate in the light of their own culture and traditions.”¹⁰² In the context of encampments, governments must respect Indigenous Peoples’ right to construct shelter and housing in ways that incorporate their lived histories, cultures, and experiences.¹⁰³

ii. **Guarantee of self-determination, free, prior and informed consent and**

⁹⁹ A/74/183, particularly para 6: “The right to adequate housing can be enjoyed by Indigenous Peoples only if its articulation under article 11 (1) of the International Covenant on Economic, Social and Cultural Rights is understood as interdependent with and indivisible from the rights and legal principles set out in the United Nations Declaration on the Rights of Indigenous Peoples.”

¹⁰⁰ A/74/183.

¹⁰¹ A/74/183.

¹⁰² A/74/183, para 62.

¹⁰³ A/74/183.

meaningful consultation of Indigenous Peoples

Governments must ensure the participation of Indigenous Peoples in all decision-making processes that affect them.¹⁰⁴ Governments must consult with Indigenous encampment residents in order to obtain their free, prior, and informed consent before taking any action that may affect them.¹⁰⁵

Engagement with Indigenous communities should involve genuine dialogue and should be guided by “mutual respect, good faith and the sincere desire to reach agreement.”¹⁰⁶ This consultation process must engage representatives chosen by Indigenous Peoples themselves, in accordance with their own procedures and practices.¹⁰⁷ As outlined in Principle 2, governments must provide Indigenous residents with necessary institutional, financial, and other resources in order to support their right to participate.¹⁰⁸ Indigenous women and girls must be consulted on a priority basis.¹⁰⁹

iii. Prohibition against the forced eviction, displacement, and relocation of Indigenous Peoples

Indigenous Peoples’ access to and control over their lands, territories and resources constitute a fundamental element of the realization of their right to adequate housing.¹¹⁰ As such, international human rights law strictly prohibits the relocation of Indigenous Peoples in the absence of free, prior, and informed consent.¹¹¹

iv. Protection and guarantees against all forms of violence and discrimination for Indigenous women, girls, and gender diverse peoples

Indigenous women, girls, gender diverse, and Two-Spirit peoples experience particular forms of violence – including sexual violence and

¹⁰⁴ United Nations Declaration on the Rights of Indigenous Peoples.

¹⁰⁵ United Nations Declaration on the Rights of Indigenous Peoples, in particular arts. 10, 19, and 23.

¹⁰⁶ A/74/183, para 56.

¹⁰⁷ United Nations Declaration on the Rights of Indigenous Peoples, art. 18. See also Indigenous and Tribal Peoples Convention, 1989 (No. 169), art. 6(1)(b); American Declaration on the Rights of Indigenous Peoples, arts. XXI (2) and XXIII (1); and A/HRC/18/42, annex (Expert Mechanism advice No. 2 (2011)). See also Human Rights Committee, General Comment No. 23 (1994) on the rights of minorities, para 7.

¹⁰⁸ Committee on Economic, Social and Cultural Rights’ General Comment No. 4, para 12, and the basic principles and guidelines on development-based evictions and displacement (A/HRC/4/18, annex I, para 39).

¹⁰⁹ A/74/183, para 59.

¹¹⁰ A/74/183, para 51. See also A/HRC/7/16, paras 45–48; The United Nations Declaration of the Rights of Indigenous Art. 26.2: “Indigenous Peoples have the right to own, use, develop, and control the lands, territories and resources that they possess by reason of traditional occupation or use, as well as those which they have otherwise acquired.”

¹¹¹ United Nations Declaration on the Rights of Indigenous Peoples, Art. 10: “Indigenous Peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the Indigenous Peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.”

homicide – in relation to the intersection of their indigeneity, gender identity, socioeconomic and cultural status, and their housing status.¹¹² Canadian law recognizes the concept of multiple and intersecting forms of discrimination, and under international human rights law all Indigenous women, girls, and those who are gender diverse or Two-Spirited “must enjoy full protection and guarantees against all forms of violence and discrimination, whether inside or outside their communities.”¹¹³

It is incumbent upon governments to provide Indigenous women and girls protection and guarantee against all forms of violence and discrimination within encampments, including from state authorities, in a manner that is consistent with Indigenous self-determination and self-governance.

¹¹² A/74/183, para 59.

¹¹³ A/74/183, para. 59.

SCHEDULE A: Select Case Law on Homeless Encampments in Canada

Victoria (City) v. Adams, [2009 BCCA 563](#)¹¹⁴

The City of Victoria made an application for an injunction to remove a "tent city" at Cridge Park. The City relied on its *Streets and Traffic Bylaw* and *Parks Regulation Bylaw*, which prohibits loitering and taking up an overnight temporary residence in public places. On appeal, the Court of Appeal established that the Victoria City bylaws violated section 7 of the *Canadian Charter* "in that they deprive homeless people of life, liberty and security of the person in a manner not in accordance with the principles of fundamental justice," and the provisions were not saved by section 1 of the *Charter* (para. 42). The Court of Appeal confirmed that the bylaw was overbroad "because it is in effect at all times, in all public places in the City."¹¹⁵

Abbotsford (City) v. Shantz, 2015¹¹⁶

The City of Abbotsford applied for an interim injunction requiring the defendants to remove themselves and their encampment from a city park. The Court concluded that the bylaws were "grossly disproportionate" because:

"the effect of denying the City's homeless access to public spaces without permits and not permitting them to erect temporary shelters without permits is grossly disproportionate to any benefit that the City might derive from furthering its objectives and breaches the s. 7 *Charter* rights of the City's homeless."¹¹⁷

The Court concluded that allowing the City's homeless to set up their shelters overnight and taking them down during the day would "reasonably balance the needs of the homeless and the rights of other residents of the City."¹¹⁸

¹¹⁴ *Victoria(City) v. Adams* (2009, BCCA 563). Online, <https://www.canlii.org/en/bc/bcca/doc/2009/2009bccca563/2009bccca563.html?resultIndex=1>

¹¹⁵ The Court of Appeal stated at para. 116 that: "The prohibition on shelter contained in the Bylaws is overbroad because it is in effect at all times, in all public places in the City. There are a number of less restrictive alternatives that would further the City's concerns regarding the preservation of urban parks. The City could require the overhead protection to be taken down every morning, as well as prohibit sleeping in sensitive park regions." This case is perhaps one of the most notable successes in homeless litigation in Canada.

¹¹⁶ *Abbotsford (City) v. Shantz* (2016 BCSC 2437). Online, <https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc2437/2016bcsc2437.html?resultIndex=1>

¹¹⁷ Para 224

¹¹⁸ The Court stated, "The evidence shows, however, that there is a legitimate need for people to shelter and rest during the day and no indoor shelter in which to do so. A minimally impairing response to balancing that need with the interests of other users of developed parks would be to allow overnight shelters to be erected in public spaces between 7:00 p.m. and 9:00 a.m. the following day." [para 276]

British Columbia v. Adamson, [2016 BCSC 584](#) [Adamson #1] and [2016 BCSC 1245](#) [Adamson #2]¹¹⁹

The Province of BC applied for an interlocutory injunction to restrain the defendant encampment residents from trespassing on the Victoria courthouse green space. On the first application, the court concluded that the balance of convenience did not favour the granting of the injunction, stating

“the balance of convenience is overwhelmingly in favour of the defendants, who simply have nowhere to move to, if the injunction were to issue, other than shelters that are incapable of meeting the needs of some of them, or will result in their constant disruption and a perpetuation of a relentless series of daily moves to the streets, doorways, and parks of the City of Victoria.”¹²⁰

Following this, a second injunction was filed based on new evidence of the encampment deterioration conditions, as well as supporting evidence that the Province would make housing available to encampment residents. The court made an order requiring the encampment to be cleared, but granting residents to stay until alternate housing options were made available to them.¹²¹

Vancouver (City) v. Wallstam, [2017 BCSC 937](#)¹²²

The City of Vancouver applied for an interlocutory injunction requiring encampment residents to vacate and remove all tents and other structures from a vacant city lot. The Court relied on the injunction test set out in *RJR-MacDonald*.¹²³ The court noted that:

“The test requires that the *applicant* prove it will suffer irreparable harm if the injunction is not granted...When I asked counsel what harm the *City* would suffer if the injunction was not granted, he answered that not granting the injunction would mean that a ‘vital social housing project won't go ahead’ and that interferes with the public good. He also points out the timeline for development of the project requires the injunction urgently ... While everyone can agree that more social housing is an important goal, I must balance that general concern against the position of the occupants that the tent city, as it currently exists, is now providing shelter and safe living space for the occupants.”¹²⁴

¹¹⁹ *British Columbia v. Adamson* (2016 BCSC 1245). Online, <https://www.canlii.org/en/bc/bcsc/doc/2016/2016bcsc1245/2016bcsc1245.html?resultIndex=1>

¹²⁰ Para 183.

¹²¹ Paras 85-86,

¹²² *Vancouver (City) v. Wallstam* 2017 BCSC 937 at para 60. Online, <https://www.canlii.org/en/bc/bcsc/doc/2017/2017bcsc937/2017bcsc937.html?resultIndex=1>

¹²³ In *RJR-MacDonald Inc. v. Canada (Attorney General)*, [1994] 1 S.C.R. 311

¹²⁴ Para 46-47.

The court concluded that the City failed to meet the *RJR-MacDonald* test and dismissed the City's application, but without prejudice to bring it forward again on a more complete factual record.¹²⁵

¹²⁵ Para 64.

SCHEDULE B: An Elaboration on Principle 6

Ensure encampments meet basic needs of residents consistent with human rights

Canadian governments must ensure, at a minimum, that rudimentary adequacy standards are ensured in homeless encampments on an urgent and priority basis, while adequate housing options are negotiated and secured. Government's compliance with international human rights law requires:

i. **Access to safe and clean drinking water**

Water and sanitation are critical to health for all people. Through *Resolution 64/292*, the United Nations explicitly recognized the right to safe and clean drinking water and sanitation as a "human right that is essential for the full enjoyment of life and all human rights."¹²⁶ The *Resolution* calls upon States and international organizations "to provide safe, clean, accessible and affordable drinking water and sanitation for all." This obligation extends to those residing in homeless encampments.¹²⁷

To ensure access to safe and clean drinking water, governments should provide homeless encampments with resources for:

- On site/close-proximity clean and safe drinking/potable water, ensuring a sufficient number of access points for water relative to the number of residents
- Dishwashing Station(s) with clean water, sufficient in number for the number of residents

ii. **Access to hygiene and sanitation facilities**

Homeless encampments must be provided with sufficient resources and supports to ensure access to hygiene and sanitation facilities – toilets, showers, hand-washing stations, for example – within the encampment, or within very close proximity. Using existing facilities that remain open to the general public will not be appropriate. Facilities should ensure the hygiene and dignity of all residents irrespective of needs or identity. Peer-led hygiene and sanitation facilities have worked well in some contexts.

