

Court File No. CV-25-00000750-0000

**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

5TH AFFIDAVIT OF PETER SWEENEY

I, Peter Sweeney, of the City of Cambridge, in the Regional Municipality of Waterloo, AFFIRM:

1. I am the Commissioner of Community Services for the Applicant, the Regional Municipality of Waterloo (the "**Region**"). As such, I have knowledge of the matters to which I depose below. Where my knowledge is based on information and belief, I indicate the source, and believe it to be true.

2. In this affidavit I use terms as defined in the affidavits I have previously affirmed in support of the Region's Application, being the 1st, 2nd, 3rd, and 4th Sweeney Affidavits and in other affidavits tendered by the Region in this proceeding.

A. *An Update on Fires at the Encampment in February 2026*

3. As I explained in the 1st Sweeney Affidavit (including at paragraphs 94 and 99), fires are an issue at the Encampment.

4. In mid-February 2026, there were three major fires for which the Region has maintained related incident reports.

5. The first such fire took place on Thursday, February 12, 2026 (“**Fire #1**”), at approximately 9:30 am. I attach the incident report documenting Fire #1 as **Exhibit “A”**, which I obtained from Regional staff. I also attach various photos I understand were taken by security personnel and/or Regional staff associated with the incident report as **Exhibit “B”**. As the incident report indicates, Fire #1 took place in the middle of the Encampment, it involved at least one tent, and it was possibly caused by a propane tank. Two individuals are documented as suffering injuries from Fire #1.

6. The second fire occurred later that same day, at 11:40 am on Thursday, February 12, 2026 (“**Fire #2**”). The associated incident report is attached as **Exhibit “C”**. The incident report indicates that Fire #2 occurred in a tent located behind the garbage bins onsite.

7. The third fire occurred on February 14, 2026 at approximately 4:00 pm (“**Fire #3**”). The associated incident report is attached as **Exhibit “D”** and indicates that Fire #3 took place inside a sand structure at the Encampment. I attach various photos associated with the incident report as **Exhibit “E”**, demonstrating the post-Fire #3 state of that structure.

B. Reply to the 3rd Escobar and Nind Affidavits

8. I have reviewed the 2nd Supplementary Responding Application Record dated February 20, 2026.

9. Regarding the Affidavit of Sara Escobar (“**3rd Escobar Affidavit**”) contained therein, I note the following.

10. At paragraph 7 of the 3rd Escobar Affidavit, Ms. Escobar explains that the Region has “351 beds in the emergency shelter system”. This is not correct. The Region has 356 permanent emergency shelter beds in the system. That number (which does not include motels, A Better Tent City, or the 120 transitional housing beds operated by SHIP at University Avenue & Frederick Street) is based on the following breakdown:

Shelter	Capacity
Cambridge Shelter Corp	80
YWCA Cambridge	20
House of Friendship	100
One Roof	24
SHIP – Edith Mac	30
SHIP – 84 Frederick	22
Erb’s Rd	50
Safe Haven	10
Bridge Care	20
Total	356

11. I attach as **Exhibit “F”** a summary report compiled by the Region (dated February 20, 2026) documenting the capacity of various shelter service providers. As evidenced by this report, when A Better Tent City and the 120 transitional housing beds I refer to above are included, the total capacity rises to 526.

12. As this report also details, when winter warming centre capacity and emergency shelter winter overflow capacity are included, an additional 177 places are added, bringing the total (not including motels) to 703 places. This number does not include

longer-term housing options such as subsidized housing, affordable housing, supportive housing, and the like.

13. None of the numbers set out above includes motels, the capacity for which fluctuates based on various factors, including need. Typically, motels operate around an over 100-person capacity per day, and serve families, couples, and individuals.

14. At paragraph 16, Ms. Escobar asserts that “[t]here is only one affordable [housing] building for older adults in the entire Region”. This is also incorrect: there are 46 dedicated senior sites in the Region. Seniors can also apply for non-senior sites and are not restricted to seniors-specific housing.

15. At paragraph 27, Ms. Escobar explains her understanding that USWs “support people who are unsheltered, and once someone comes indoors the supports stop”. In the Affidavit of Carine Lee Nind (which is also contained in the 2nd Supplementary Responding Application Record), at paragraph 14, Ms. Nind asserts that “the supports in place to get someone housed end as soon as the person is housed” and that there “are no follow up supports provided to make sure the candidate [for housing] remains successfully housed”.

16. To be clear, USW support continues when someone comes “indoors” but remains in the emergency shelter system. Where someone is housed in a market housing unit with the assistance of a Canada-Ontario Housing Benefit (a rental subsidy), USWs will support the person with light touch support regarding that program’s requirements for up to one year to ensure a smooth transition. Individuals in scattered site supporting housing

(such as through Starling or Cambridge Shelter Corp.) receive ongoing, regular support for a minimum of one year following being housed there. Individuals in fixed site supporting housing receive ongoing support for as long as they are living in the unit and engage with the staff team within their building. For those in transitional housing, they will receive 24/7 support from the staff team of the building they are in. Individuals in co-operative housing continue to receive support from the Region through a Tenancy Liaison Specialist, an employee of the Region who provides consultation, information, and support regarding landlord and tenant relationship management. This person also helps facilitate the resolution of any tenancy related issues.

17. In any event, the Amended By-law ensures that the Region will continue to “[o]ffer social service supports, in the same nature as provided at 100 Victoria Street, to a Resident once moved to Alternative Accommodation” (as set out in paragraph 3 of Schedule “C” to the Amended Bylaw).

AFFIRMED by Peter Sweeney of the City of Cambridge, in the Regional Municipality of Waterloo, before me at the City of Toronto, in the Province of Ontario, on February 27, 2026, in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.



Signed by:
Greta Hoaken
65F69FB6EFF940B...

Commissioner for Taking Affidavits
(or as may be)

GRETA HOAKEN
(LSO # 87903I)

Signed by:
Peter Sweeney
6A350028EABE4F8...

Peter Sweeney

This is Exhibit "A" referred to in the 5th Affidavit of Peter Sweeney affirmed by Peter Sweeney of the City of Cambridge, in the Regional Municipality of Waterloo, before me at the City of Toronto, in the Province of Ontario, on February 27, 2026, in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

Signed by:

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Commissioner for Taking Affidavits (or as may be)

GRETA HOAKEN (LSO #87903I)

Date and Time:	Thursday February 12, 2026 at ~0931hrs
Call Type:	Fire
Location:	100 Victoria Street North- Echo 1
Reported by:	O/S Guard
Involved/Responding Security:	O/S Guard
Involved Subject:	UNKNOWN
Injuries:	1 Male - Burns on face 1 Female- [REDACTED] - Unknown injuries
Description of Event:	<p>UPDATE 1:</p> <ul style="list-style-type: none"> • Large tent fire in the middle of the encampment O/S Guard contact 911. Possible cause due to propane tank. • 0935hrs- KFD #P12 #A12, #T13 and #R11 on site. • 0940hrs- 2 WRPS cruisers on site. • 0950hrs- EMS #2180 and #2516 on site. <p>UPDATE 2:</p> <ul style="list-style-type: none"> • 1006