Hygiene and sanitation facilities should include:

- Washing stations, including showers with privacy and safety for women and gender diverse peoples, stocked with soap, water, paper towels

¹²⁶ A/RES/64/292, para 2. Available at:

https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292.

¹²⁷ A/RES/64/292, para 3. Available at:

https://www.un.org/ga/search/view_doc.asp?symbol=A/RES/64/292.

- Adequate numbers of toilets based on the encampment population which must be accessible for residents with disabilities. Every toilet station must also have a hand-washing station
- Access to cleaning and bathing supplies
- Access to free laundry facilities
- Free feminine hygiene products
- Access to clean bedding

iii. **Resources and support to ensure fire safety**

General safety precautions should be implemented in an encampment environment to ensure residents are safe from fire and chemical exposure. Fire Departments should assist residents in developing a harm reduction approach to fire safety. Residents should be provided with resources to support best safety practices, including:

- Fire-safety approved sources of heat (e.g., safe metal vessels for heat)
- Warming tents
- In-tent heat sources
- Fire-proof tents
- Fire evacuation plan
- Signage indicating evacuation plans
- Accessible information on fire safety tips and how to handle and store flammable materials (e.g., gasoline, butane, propane)
- Fire extinguishers appropriately spaced and training for residents on how to operate them
- Electricity/charging stations for phones and laptops
- On-site ashtrays or cigarette disposal posts

iv. **Waste management systems**

The lack of waste management systems in homeless encampments has serious health and safety implications. Encampments necessarily create garbage during the course of daily activities, including during food preparation or shelter building. Unwanted materials can pile up quickly when there is no waste system in place to remove garbage from the area. Garbage piles can become combustible fire hazards and can increase the risk of exposure to chemical waste.

Human and animal biological waste also poses a particular danger. Without sanitary facilities, accumulated fecal waste can contaminate the ground and transmit diseases.¹²⁸ The improper disposal of needles can also transmit diseases through puncture wounds or re-use of needles.

¹²⁸ CalRecycle. *Homeless Encampment Reference Guide*. Online at <https://www.calrecycle.ca.gov/illegaldump/homelesscamp#SolidWaste>

It is the responsibility of governments to ensure that homeless encampments have sufficient resources for the establishment of waste management systems, which should include:

- Weekly garbage and recycling (more frequent if needed)
- Regular service for waste water and portable toilets
- Independent waste bins for flammable/hazardous waste (e.g., fuel, motor oil, batteries, light bulbs)
- Large rodent-proof waste bins with tight fitting lids
- Garbage bags, cleaning supplies, hand soap, hand sanitizer
- Waste water holding tanks (if there are no sewers near encampment)

v. **Social Supports and Services**

Residents of homeless encampments should be ensured access to health, mental health, addiction, and broader social services in a manner equitable to other community residents and consistent with human rights. All supports should be culturally appropriate and anti-oppressive. Governments should consult encampment residents on how best to provide access to these services, including through approaches such as outreach and/or on-site service provision. The provision of social services should not be linked to data gathering of any kind.

i. **Guarantee Personal Safety of Residents**

Although research indicates that unsheltered people in Canada are disproportionately targets of violence, rather than perpetrators,¹²⁹ interpersonal violence and exploitation can occur within encampments. Interpersonal violence is often exacerbated when people do not have their basic needs met,¹³⁰ thus the provision of meaningful resources and supports will likely help ameliorate issues of safety.

It is the State's duty to protect the safety of all residents, particularly those who may be particularly vulnerable to abuse, harm, trafficking, or exploitation. Responses to violence must be guided by principles of transformative justice, rather than reproduce punitive outcomes and must be based in community-developed safety protocols. Governments must recognize that engaging police or other state authorities as a response to violence in encampments may put people at increased risk of harm, including due to risks of being criminalized or incarcerated.

¹²⁹ Sylvia, N., Hermer, J., Paradis, E., & Kellen, A. (2009). "More Sinned Against than Sinning? Homeless People as Victims of Crime and Harassment." In: Hulchanski, J. David; Campsie, Philippa; Chau, Shirley; Hwang, Stephen; Paradis, Emily (Eds.), *Finding Home: Policy Options for Addressing Homelessness in Canada* (e-book), Chapter 7.2. Toronto: Cities Centre, University of Toronto.
www.homelesshub.ca/FindingHome

¹³⁰ Slabbert, I. (2017). Domestic violence and poverty: Some women's experiences. *Research on social work practice*, 27(2), 223-230.

Any approach to addressing interpersonal safety within encampments must:

- Center on the most vulnerable members of the encampment, namely: BIPOC, women, trans-people and other LGBTQ2S+ persons, persons with disabilities, and other groups who experience discrimination or marginalization.
- Provide resources and supports to allow for Indigenous and other non-colonial approaches to conflict resolution.
- Provide safe, confidential, accessible, and non-coercive mechanisms through which individuals experiencing violence can report these experiences and receive trauma-informed supports and services, ensuring that these individuals are able to access alternative safe housing (as desired).

vi. **Facilities and resources that support food safety**

Consuming contaminated food or water can cause a variety of foodborne illnesses. Encampments are often more susceptible to foodborne illnesses due to a lack of storage, cooling appliances, improperly cooked foods, and limited or no access to clean water. Diseases can spread quickly in an encampment setting.

One of the best ways to prevent the spread of illness is to for governments to provide resources that enable the encampment to implement food safety measurements. This includes:

- Rodent-proof storage containers, with lids that can be sealed
- Shelving units to ensure food is stored off the ground
- Soap and sanitizer to clean food preparation surfaces
- Cooling appliance(s) to prevent spoilage
- Cooking appliance(s) to ensure food is thoroughly cooked

vii. **Resources to support harm reduction**

Governments must provide homeless encampments with the resources to implement effective harm reduction measures within homeless encampments. Appropriate professionals should support residents to establish emergency protocols for responding to overdoses and other health emergencies. Encampment residents should be provided with:

- Overdose prevention training (e.g., CPR training)
- Overdose prevention supplies (e.g., Naloxone)
- Overdose Prevention Sites, where possible
- Puncture-proof containers for needle disposal
- Harm reduction outreach supports
- Regular servicing of puncture-proof containers by a certified waste-management company

- Information about available emergency services in the event of overdoses or other health-related crises

viii. **Rodent and pest prevention**

The presence of rodents and pests can pose a significant threat to the health of residents. Appropriate prevention and treatment options should be available for pest management that are safe for use in human environments (e.g., diatomaceous earth). Encampment residents should be provided with the resources to prevent and address the presence of rodents and pests, including:

- Resources and information on rodent and pest prevention
- A bait-station to detract rodents from sleeping tents, regularly serviced and monitored
- Cleaning materials and gloves to dispose of rodents

In implementing these standards, it must be recognized that residents of encampments are the experts of their living spaces — they often know what resources are needed and how best to mobilize them. As a matter of human rights, encampment residents must be engaged in planning and carrying out any measures developed to improve access to basic services for the encampment. Practices, systems, and agreements residents already have in place should be recognized by government officials and should inform any further improvements.

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Province of Ontario,
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100 Victoria Systems Meeting Notes

| | | | |
|------------|--|-------|--------------|
| Attendees: | Peter Sweeney, Shannon Down, Jess Fry, Ashley Schuitema, Kayli Kinnear, Char Lee, Wren Wombwell, Kelly-Anne Salerno, Nicole Hollingworth, Stephanie Meek, David Alton, Fran Truong, Chris McEvoy, Regan Brusse | | |
| Regrets: | Ashley Hynd, Stephanie Mancini | | |
| Date: | March 7, 2024 | Time: | 9:30-11:00am |

| Agenda Item | Notes (Agenda items that were not discussed are omitted) |
|---|--|
| Territorial Acknowledgement | <ul style="list-style-type: none"> • Work with 100 Vic needs to Acknowledge any distinct Indigenous rights. |
| 100 Vic Updates from Peter. | <ul style="list-style-type: none"> • Acknowledging and appreciating willingness of group to come to the table and convene given the difficult nature of the discussion. • The land at 100 Victoria will be required for Metrolinx as part of the long planned redevelopment of the block from Weber Street to King Street for a new transportation hub. As of now, no definitive date. There will need to be a period (couple months) where the site will need work before being handed over. Multiple parcels of land in this area will be developed, the responsibility of development is Metrolinx. The purchase of 70 Victoria to do this work was a key driver to initiate this conversation today. |
| Discussion points from Community Groups | <ul style="list-style-type: none"> • Appreciation that this meeting is occurring as opposed to 150 main, asking CSD HOU to be clear what is happening with 100 Victoria so the community can figure out their advocacy. • Need to solve some of the core issues and have concrete plans with resources, otherwise residents won't leave and Fight Back isn't leaving either. Fight Back won't let the site be limited, and will reside there themselves if they have to. Human life is more important than transit. • Sit in the resident's shoes, the adequacy of need hasn't been met yet. • Advocacy can work in spaces the Region cannot, Advocacy has tools the Region doesn't and can clear out pressure points if they know where those points are. • It would be advantageous to not put up fencing yet and come up with better solutions. Is the fencing a legal way around the court order? • As per the court decision, resident Charter Rights need to be honoured. A court order would be needed for anything involuntary. Not so sure Charter compliance says Metrolinx gets it when they need it. • 100 Vic doesn't exist in isolation, it is part of a system for people unsheltered and has ripple effects the same way 150 main did. People need a place to put their tent, the system needs a place where people can go. • Need to turn back to lower barrier options, deep harm reduction and supportive environments. |
| Questions & Thoughts from the group for future thinking | <ul style="list-style-type: none"> • What does it look like to work with residents on their transition needs and preferences? • Although the progress of systems transformation cannot be seen concretely and we're not where we want to be yet, progress and success exists and is occurring, can we find ways to apply these and continue to make strides w 100 Vic? • Can we shift to mediation? Can the Region acknowledge it is the middle-person? Do we need to involve more Region Depts? Can the Region participate in advocacy against Metrolinx or other levels of Government? Can we Co-host a public night? • Can a transfer to another piece of land something that can be considered? • Can we talk about this group of people in this encampment with their complexity of needs and use it to understand where policies need to shift? • Are we willing to commit to a human rights based approach to doing all this? This is the only way to being Charter Compliant, it's the foundation. • Request access to the meeting notes? |



| | |
|------------|--|
| Next Steps | <ul style="list-style-type: none">• Peter acknowledged that he heard today that some members of the meeting articulated that if 100 Victoria is required for other uses, an ask will be that current people living there should be offered another location to camp. That is a position he will articulate to Region of Waterloo leadership and Council.• Peter can commit that in his role, he will not advocate for anything that is not human rights focused.• Next discussion TBD. |
|------------|--|

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https://www.therecord.com/opinion/columnists/were-getting-left-behind-at-the-go-station/article_3d399ede-71aa-5ae3-b273-46457584a07d.html

COLUMNISTS

Opinion | We're getting left behind at the GO station

Metrolinx has signalled that all-day, two-way train service between Kitchener and Toronto will be delayed yet again, Luisa D'Amato writes.

June 16, 2025   



It's a slow road for passenger trains that might travel all day, every 15 minutes, in both directions between Kitchener and Toronto.

Metroland file photo

By Luisa D'Amato Reporter

Luisa D'Amato is a Waterloo Region Record reporter and columnist. She writes on issues affecting day-to-day life in the area. She can be reached at ldamato@therecord.com.

Does the constant lack of action on GO train service between here and Toronto remind you of anything?

How about Highway 7?

The decades of delay regarding plans for a brand-new highway between Kitchener and Guelph have been the source of much anger and frustration for residents here.

For 18 years, successive provincial governments made solemn promises regarding the planned new highway between Kitchener and Guelph. They spent [\\$222 million of public money](#), and yet we're still driving on that congested old road, with no new highway in sight.

And now, one can sense the exact same thing happening with the promises of all-day two-way GO trains, running every 15 minutes, between here and Toronto.

The website of Metrolinx, the agency managing the expansion of GO train service in and out of Toronto for many communities, promises all-day two-way train service for this community [every 15 minutes](#).

It acknowledges that this is a “massive undertaking,” but adds that the work is “well underway” and adds that the improved service will be introduced “as quickly as we can.”

There are no timelines or details on the page.

An article in [The Trillium](#), an online news service that focuses on Ontario politics and policy, may help explain why. It suggests that improvements on the Kitchener line are on the furthest of back burners.

Using documents and sources, the Trillium journalists tell the story of Metrolinx trying to build an ambitious, electrified rail network to move people in and out of Toronto efficiently.

Metrolinx partnered with ONxpress Operations Inc. to operate and maintain GO trains for 23 years, starting on Jan. 1, 2025. The major partner in ONxpress was the German state railway, Deutsche Bahn.

But German rail service, and German culture, is very different from Canadian rail service and Canadian culture. A number of problems emerged, including an inability to define a clear vision for the rail service that everyone agreed to, different communication styles and different expectations regarding how fast and radical the change would have to be.

The arrangement ended after a few months, and Metrolinx retrenched. The article offers some details about how this plays out with different communities.

To quote from the Trillium article: “Originally, GO Expansion was supposed to build out capital projects (such as new tracks, signalling and electrification work) on the Lakeshore East and West, Barrie, Kitchener and Stouffville lines, as well as Union Station, said Lucia England, Metrolinx’s vice-president of development and controls, in an October 2024 staff briefing.”

But now, Metrolinx has since “pivoted” to focus on Lakeshore East and Lakeshore West, which “generate the most economic benefit,” England is reported to have said.

The Barrie, Kitchener and Stouffville lines will be addressed in the next “phase” of the minimum viable product, she said.

What does the “next phase” mean? Your guess is as good as mine. But it strongly suggests we’ve been moved to the back of the line.

I asked the communications staff at Metrolinx for a timeline for the promised expanded service between Toronto and Kitchener.

Andrea Ernesaks, Metrolinx senior manager of media relations and issues, sent me an email Friday, repeating the promise for service every 15 minutes.

She acknowledged that the partnership with ONxpress Operations Inc. had come to an end, but “our GO Expansion work is proceeding.”

“This includes electrification, signalling service increases, and station upgrades, including at Union Station.

“The Development Phase for GO Expansion has been completed, with early construction works underway, as well as in-corridor works along the Kitchener corridor,” she wrote.

There’s concrete information there, but no timeline.

Meanwhile, Waterloo New Democratic Party MPP Catherine Fife was also aware of the Trillium article and put out a news release last week, demanding “real answers” and calling out the “years of delays and shifting timelines.”

As for this area, “we’re getting crumbs” while “opaque, arrogant” Metrolinx builds a “bloated bureaucracy” and doesn’t offer results.

She called for the Doug Ford government to hold Metrolinx to account.

“The economic case for two-way all-day GO was made back in 2011,” she told me Friday.

“Why do we continue to be left at the station? Figuratively and literally?”

Especially with the economic uncertainty brought by the Trump administration, “Ontario has to become a more resilient economy,” she told me Friday.

“In order for that to happen, labour mobility should be optimized. We don’t have time for Metrolinx to figure this out.”

She is right. Because provincial authorities drag their feet on our infrastructure needs, Waterloo Region operates at a terrific disadvantage. Again.

Luisa D’Amato is a Waterloo Region Record columnist. Reach her by email at ldamato@therecord.com.

Opinion articles are based on the author’s interpretations and judgments of facts, data and events. More details

REPORT AN ERROR

JOURNALISTIC STANDARDS

ABOUT THE RECORD

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From: David Alton they-them <david.alton@waterlooregion.org>

Sent: April 16, 2025 2:29 PM
 See you at the 2025 Annual Meeting

To: marjorie-ann knight <dknightmja@hotmail.com>

Subject: Fir: Why are Police and Bobcats at 200 Victoria?

This message was sent from outside of Legal Aid Ontario. Please do not click links or open attachments unless you recognize the source of this email and know the content is safe.

Hello all,

To give clarity on what has happened, five dumpsters and a security trailer has been put up on site. At this moment staff/contractors have left and the bobcat has moved to the parking lot.

I'm hoping to get an official explanation as the day progresses. Working centre and community legal staff are also on site.









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Community Impact Consultation - Preliminary Report 100 Victoria April 22, 2025

Context

The future of the 100 Victoria encampment (100Vic) was made a priority when first drafting the Region's Plan to End Chronic Homelessness (aka. the Plan). [In April 2024](#), Regional Council approved the adoption of their [Final Report](#) as the official plan to prevent, address, and end homelessness in Waterloo Region. The Final Report included Action 1.2 which calls for the implementation of a housing-focused Street Outreach Framework and a Human Rights Based Approach encampment response protocol. Both the Final Report and the April 2024 council report ([CSD-HOU-24-006](#)) heavily relied upon the [Lived Expertise Prototyping Report](#), which was prepared by the Social Development Centre (SDC) and outlines the theory of change and recommendations developed by the prototyping cohort for the Plan to End Chronic Homelessness. In the Prototyping Report, Action 19 called on the Region to update the plans for the transit hub to ensure the continuation of 100 Victoria Street as a sanctioned encampment until functional zero homelessness has been achieved; as well as set aside land/funding for a transition fund through conversation with Metrolinx and the Province to ensure residents are provided with comparable land and supports.

The Social Development Centre was informed a year ago that the Region was exploring a plan to remove the encampment to make room for the transit hub. At that time, we advised their staff of the conditions needed from the [National Protocol on Homeless Encampments](#) to facilitate the encampment's transition, including consent, transparency, and fairness. That conversation did not go further between the Region and community partners or encampment residents. The SDC, along with the rest of the public, received notice on April 16, 2025 of a proposed bylaw to clear 100 Victoria. This notice was received several hours after the appearance of several on-site dumpsters, a portable trailer, and a construction bobcat. The Region's Community Services department hosted two information sessions about the bylaw on April 17, 2025 for members of the Co-Creator's table. During those sessions, we were told that regional workers had been out at the encampment when the dumpsters, trailer, and construction equipment arrived and that information had been relayed to the residents at that time. Furthermore, they confirmed that as of April 17, 2025 there was no enforcement of that bylaw and that for existing residents, the focus in the upcoming weeks would be on finding the time and resources to have one-on-one conversations.

Methodology

In the week between the bylaw's notice and the Regional Council meeting, the SDC sought to document the experiences of those living at the encampment. The goal was to understand what residents had been informed of regarding the bylaw as well as the impacts of Regional actions in the last week (i.e., the appearance of construction equipment, increased security, notice of the bylaw proposal, etc.). Within that short time frame, we diverted staff and resources into developing an action research project framed as a community impact consultation. SDC staff and our Lived Expertise Consultants (i.e., folks with lived experience of homelessness and/or housing precarity, as well as skills in community connecting and advocacy) worked together to interview multiple 100Vic residents over the course of two days.

The day prior to starting interviews, some community connectors went to 100Vic during a resident information session to give advance notice of our project. Day of, we connected with residents either at the encampment or while attending lunch at St. John's Kitchen. Residents were given information about our research project, including its purpose and how their data would be used if they chose to participate. Each resident received an honorarium for their time and were able to leave at any point during the conversation. It's notable that when residents were told they could leave, a number of them specifically stated that they were choosing to participate because this directly impacts their housing and they were committed to doing whatever they could. Our staff and Lived Expertise Consultants worked in pairs, with one person facilitating the conversation and the other taking notes and/or recording. Residents were asked what they knew about the bylaw (and, if needed, we reviewed its core elements with them), how they felt during the last week at the encampment, and what they wanted the SDC to ask for, or say, on their behalf during the Regional Council meeting.

In total, we talked to 27 encampment residents with conversations ranging between 5-30 mins long. Recordings and/or notes were taken at the time of the interview, with the resulting data being preliminarily reviewed by four SDC staff members. As part of the initial stages of a content analysis, staff made note of overarching themes and searched across the conversations for first patterns and recommendations. That first, high-level summary was used to create the SDC's delegation material presented to Regional Council on April 23, 2025; this report also represents that data summary. A fulsome analysis will be done in the upcoming weeks and we encourage others to refer to that report for more information, once finished.

Initial Findings

Lack of Information About the Bylaw and Council Report

Of the 27 residents we spoke to, no one could identify receiving information from Regional staff within the week since the bylaw's proposal was publicly posted. No one we interviewed had seen

the proposed bylaw as written, nor had they seen the council report which included the accompanying budget proposal for housing supports. Some of the residents had heard of the bylaw from rumours or other media sources, but information was inconsistent and vague. Some residents referred to a specific contact person living at the encampment who typically disseminates relevant information to the community; noting that no one had heard anything from that individual about the bylaw nor the construction equipment. All the residents we spoke to had seen the appearance of the dumpsters and security trailer but were unsure about their purpose. Meanwhile, more than half of them had heard nothing about the bylaw itself and were first informed by us during the interviews.

In general, encampment residents' understanding was that the Region wanted them to leave because of the train station. Another, less prevalent but parallel, assumption was that the encampment was closing because of public opinion; where the public saw the site as an eyesore and wanted to 'clean it up', despite residents' efforts to keep the location presentable. One person summarized their understanding simply as "I know they want me out of here". Other perceptions about the region's bylaw included that it would be illegal to camp at 100Vic and that putting up tents was going to be stopped. Some residents thought they would be displaced to other locations, such as sheds or shelters, or that there wouldn't be anywhere for them to go and they would have to fend for themselves next winter. Many were unaware of the housing supports being proposed in the council report.

Adding to the overall lack of clarity, residents did not have a shared understanding on what the purpose of the land would be for. Some thought it would be for a parking lot while others thought it would be for the new train station. The timeline for rolling out bylaw was also unclear. Some people believed the site would be closed by the end of the spring, following the CTS and warming center closures, while others believed they had until the end of 2025. Other perspectives included that the 100Vic location had been 'promised' to the encampment and that Metrolinx had changed its mind entirely about needing the site. Some folks at 100Vic mentioned that on-site security was already saying the bylaw was in effect and preemptively enforcing it, further highlighting the disconnect between the bylaw's proposal phase and its approval. Finally, many residents were unaware of the bylaw's list of prohibited actions, unsure of what would be included or how it would be enforced.

Impacts from Regional Actions

The impacts of the public notice for the proposed bylaw, as well as the appearance of the construction equipment and increased security presences, elicited a multitude of feelings. People talked of fear, stress, confusion, and sadness. While some people were happy for change and the prospect of housing, others felt like this was targeted harassment, and trying to kill the homeless.

Some residents spoke of how the actions in the last week were causing an uproar, and how it felt inhumane and wrong. Some spoke of now feeling pressured like having a gun to their head, and how the actions from the region resulted in making them feel like human trash. One person said “If you are putting bins full of garbage right where people are living, how do you think they would feel?” while another said “They [*the encampment residents*] are at the bottom and now you are just taking away the bottom.”

Many spoke of the encampment as its own community, with several people expressing concern for their fellow residents. One person shared that “... the folks at [100Vic] have given so much to folks. They have been there for me and given me a space to live, and at times that was all I had on the coldest nights...”. Residents are deeply concerned about who is being prioritized and who is at risk of falling through the cracks; especially for those at risk of being banned from regional services for a myriad of reasons. While many residents we spoke to want housing access, there was still a range of opinions. Some people were okay with motels and shelters, while others were not and/or shared concerns around safety when using contracted housing services. Some also spoke about needing an alternative encampment location to maintain the community that has been built over the years. Location and access to services was also a concern mentioned by a number of encampment residents. Many people in the community are disabled and having close proximity to the hospital and downtown services is vital. One resident spoke of common struggles when accessing services saying “...the city makes the homeless walk a mile and half. To walk that on a cold night is terrible.”

It was clear from our conversations that 100Vic is a vital part of the homelessness ecosystem, and the folks living there deserve to have a voice in what happens to the site. Many people spoke about wanting advance notice for regional decisions that impact their life, including clearer timelines and explanations of what resources will be made available. Some residents had chosen to come to the encampment because they saw it as the better option when compared to warming centers or shelters (many of which are now closed in the region). Some residents are also banned from other shelters and were concerned about how long they would be allowed to stay at a motel or other options from the Region. Some talked about how they were already planning on setting up tents in the backyards of houses and businesses. Based on our conversations, closing encampments will put pressure on an already stressed community dealing with complex mental health and break trust throughout the system. As one resident put it “How many times can you bully and torture and belittle the most vulnerable population?”

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Region of Waterloo

Planning, Development, and Legislative Services

Legal Services

To: Regional Council

Meeting Date: April 23, 2025

Report Title: 100 Victoria Street, North, Kitchener – Site Specific By-law

1. Recommendation

That the Regional Municipality of Waterloo pass a by-law in the form attached as Appendix 'A' to this Report PDL-LEG-25-017, being a Site Specific By-law respecting the use of 100 Victoria Street, North, Kitchener (as Owned by The Regional Municipality of Waterloo) to facilitate the Kitchener Central Transit Hub (KCTH) and other transit-related development.

That the Regional Municipality of Waterloo direct staff to implement a plan for alternative accommodation for current residents of 100 Victoria Street North, Kitchener, and add \$814,333 to the 2025 regional Housing budget as outlined in this Report PDL-LEG-25-017.

2. Purpose / Issue:

The Kitchener Central Transit Hub ("KCTH") is a transformational project that has been in the planning stages since 2013. To advance construction, Metrolinx has advised that it requires the use of the Region's property at 100 Victoria Street North by March 2026. The process to prepare the site for use by Metrolinx will take several months, requiring the site to be vacant by December 1, 2025.

There currently is an encampment of residents located at 100 Victoria Street North (the "Encampment"). A bylaw is therefore being introduced to Regional Council to allow the Region to obtain vacant possession of 100 Victoria Street North.

The purpose of this report is to seek Regional Council approval of a Site Specific By-law for 100 Victoria Street North, to facilitate remediation of the property commencing December 1, 2025 and Metrolinx's use of the property by March 2026.

3. Strategic Plan:

The Region of Waterloo is on a journey of growth to an intentional, sustainable future of one million residents. KCTH supports the Homes for All, Equitable Services and Opportunities and Climate Aligned Growth focus areas within the Region's 2023 – 2027

Strategic Plan.

Upon completion, KCTH will enhance and integrate transit infrastructure, provide residential and commercial development opportunities and be a gateway for economic development for Waterloo Region.

4. Report Highlights:

- KCTH has been in the planning stages since 2013 and builds on the success of ION light rail. Designed to serve current and future residents, as well as visitors, the transit hub will redefine how people connect, commute, and experience Waterloo Region.
- Work on KCTH has advanced to the stage where construction is anticipated to begin in the next year. To further advance the project, the Region's property at 100 Victoria Street North is required by Metrolinx in March 2026.
- The Region is required to complete due diligence and site preparation at 100 Victoria Street North prior to handover of the property to Metrolinx. This work will take approximately three months to complete and cannot be undertaken with an encampment present on the property.
- To meet this timeline, a bylaw is now being introduced that requires the site to be vacant by December 1, 2025.
- In preparation for this transition, Regional staff will provide enhanced support by focusing efforts and resources on current residents for available housing and shelter options.
- In the context of the decision of Justice Valente in *The Regional Municipality of Waterloo v. Persons Unknown and to be Ascertained*, 2023 ONSC 670 ("Valente Decision") the Region intends to seek further direction from the Superior Court of Justice, to the extent this is feasible and compatible with the anticipated construction schedule.

5. Background:

KCTH Development

As the Region quickly grows to one million residents, the community is on the cusp of significant change. To help shape future growth, the Region, along with many partners, is leading transformational projects that will positively impact residents and visitors for generations to come.

Designed to serve current and future residents, as well as visitors from around the world, KCTH will redefine how people connect, commute, and experience our community. Building on the community investment in ION light rail, KCTH will connect ION light rail, GRT, GO Transit (rail and bus service), VIA, rail service, intercity bus,

active transportation, passenger vehicles, cyclists and pedestrians in one central location.

The transit hub is expected to generate ION ridership as an anchor development along the Central Transit Corridor with transit station functions integrated with a future mixed-use destination. It will be a gateway to the Region of Waterloo and will connect residents and visitors to the Toronto-Waterloo Region innovation corridor.

KCTH is a landmark development and has the potential to stimulate growth, development and sustainability well into the future.

As part of this project, the Region has procured land on Victoria Street, from King Street to Weber Street. Upon completion of the transit hub, the remaining land will be used for commercial and residential development, including affordable housing.

In 2016, the Province recognized the value of investing in the Region of Waterloo's transit infrastructure, providing \$43 million to support the transit hub. In February 2023, the Region applied for funding through the Public Transit stream of the Investing in Canada Infrastructure Program (ICIP). A decision on the application is pending.

The timing of the Region's work for the KCTH is driven by Metrolinx's construction schedule for its railway track and platform improvements adjacent to the KCTH site. Since Region staff provided the Kitchener Central Update in December, 2024 (see Appendix B) Metrolinx has notified the Region that it requires the Region owned property at 100 Victoria Street North for its use by March, 2026.

As a part of the KCTH development, Metrolinx will raise the section of rail tracks between King Street and Weber Street and relocate the rail platform from between Weber Street and Ahrens Street to the rail corridor between King Street to Duke Street. Metrolinx will also construct a diversion track that will be incorporated in the rail system immediately behind 100 Victoria Street North. Construction of the diversion track will include the build-up of ground level and rail modifications in this area.

The Region will be obligated to provide 100 Victoria Street North to Metrolinx in a condition fit for Metrolinx's use. To do so, remediation work must be completed before vacant possession of the land is delivered to Metrolinx. This includes site clean up, site investigations and geotechnical testing. It is anticipated this work will take three months, allowing for contingencies for unfavourable weather.

The Region will commence its construction activity for the KCTH project in 2025 with the demolition of the section of the Rumpel Felt building that does not have a heritage designation.

In 2026, the Victoria Street North Modifications, between Weber Street West to King

Street West, will begin. From 2027 to 2030, a bus loop, pedestrian bridge, pedestrian ramp and the hub facility will be built.

Site Specific By-law Respecting Use of 100 Victoria Street, North, Kitchener

This proposed Bylaw is a Site- Specific By-law respecting the use of 100 Victoria Street, North, Kitchener, which is owned by The Region.

The intent of the By-law is to facilitate the development of the KCTH and other transit development. To do so, it provides for vacant possession of 100 Victoria Street North by December 1, 2025.

This will allow the requisite time for the Region to complete site preparation activities prior to the handover to Metrolinx, and for Region staff to engage with encampment residents and assist in relocating these individuals.

The By-law specifically regulates 100 Victoria Street North. The By-law provides for persons currently residing at 100 Victoria Street North and their need to transition to alternate accommodation prior to December 1, 2025. To enable vacant possession by December 2025, the By-law provides that no persons who were not residents on the date public notice of the By-law was provided may erect shelters or other structures or reside at 100 Victoria Street North.

To support current residents of the Encampment (i.e. those who were present on the property when public notice of the By-law was provided), Region staff will provide enhanced site support by focussing efforts and resources on current residents for available housing and shelter options and transition to alternate accommodation.

Transition of Current Encampment Residents

Region staff have developed a proposed plan to transition encampment residents from 100 Victoria Street North. This transition will be supported through additional new resources, which may be summarized as follows:

- That Regional staff provide enhanced site support by focussing efforts and resources on current residents for available housing and shelter options and ongoing site management
- That this work be accomplished with an approach consistent with the Plan to End Chronic Homelessness
- This operational effort would be coordinated by a cross departmental structure and will wind down before November 30th.

Region staff have been supporting residents at the Encampment since December 2021. This includes regular supports provided by outreach staff, connections with Ontario

Works Caseworkers, providing regular cleaning and maintenance of the site, hiring pest control, portable washrooms, lighting, and other health and safety interventions.

Site security has been provided 24/7 since the spring of 2022. These efforts will continue through the transition process.

6. Communication and Engagement with Area Municipalities and the Public

Area Municipalities:

Over the last number of years, Region staff have worked with various municipal staff in area municipalities, particularly at the City of Kitchener and with community partners, to advance KCTH and manage the 100 Victoria site.

Should this By-law be approved, Region staff would continue to work with area municipalities and interest holders in its implementation.

Public:

Individuals currently residing at 100 Victoria Street North are being informed about the proposed By-law by the Region staff who visit the site daily to provide supports.

Partners and key stakeholders are being notified about the proposed By-law.

Updates to the community on KCTH have been ongoing and regular updates will continue throughout construction. More information can be found at:

<https://www.engagewr.ca/king-victoria-transit-hub>

7. Financial Implications:

Current costs to maintain the site at 100 Victoria are \$793,944 annually (\$66,162/month). These include costs for security, pest control, portable toilets, garbage removal, and ongoing servicing and maintenance. These do not include staffing costs for social supports, outreach, facilities, or by-law staff who attend the site regularly.

Site Support Budget April-November 2025

| Item | 2025 Amount |
|---|------------------|
| Supportive Housing Units (new) | \$271,250 |
| Scattered Site Rent Supplements with social supports (existing) | \$183,750 |
| Motels with social supports (new) | \$466,083 |
| Site Remediation (new) | \$77,000 |
| Total Investment | \$998,083 |
| Less: Internal Reallocation | \$183,750 |

| | |
|-------------------------------------|------------------|
| Total New net costs for 2025 | \$814,333 |
|-------------------------------------|------------------|

Annualized Site Support Net Financial Impact for 2026 & 2027

| | 2026 | 2027 |
|---|-------------------|---------------------|
| Annualized Supportive Housing | \$ 465,000 | \$ 465,000 |
| Annualized Motels* | \$ 799,000 | \$ 0 |
| Site Remediation | \$ 35,000 | \$ 0 |
| Less: savings from closing 100V currently budgeted for security and maintenance | (\$ 793,944) | (\$ 793,944) |
| Total Net Impact | \$ 505,056 | (\$ 328,944) |

**Motels will only be used for temporary support and will not extend beyond 2026*

8. Conclusion / Next Steps:

Approval by Council of the proposed Site Specific By-law respecting the use of 100 Victoria Street North, Kitchener, and the plan for alternative accommodation for current residents of 100 Victoria Street, North, to facilitate the transition of current residents to alternative accommodation so that vacant possession of the site is achieved by December 1, 2025. Site preparation can then be completed so that the lands are ready for Metrolinx use in March, 2026.

9. Attachments:

Appendix A: Site Specific By-law respecting the use of 100 Victoria Street, North, Kitchener (as Owned by The Regional Municipality of Waterloo) to facilitate the Kitchener Central Transit Hub and other Transit Development.

Appendix B: Report EES-SAM-24-002

Appendix C: Moving forward on Kitchener Central Transit Hub: Site Specific By-law Presentation

Prepared By: Katie Johnson, Director, Strategic Initiatives and Asset Management, Engineering and Environmental Services

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Ryan Pettipiere, Director, Housing Services

Reviewed By: Peter Sweeney, Commissioner, Community Services

Approved By: Jennifer Rose, Commissioner, Engineering and Environmental Services

Doug Spooner, Acting Commissioner, Transportation Services

Rod Regier, Commissioner, Planning Development and Legislative
Services

BY-LAW NUMBER 25-***
OF
THE REGIONAL MUNICIPALITY OF WATERLOO

A By-law Respecting the Use of 100 Victoria Street North, Kitchener (as Owned by
The Regional Municipality of Waterloo) to facilitate the Kitchener Central Transit Hub
and other Transit Development

WHEREAS The Regional Municipality of Waterloo (the “Region”) owns the property municipally known as 100 Victoria Street North, in the City of Kitchener (“100 Victoria Street”);

AND WHEREAS 100 Victoria Street is required for the construction of the Kitchener Central Transit Hub (the “KCTH”) by the Region and Metrolinx commencing in 2026;

AND WHEREAS the Region requires vacant possession of 100 Victoria Street by December 1, 2025 to facilitate the construction of the KCTH;

AND WHEREAS the KCTH, once constructed, will bring significant economic opportunity to the Region, including providing more affordable transportation options and greater connectivity for all residents of the Region to access jobs, schools, and essential services both within and outside the Region;

AND WHEREAS the commencement of construction of the KCTH entails a significant investment in the Region;

AND WHEREAS there are currently persons, without permanent residences, who are occupying parts of 100 Victoria Street including through the erection of temporary shelters and the placement of personal property (the “Encampment”);

AND WHEREAS the Region has enacted the Code of Use Bylaw, specifically By-law 13-050, as amended, respecting the conduct of persons entering upon certain buildings, grounds and public transportation vehicles owned or occupied by the Region;

AND WHEREAS the Region takes note of the decision of the Ontario Superior Court of Justice, in the decision of the *Region v. Persons Unknown and To Be Ascertained*, (the “Decision”);

AND WHEREAS the Region wishes to specifically provide for the persons currently occupying the Encampment at 100 Victoria Street to ensure that a safer and more orderly environment is maintained;

AND WHEREAS the Region, since the Decision, has greatly expanded the number of available accessible shelter beds in the Region and has allocated additional resources to provide accommodation for all persons presently occupying the Encampment;

AND WHEREAS the Region is enacting this By-law to specifically regulate and govern 100 Victoria Street and to obtain vacant possession as of December 1, 2025;

AND WHEREAS the Region has the capacity, rights, powers and privileges of a natural person and the ability to govern its affairs as it considers appropriate pursuant to sections 8 and 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;

AND WHEREAS the Region has the authority to enact by-laws respecting its public assets and the protection of persons and property pursuant to subsection 11(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;

NOW THEREFORE THE COUNCIL OF THE REGIONAL MUNICIPALITY OF WATERLOO ENACTS AS FOLLOWS:

PART I - DEFINITIONS

1. In this By-law:
 - (1) “**Designated Personnel**” means those persons listed in Schedule “A” of this By-law;
 - (2) “**Municipal Act, 2001**” means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, or any successor legislation;
 - (3) “**100 Victoria Street**” means the property municipally known as 100 Victoria Street North, in the City of Kitchener;
 - (4) “**Prohibited Activity**” means any activity that is listed in Schedule “B” of this By-law;
 - (5) “**Region**” means The Regional Municipality of Waterloo; and
 - (6) “**Trespass to Property Act**” means the *Trespass to Property Act*, R.S.O. 1990, c. T.21, as amended, or any successor legislation.
 - (7) “**Resident**” means anyone residing at 100 Victoria Street as of the date that notice of this bylaw is provided through the posting of the agenda for the Council meeting at which this By-law will be considered on the Region’s website (“Public Notice Date”) .

PART II – PROHIBITION

2. No person shall engage in a Prohibited Activity on 100 Victoria Street.
3. (1) Commencing on December 1, 2025, no person shall enter onto, reside on, or occupy 100 Victoria Street or any part thereof.

(2) Subsection (1) of this section shall not apply to an employee or contractor of the Region or other person who has the authorization of the Region to enter onto or occupy 100 Victoria Street or any part thereof.
4. Every person who contravenes sections 2 or 3 of this By-law is guilty of an offence and on conviction is liable to a fine not exceeding \$5,000, exclusive of costs.

PART III - TRESPASS

5. Without limiting Part II of this By-law, Designated Personnel may exercise any of the following enforcement options at 100 Victoria Street when a person is contravening or has contravened sections 2 or 3 of this By-law:
 - (1) Issue a verbal direction to refrain from a Prohibited Activity or the contravention of section 3 of this By-law;
 - (2) Subject to section 6 of this By-law, issue a verbal direction to leave 100 Victoria Street, citing as the reason the failure to refrain from a Prohibited Activity or the contravention of section 3 of this By-law;
 - (3) Serve a written notice upon a person prohibiting a Prohibited Activity or the contravention of section 3 of this By-law, citing as the reason the failure of the person to refrain from a Prohibited Activity or the contravention of section 3 of this By-law;
 - (4) Subject to section 6 of this By-law, serve a written notice upon a person

prohibiting entry upon 100 Victoria Street citing as the reason the failure of the person to refrain from a Prohibited Activity or the contravention of section 3 of this By-law;

- (5) Post a sign so that the sign is clearly visible in daylight under normal conditions from the approach to each ordinary point of access to 100 Victoria Street prohibiting a Prohibited Activity or the contravention of section 3 of this By-law;
- (6) Subject to section 6 of this By-law, post a sign so that the sign is clearly visible in daylight under normal conditions from the approach to each ordinary point of access to 100 Victoria Street prohibiting entry upon 100 Victoria Street by a person citing as the reason the failure to refrain from a Prohibited Activity or the contravention of section 3 of this By-law;
- (8) Subject to section 6 of this By-law, erect fencing or other barriers prohibiting entry upon 100 Victoria Street or any part thereof by a person citing as the reason the failure to refrain from a Prohibited Activity or the contravention of section 3 of this By-law;
- (9) Subject to section 6 of this By-law, remove any personal property or fixture upon 100 Victoria Street or any part thereof that is owned by a person citing as the reason the failure to refrain from a Prohibited Activity or the contravention of section 3 of this By-law; and
- (10) Exercise any other rights or powers pursuant to the *Trespass to Property Act* that are reasonable in the circumstances.

6. From the date of passage of this By-law until November 30, 2025, no Resident will be removed involuntarily from or prohibited from entering their temporary shelter at 100 Victoria Street as a result of engaging in a Prohibited Activity, unless the Prohibited Activity creates or contributes to a serious risk to their own health or safety or the health or safety of another person. For greater certainty, nothing in this By-law permits a Resident to relocate their temporary shelter to another part of the premises at 100 Victoria Street without the permission of the Region.

7. Designated Personnel may contact the Waterloo Regional Police Service, or any other police service having lawful jurisdiction, at any time to request assistance or to initiate any other action as the police service may deem necessary in the circumstances.

8. For greater certainty, and without limiting the above, Designated Personnel may erect a fence or other barrier to prohibit entry to any unoccupied area of 100 Victoria Street.

PART IV - GENERAL

9. This By-law may be enforced by a Designated Personnel or a police officer.

10. This By-law may be cited as the "100 Victoria Street Code of Use By-law".

11. If any section or sections of this By-law or parts thereof are found by any Court to be illegal or beyond the power of Council of the Region to enact, such section or sections or parts thereof shall be deemed to be severable and all other sections or parts of this By-law shall be deemed to be separate and independent therefrom and shall continue in full force and effect unless and until similarly found illegal.

12. This By-law shall come into force and take effect on the date of final passage hereof.

By-law read a first, second and third time and finally passed in the Council Chamber in the Regional Municipality of Waterloo this 23rd day of April, A.D., 2025.

REGIONAL CLERK

REGIONAL CHAIR

SCHEDULE "A"

DESIGNATED PERSONNEL

1. The following are Designated Personnel:
 - (1) Supervisor, Security Services, for the Region, or any successor position thereto;
 - (2) a municipal law enforcement officer as appointed by the Region;
 - (3) a security guard under contract to the Region; and
 - (4) other persons from time to time as may be designated by Council of the Region.

SCHEDULE "B"

PROHIBITED ACTIVITIES

1. The following activities are Prohibited Activities:

- (a) carrying any goods, without authorization, which are offensive, dangerous, toxic, corrosive, flammable or explosive in nature that are likely to alarm, inconvenience, cause discomfort or injure any person, or cause damage to property, whether or not such good are contained in an approved container;
- (b) acts which are reasonably perceived as threatening, intimidating or sexual harassment;
- (c) any activity contrary to the *Criminal Code of Canada*, R.S. 1985, c. C-46, as amended, other federal statutes, provincial statutes or municipal by-laws;
- (d) erecting a shelter or other structure (provided, however, that this shall not apply to shelters or other structures that were in place on the Public Notice Date);
- (e) residing on 100 Victoria unless the person is a Resident within the meaning of this bylaw.
- (f) acts which interfere with the provision of services to residents of 100 Victoria Street; or acts which interfere with the use of 100 Victoria Street for the purposes of work relating to or in any way connected with KCTH; and
- (g) acts which are contrary to any specific rules or terms of use for the Designated Premises provided that the specific rules or terms of use have been posted in a conspicuous location at the Designated Premises.

Region of Waterloo

Engineering and Environmental Services

Strategic Initiatives and Asset Management

To: Sustainability, Infrastructure, and Development Committee

Meeting Date: December 3, 2024

Report Title: Kitchener Central Update

1. Recommendation

For information.

2. Purpose / Issue:

The purpose of this report is to provide an update on the progress of the Kitchener Central Transit Hub (KCTH). As progress on this landmark project advances, it is timely to highlight project updates and upcoming project milestones.

3. Strategic Plan:

The Region of Waterloo is on a journey of growth to an intentional, sustainable future of one million residents. The Kitchener Central Transit Hub supports the Homes for All, Equitable Services and Opportunities and Climate Aligned Growth focus areas within the Region's 2023 – 2027 Strategic Plan.

Upon completion, the KCTH will enhance and integrate transit infrastructure, provide residential and commercial development opportunities and be a gateway for economic development for the Region and area municipalities.

4. Report Highlights:

- The Kitchener Central Transit Hub will be a focal point for higher-order transit, providing access to ION light rail, GO Transit (rail and bus service), VIA rail service, intercity bus, and GRT, passenger vehicles and active transportation.
- KCTH has been renamed from the King Victoria Transit Hub to align with Grand River Transit's ION Kitchener Central Station and GO Transit's Kitchener Station.
- The Region owns land on Victoria Street, from King Street to Weber Street. Upon completion of the transit hub and its related transit infrastructure, the remaining land will be developed. Development opportunities include commercial, and residential (including affordable housing).

- Work on KCTH has advanced to the stage where construction is anticipated to begin in 2025. This will include Region-led projects: the demolition of the Rumpel Felt building (the part without a historic designation), the installation of a bus loop, a pedestrian bridge, a pedestrian ramp and a parking lot.
- The Victoria Street North Modifications project will be added to the Transportation Capital Program and will create multi-modal links to KCTH.
- The Ministry of Transportation and the Region have agreed on an amendment to the existing Transfer Payment Agreement. The amendment extends the expiry date of the TPA. Staff on both sides are discussing appropriate measures to address TPA funding shortfalls.
- An application for funding through the Public Transit stream of the Investing in Canada Infrastructure Program (ICIP) was submitted in February 2023. The Region of Waterloo is awaiting a decision on the application.

5. Background:

As the Region quickly grows to one million residents, the community is on the cusp of significant change. To help shape future growth, the Region, along with many partners, is leading transformational projects that will impact the Region and area municipalities for generations to come. Similarly to the success that was experienced with ION light rail, KCTH has the potential to positively impact growth, development and sustainability well into the future.

In 2016, the Province recognized the value of investing in the Region of Waterloo's transit infrastructure, providing \$43 million to support the transit hub.

KCTH will be a gateway to the Region of Waterloo through a landmark development and will connect residents and visitors to the Toronto-Waterloo Region innovation corridor through the co-location of ION light rail, GO Transit (rail and bus service), VIA rail service, intercity bus, active transportation, passenger vehicles and GRT.

The transit hub is expected to generate ION ridership as an anchor development along the Central Transit Corridor with transit station functions integrated with a future mixed-use destination.

Scope of Work

The scope of work for the Kitchener Central Transit Hub includes:

- the design and development of a transportation hub building,
- a pedestrian bridge over King Street,
- a bus loop for GRT and GO transit,

December 3, 2024Report: EES-SAM-24-002

- a pedestrian ramp,
- a parking lot,
- stormwater management and
- site development.

Following completion of the work, the Region will seek to partner with a private developer to create a mixed-use site incorporating unused land into the vision for the transit hub.

Project Updates

The timing of the Region's work is driven by Metrolinx's construction schedule. Due to the complex nature of the project and adjacent construction sites close to one another, the sequencing of work will be critical to successful delivery. The Region will work collaboratively with Metrolinx to confirm the schedule following the award of the Metrolinx contract.

The Region expects further updates to the construction schedule as construction staging plans are finalized with the onboarding of contractors but anticipates construction work to begin in 2025 with completion by the end of 2029.

The Region and Metrolinx meet bi-weekly to review coordination items between parallel designs. Success during construction will be highly reflective of both parties' efforts to coordinate components between the designs. The Region is working with Metrolinx to finalize a Memorandum of Understanding (MOU) agreement. An executable copy of this agreement is currently being prepared by Metrolinx. Several additional agreements are being developed in alignment with the MOU that include a Grade Separation Agreement, lease agreements and a fee simple land transfer agreement.

- The Ministry of Transportation and the Region have agreed on an amendment to the existing Transfer Payment Agreement with the intent of having it actioned before the end of the calendar year. This amendment extends the expiry date of the TPA to December 31, 2030.

Region Progress

- The Region is concentrating their efforts on completion of the design by end of 2024 with the intent of procuring a Construction Manager in 2025.
- Alterations to the location of the pick-up and drop-off, the addition of more bus bays in the bus loop and detailed investigation into the stormwater flows for the site need to be finalized prior to continuing with the design of the transit building.

Corresponding Projects

There are a few key projects in the vicinity and in support of the transit hub that are noteworthy.

Acquisition of 70-84 Victoria Street North

The acquisition of 70-84 Victoria Street North (in March 2024) plays a pivotal role in the Kitchener Central Transit Hub lands project by expanding the site's footprint to enable comprehensive planning and development. This property is currently occupied with commercial tenants. The leases with tenants will be honoured and once complete, this additional land enhances the project by providing opportunities for improved connectivity between future transit services and urban infrastructure, while also creating space for complementary uses such as mixed-use development and public amenities. Ultimately, this acquisition strengthens the vision of the hub as a regional anchor for sustainable, transit-oriented growth.

Victoria Street Modifications (King Street West to Weber Street West)

This project includes modifications to Victoria Street to provide multimodal links to KCTH. A preferred preliminary design has been identified that involves the reduction from four vehicle lanes to two vehicle lanes to allow for transit priority lanes and active transportation infrastructure.

Site Development

Site development for the Kitchener Central Transit Hub lands is advancing steadily, with foundational planning and design milestones achieved. Key progress includes ongoing site preparation, and ongoing collaboration with stakeholders to finalize updated rail infrastructure. This will further inform the mixed-use development potential of the lands, and the integration of multimodal transit solutions into the design framework. At the project's core, the land visioning efforts ensure that site development aligns with the four regional strategic priorities, laying the foundation for transformative growth in the surrounding area.

Budgetary and Agreement Updates

Region and Metrolinx staff are negotiating a cost sharing agreement amendment for the additional works to be completed by Metrolinx within the rail corridor. This work includes:

- The multi-use trail underpass at Duke Street;
- The retaining wall on the south side of the rail corridor between Region and Metrolinx lands; Space for bike storage rooms, bus shelters and service rooms under the South Platform (equipment installation and fit-out of the space is not included); and
- Structural work for the station tunnel near King Street to provide direct access to the transit hub building from the North platform (equipment installation and fit-out of the tunnel is not included).

\$10 million has been allocated within the MTO Transfer Payment Agreement (TPA) for the Region in-corridor work. The TPA has been amended to transfer these funds directly from MTO to Metrolinx for the completion of the work. Ownership of this infrastructure will follow a Grade Separation Agreement. The MOU agreement provides for future licence, operations and maintenance agreements for the Region's long-term use of this infrastructure. The MOU agreement also includes provisions for dispute resolutions, access, insurance requirements and clearly identified role and responsibilities of both parties in relation to the cost shared scope as well as the overall project.

The current TPA is no longer sufficient to cover the estimate of the pedestrian bridge over King Street, the bus loop, the pedestrian ramp and the parking lot. The TPA was originally developed in 2018 and since then the project has seen significant alterations in scope, unprecedented inflation rates and modifications in funding structure. The funding challenges that have been identified, stem from a change in the delivery model, inflation and scope alternations since the commencement of the TPA. The Region is delivering all "off-corridor" works required to meet Metrolinx's Station Access Requirements. This includes a pedestrian bridge over King Street, fit out of the Bus and Bike parking facilities, a bus loop, pick up/drop off area, parking and additional site works. Region staff are working with the Ministry of Transportation to discuss appropriate measures to address this funding shortfall that is currently around \$9 million.

6. Communication and Engagement with Area Municipalities and the Public

Area Municipalities: City of Kitchener staff have been consulted on design components of the multi-use trail, ownerships of Duke Street and associated utilities. In 2023, the Region completed a pre-submission for Site Plan Approval whereby the Region received City comments regarding transit, civil and environmental design components. The Region will look to submit a final site plan approval package for further comment from the City of Kitchener. Region staff will continue to engage and involve City of Kitchener staff on an ongoing basis as progress continues.

Public: In June 2024, projects updates were made to the EngageWR page. During the same timeframe, the Project Manager presented aspects of the Region's works to the Grand River Accessibility Advisory Committee (GRAAC). Committee members were given an opportunity to provide feedback on accessibility components. The Region's design team are evaluating recommendations brought forward to understand how they might integrate into the proposed workplan.

7. Financial Implications:

The 2024-2033 Facilities and Fleet Capital Program includes a budget of \$347,000 in 2024 with an overall contribution of \$35 million from 2024 – 2029 for the Kitchener

December 3, 2024

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Central Transit Hub Project. This amount is to be funded from a TPA Agreement with the Province (MTO) in the amount of \$33 million and RDC debenture. Of the \$33 million, \$4.7 million has been consumed to date.

8. Conclusion / Next Steps:

Staff will continue to work with the MTO to ensure the Region has an amended TPA before the end of the calendar year. Coordination efforts with Metrolinx are ongoing to align both party's project plans. At the end of 2024, the Region anticipates having a complete design package.

Staff will continue to work with Metrolinx to finalize agreements to facilitate the work being carried out.

9. Attachments:

Appendix A: Rendering of Kitchener Central

Appendix B: Kitchener Central Transit Hub Presentation to SID Committee
December 3, 2024.pptx

Prepared By: Christa De Wys, Senior Project Manager (Facilities – Large Capital),
Engineering and Environmental Services

Katie Johnson, Director, Strategic Initiatives and Asset Management,
Engineering and Environmental Services

Reviewed By: Mike Henderson, Director, Transportation, Transportation Services

Neil Malcom, Acting Director, Transit Services, Transportation Services

Aaron Moss, Director, Facilities and Fleet Management, Engineering
and Environmental Services

Approved By: Jennifer Rose, Commissioner, Engineering and Environmental Services

Doug Spooner, Acting Commissioner, Transportation Services

Chris Wood, Acting Commissioner, Planning, Development and
Legislative Services

Appendix A, EES-SAM-24-002: Rendering of Kitchener Central



Moving forward on Kitchener Central Transit Hub: Site Specific By-law

April 23, 2025

Kitchener Central Transit Hub

- Key infrastructure for our growing community
- Building on our world-class transit system
- Connecting ION, GRT, GO, VIA, carshare, Neuron, and active transportation in one central, convenient location



New phase of construction

- The Kitchener Central Transit Hub project is entering a new phase.
- Preliminary road work and demolition of the portion of the Rumpel Felt building that does not have heritage designation will start in 2025.
- Metrolinx requires the property at 100 Victoria Street, North by March 2026.
- Site preparation is required before this and is anticipated to take several months.
- A vacant site is required by December 1, 2025.

Enhanced site support

- Focused efforts and resources on current residents for available housing and shelter options
- Ongoing site management
- An approach that is consistent with the Plan to End Chronic Homelessness

Site Specific By-law Recommendation

- That the Regional Municipality of Waterloo pass a by-law in the form attached as Appendix 'A' to this Report, being a Site Specific By-law respecting the use of 100 Victoria Street, North, Kitchener (as Owned by The Regional Municipality of Waterloo) to facilitate the Kitchener Central Transit Hub (KCTH) and other transit-related development.
- That the Regional Municipality of Waterloo direct staff to implement a plan for alternative accommodation for current residents of 100 Victoria Street North, Kitchener, and add \$814,333 to the 2025 regional Housing budget as outlined in this Report.

THIS IS **EXHIBIT “J”** REFERRED TO
IN THE AFFIDAVIT OF DAVID ALTON
SWORN REMOTELY AT THE SAUBLE BEACH
BEFORE ME AT THE CITY OF KITCHENER
DURING A VIDEOCONFERENCE
IN ACCORDANCE WITH O.REG. 431/20,
ADMINISTERING OATH OR DECLARATION REMOTELY
THIS 23rd DAY OF JUNE, 2025

A handwritten signature in black ink, appearing to read 'Ashley Schuitema', written in a cursive style.

ASHLEY SCHUITEMA
A Commissioner, etc.,
Province of Ontario,
While a Barrister and Solicitor.
LSO # 68257G

The Plan to End Chronic Homelessness: Consolidated List of Actions

Our 30 PECH Actions are clear projects, initiatives, and/or achievements we will work toward. Each Action aligns with one or more Strategic Focus Areas. Below we have grouped Actions by the Focus Group they most strongly align with; however, a key feature of the resiliency and flexibility of our PECH is that progress toward any one Action moves us forward toward multiple Strategic Focus Areas.

It is imperative that these actions be reviewed with an understanding that further work to prioritize them and assign system accountability is necessary and still to come. No one organization, sector, or level of government can solve the crisis of homelessness in isolation. As such, accountability for leading these actions will lie with community organizations, all three levels of government, civil society, and the community leadership table.

| Focus Area 1: Create Policy and System Accountability |
|---|
| 1.1 Revise current Homelessness & Supportive Housing Frameworks to ensure all Housing Stability System programs/services operate according to Housing First and Housing as a Human Right principles, cultural competency, anti-oppression, gender-based analysis plus (GBA+) lenses and ensure that equity and reconciliation are centred within all system frameworks. (LE Prototyping Cohort, 2024) |
| 1.2 Implement a housing-focused Street Outreach Framework and a Human Rights Based Approach encampment response protocol (LE Prototyping Cohort, 2024) to better support people living rough/experiencing unsheltered homelessness. |
| 1.3 Apply an intersectional gender-based analysis plus (GBA+) lens to homelessness prevention policy and strategies to ensure equitable housing outcomes are advanced for women, and gender-diverse individuals and communities. |
| 1.4 Expand the local Coordinated Access System (PATHS) to enhance integration and coordination between health, addictions, mental health, acquired brain injury, justice, income support, child welfare, and other critical system partnerships to increase service pathways, service connections, and permanent housing outcomes. |
| 1.5 Implement a Housing Stability System Workforce Strategy, across the region, to ensure a professionalized and healthy workforce. We will advance salary and benefit compensation, employee well-being and retention, as well as training and professional development. |
| 1.6 Launch a Housing Stability System Data Strategy to monitor and track progress on ending chronic homelessness and establish data-informed decision-making processes. |
| 1.7 Implement a User Experience Strategy, across the region, to ensure system service users are supported in all Housing Stability System programs and services. (LE Prototyping Cohort, 2024) |

| Focus Area 1: Create Policy and System Accountability |
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| 1.8 Create a climate and extreme weather protocol based on a human rights approach. (LE Prototyping Cohort, 2024) |

| Focus Area 2: Centre Community Voices |
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| 2.1 Establish an All of Community Leadership Table to lead the implementation of The Plan to End Chronic Homelessness recommendations and perform ongoing assessments of activities and progress towards our community's goal of ending chronic homelessness by 2030 . The work of the All of Community Leadership table will be to ensure systems and strategic planning integration that work together to end chronic homelessness. This will include: Ontario Health Teams Strategic Plans, Region of Waterloo Strategic Plan, Waterloo Integrated Drug Strategy, Rural Upstream Collaborative-Engage Rural and the Community Safety and Wellbeing Plan. |
| 2.2 Develop a comprehensive and integrative Lived Expertise process, including establishing a Lived Expert Working Group, with representation from across the region, to support ongoing learning and system reviews of organizational and system policies and processes. (LE Prototyping Cohort, 2024) |
| 2.3 Establish REDI-specific partnerships, strategies and funding streams to advance equitable homelessness response supports and initiatives to build capacity. REDI work is inclusive of not only Black, Indigenous, and Racialized groups, but also groups where there is established systemic intersectionality. These partnerships, relationships and networks are currently lacking and must be expanded to a great extent. Where work is currently underway such as with Black communities, Indigenous communities, communities supporting physical disabilities, developmental disabilities, acquired brain injury, people living in rural areas, as well as, people experiencing criminalization in the Justice system, these relationships must be built out and resourced in order to flourish. |
| 2.4 Establish an annual funding application and review process for community organizations, across the region, to support emerging ideas and prototypes to respond to homelessness. (LE Prototyping Cohort, 2024) |

| Focus Area 3: Build System Bridges |
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| 3.1 Identify surplus/underutilized land(s) with the intention of creating more housing options and respond to unsheltered experiences of homelessness, across the region. We will do this through partnerships with area municipalities/townships, not-for-profits, faith-based organizations, and postsecondary institutions. (LE Prototyping Cohort, 2024) |
| 3.2 Establish specific health-related coordination efforts, processes, and supports with local health system partners to create a more integrated health and homelessness system of care. This includes embedding the work of the |

| Focus Area 3: Build System Bridges |
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| PECH within the local Ontario Health Teams, Public Health programs, local hospitals, mental health and addictions providers, community health programs, and other health system programs across the region. |
| 3.3 Align the PECH and related initiatives with local resettlement organizations and services to support Newcomers to Canada experiencing homelessness across the region. (LE Prototyping Cohort, 2024) |

| Focus Area 4: Advance Equitable Housing |
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| 4.1 Implement Indigenous homelessness and Indigenous-focused reconciliation strategies, led by Indigenous groups and leaders, to enhance permanent housing outcomes for Indigenous communities and support generational healing, guided by Key Concerns identified through Wellbeing Waterloo, Truth and Reconciliation Commission Calls to Action, The National Inquiry into Missing and Murdered Indigenous Women and Girls Calls to Justice, and the United Nations Declaration of the Rights of Indigenous Peoples. |
| 4.2 Expand on use of existing community housing stock to increase permanent housing outcomes for individuals experiencing homelessness; including the use of community housing units to support people who have recovered from their experience of homelessness to leave Supportive Housing |
| 4.3 Create new permanent Affordable and Supportive Housing to meet current and future housing needs to end chronic homelessness. This includes deeply therapeutic and harm reduction-focused Supportive Housing to ensure those with the greatest depth of need are supported to stay housed. (Our current 570 Supportive housing units are meetin 50% of our current need) (LE Prototyping Cohort, 2024) |
| 4.4 Create a Seniors Strategy, embedded within the broader PECH, to respond to the unique needs of Seniors experiencing homelessness, including but not limited to addressing lack of social connection and income support for Seniors experiencing or at risk of experiencing homelessness due to a lack of affordability in the private market and appropriate housing options. |
| 4.5 Co-Create with rural based agencies a Rural Homelessness strategy and actions, embedded within the border PECH, to address the unique needs of people at risk of or experiencing homelessness in each of the four Townships. |
| 4.6 Implement alongside system partners, a housing-focused strategy with dedicated resources to end Veteran homelessness. |

| Focus Area 5: Focus on Preventing Homelessness |
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| 5.1 Reduce inflow into chronic homelessness by working with area municipalities to implement policies and programs focused on mitigating the loss of affordable housing in the private market, while continuing to incent affordable housing development. (LE Prototyping Cohort, 2024) |
| 5.2 Create a Youth Strategy, embedded within the broader PECH, to respond to the unique needs of youth experiencing homelessness and develop upstream approaches that target youth at risk of experiencing homelessness and end generational experiences of homelessness. (LE Prototyping Cohort, 2024) |
| 5.3 Expand and create new multi-service agency housing hubs across Waterloo Region to ensure universal access to community-based supports that increase housing stability and for public spaces to be readily available for individuals experiencing homelessness outside of shelter operating hours. (LE Prototyping Cohort, 2024) |

| Focus Area 6: Change the Narrative on Housing and Homelessness |
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| 6.1 Launch a comprehensive public engagement and education strategy for partners, Council, area municipalities, provincial and federal government, businesses, and residents to increase awareness and understanding of homelessness related challenges and responses. (LE Prototyping Cohort, 2024) |
| 6.2 Implement a comprehensive Housing Stability System Data Strategy to monitor and track progress on ending chronic homelessness and establish data-informed decision-making processes. This resource will also be leveraged to support advocacy efforts and inform our community of the realities of homelessness. (LE Prototyping Cohort, 2024) |
| 6.3 Establish an ongoing memorializing process for those lost to homelessness. This includes partnering with interest-holders in the Housing Stability System, Lived Experts, Mutual Aid Groups, Unsheltered Communities, and the Coroner's Office. (LE Prototyping Cohort, 2024) |

| Focus Area 7: Advocate and Collaborate for Broader Change |
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| 7.1 Strengthen partnerships with school boards, local universities and colleges to ensure that professors and academics in multiple fields are engaged in developing upstream education programs on the risks of homelessness. (LE Prototyping Cohort, 2024) |
| 7.2 Align the All of Community Leadership Model and PECH activities with existing addictions, substance use, and harm reduction community-led initiatives to ensure integrative supports for individuals experiencing homelessness active in their substance-use. This includes alignment and integration with WRIDS, Public Health, and other community-based services and supports across the region. |

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| Focus Area 7: Advocate and Collaborate for Broader Change |
| 7.3 Develop and implement a coordinated advocacy and inter-governmental relations plan to strengthen a multi-tiered response to chronic homelessness. (LE Prototyping Cohort, 2024) |

**THE REGIONAL MUNICIPALITY OF
WATERLOO**
Applicants

and

**PERSONS UNKNOWN AND TO BE
ASCERTAINED**
Respondents

Court File No.: CV-25-00000750-0000

**ONTARIO
SUPERIOR COURT OF JUSTICE**

Proceeding commenced at KITCHENER

AFFIDAVIT OF DAVID ALTON

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Shannon K. Down (LSO# 43894D)
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Lawyers for the Respondents/Moving Party

TAB 12

ONTARIO
SUPERIOR COURT OF JUSTICE

B E T W E E N:

THE REGIONAL MUNICIPALITY OF WATERLOO

Applicant

and

PERSONS UNKNOWN AND TO BE ASCERTAINED

Respondents

APPLICATION UNDER Rule 14.05 of the *Rules of Civil Procedure*

AFFIDAVIT OF ANGELA ALLT

I, Angela Allt, of the City of Guelph, in the Province of Ontario, AFFIRM AND SAY:

1. I have personal knowledge with respect to the facts set out below, except where stated otherwise. Where the information is not based on my personal knowledge, it is based upon information provided by others which I believe to be credible and true.

2. I am a registered social worker in the Province of Ontario, in good standing with the Ontario College of Social Workers and Social Service Workers. I also hold both Bachelor and Master of Social Work degrees.
3. I am a Service Resolution Facilitator with the Canadian Mental Health Association (“CMHA”) of Waterloo Wellington. I have been employed by CMHA for over 14 years. Prior to working for CMHA, I worked for almost a decade in the Psychiatric Patient Advocate Office (“PPAO”). The PPAO is part of Ontario’s Ministry of Health and was established to protect the rights of patients in psychiatric facilities.
4. In my role as a Service Resolution Facilitator, I support adults who are experiencing severe and persistent mental health and addiction issues. This is a community-based service for residents of Waterloo Wellington (Kitchener, Waterloo, Cambridge, Guelph, and Wellington). I collaborate with agencies and organizations that assist individuals in navigating and accessing essential services such as mental health and addiction support, hospitals, housing, probation, and police services. My role involves providing guidance in complex cases where there is no clear solution, often addressing systemic barriers and roadblocks that hinder client progress.
5. I support agencies that are dealing with both sheltered and unsheltered individuals. I typically carry a roster of 30-50 open files, with approximately 60% of those clients residing in Waterloo Region. Many of the clients I support are under the age of 35, unsheltered, and are struggling with psychosis and/or addiction. Psychosis is a mental

where there is a disconnection from reality, characterized by hallucinations, delusions, and disorganized thinking of behaviour. My role involves facilitating connections between these clients and various organizations to help secure the housing and support services they need, which frequently includes meeting regularly with representatives from various agencies to mediate and to try and develop a plan that supports the clients.

Barriers to accessing treatment

6. Individuals experiencing homelessness often face numerous barriers when attempting to access mental health and addiction treatment. Due to the nature of their illnesses, many struggle to keep track of appointments—often forgetting them entirely—making organization extremely challenging. As a result, the responsibility of ensuring clients attend their appointments frequently falls to outreach workers, who must first locate them. This can be particularly difficult without a stable address, as clients are often transient. The lack of a phone to communicate reminders or coordinate transportation further compounds the issue, and limited access to reliable transportation presents an additional obstacle.
7. In general, it is relatively easier to support clients who reside in encampments as opposed to other clients who experience homelessness, as they are easier to track down. However, I know that outreach workers still face challenges at times locating and connecting to their clients living in encampments as they often lack phones or other means of communication. During the day the clients can be moving throughout the city to access food or other services.

8. Our most complex clients are those with severe and persistent mental illness, which is often combined with addiction. Finding and maintaining housing for this group is challenging in many cases due to several factors:
 - a. The lack of affordable and supportive housing. Many of these clients cannot afford market rent and require ongoing support in the form of assistance with activities of daily living, meal preparation, case management and/or medication management to maintain housing, for example;
 - b. Complex mental and physical health issues, including substance use disorders, history of trauma, and physical health problems, all of which can present barriers to accessing housing; and
 - c. For people who suffer from psychosis, mood instability, or cognitive impairments, navigating completing forms and attending appointments can present significant and sometimes insurmountable barriers; Other barriers – lack of identification, lack of access to financial supports such as ODSP which may not yet be in place, discriminatory attitudes of landlords towards tenants with disabilities etc.
9. For some of our unhoused population who are not struggling with serious mental illness or who are well managed on medication, gaining a stable home is possible. With housing subsidies, they may be able to procure a market rent apartment or a unit in supportive housing. However, even persons struggling with serious mental illness who are symptomatic can find and maintain housing with the assistance and support.

10. Many of our homeless clients experience fluid mental capacity, which means that their mental capacity comes and goes. This is often tied to substance use, which can impair brain function, including impacting their memory, attention, executive function, and judgment.
11. While many clients with a mental health or addiction issue are considered mentally capable to make their own decisions, that does not address their lack of insight into their struggles. This can lead to poor decision-making, which puts them into situations that makes it difficult for them to access a variety of services or housing.
12. Despite the efforts of multiple organizations, including the Working Centre and the Region of Waterloo, to secure permanent housing for their clients, many remain unhoused. As outlined above, various barriers often result in individuals returning to the streets, relying on the shelter system—when space is accessible and available—or residing in encampments.

Motels

13. Many of the clients referred to me by partnering agencies are experiencing homelessness. A key part of my role involves advocating for these individuals and collaborating with community partners to secure temporary shelter. This often includes arranging motel accommodations while we work toward identifying more permanent housing solutions. However, locating appropriate long-term housing—particularly with necessary supports—is frequently challenging. On average, clients remain in motel accommodations for

approximately one month, though stays may extend beyond that. Due to funding limitations, it is not uncommon for motel stays to end before a suitable and sustainable housing option has been secured.

14. In my experience, motels as a form of temporary shelter are not suitable for all clients.

There are no daily social supports at the motels. Although there are agency workers from different organizations going into motels to see the individual clients they are supporting, this is typically during standard business hours from 9:00 am to 5:00 pm, Monday to Friday. These workers are only going to see certain individuals and are not going to the motel to provide broad-based support for all the clients staying there.

15. Some of my clients have been evicted from a motel while awaiting longer-term housing.

Motel stays are not successful for many clients with severe mental health and/or addiction issues, due to behavioural issues that may result in property destruction, on-site drug use, or nuisance (noise, smoke, etc.). In these cases, the client is often told to leave the motel (they do not have tenancy rights to challenge the “eviction” under the *Residential Tenancies Act, 2006*), and they are back to being homeless again. The same issues hold true even in some supportive housing units as the client’s needs would outstrip available resources.

16. My program has very limited funding for housing people in motels. This is an option that

I rarely use during the spring, summer, and fall when I know people can survive outside. I

try to save this funding for the winter when I know people struggle more to survive while living unsheltered.

17. Unfortunately, I have also supported clients that have passed away in motels due to a fatal drug poisoning or overdose. Clients with serious drug addiction are generally not suitable to living in a motel as they may end up using drugs alone and unsupervised, and I will not recommend placing them there if I believe it poses a risk to their health and safety. Instead, I will advocate to get the person connected with a harm reduction service. Drug poisoning and overdoses can also happen while people are living in encampments but, in my experience, there is less of a chance of it being a fatal occurrence in an encampment because of the community aspect, as compared to a motel room where people use alone.

Shelters

18. Shelters are an important part of the emergency housing system. They provide protection from the elements, a point of contact for broader service provision, and focused interaction for staff to work on finding more permanent housing for those individuals who are able, willing, and ready for that step. However, for some clients with serious and persistent mental illness and/or addiction issues, a shelter environment, with its level of activity and noise can be too overwhelming or overstimulating. Those who are delusional and/or paranoid may feel frightened or threatened causing them to want to leave the shelter or to

lash out at others. Some clients who are recovering from addiction will not go to a shelter in order to not be exposed to substances and preserve their sobriety.

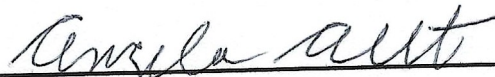
19. The two common reasons I hear from the outreach workers I work with regularly as to why people don't want to leave encampments are that the shelters are not safe (risk of violence and theft of belongings), or that they don't like or cannot follow the rules that are imposed on them in either shelters or supportive housing.
20. There are people that cannot live successfully in the wider community due to the severity of their mental illness and/or addiction issues. When the provincial psychiatric hospitals were shuttered, such as the London Psychiatric Hospital which closed in 2014, this left a huge gap in the continuum of care. We now have people who are very ill, cycling between homelessness, hospital, and jail, only to continue to repeat the cycle. Some have no insight into their illness, struggle to adhere to recommended treatments, and their mental capacity to make different types of decisions is questionable. Hospital psychiatric units only deal with acute care which is generally only short term. A larger number of funded supportive housing units and addiction treatment beds are needed to keep people from becoming homeless in the first place. We could take a 500 unit apartment building for supportive housing and fill it, but it still wouldn't be enough. A building alone is not enough, it needs to be staffed with support workers, and health care workers. Even people with good insight into their mental illness who regularly adhere to recommended treatment can struggle with finding and maintaining housing due to financial, social or other obstacles.

21. I make this affidavit in support of the Notice of Motion and for no other or improper purpose.

SWORN remotely by Angela Allt at the City of Guelph, in the Province of Ontario, before me at the County of Wellington in the Province of Ontario on June 20, 2025 in accordance with O. Reg. 431/20.



**Joanna Mullen, A Commissioner
of Oaths (LSO#: 64535V)**



Angela Allt

**THE REGIONAL MUNICIPALITY OF
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and

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Court File No.: CV-25-00000750-0000

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SUPPLEMENTAL MOTION RECORD

WATERLOO REGION COMMUNITY LEGAL SERVICES
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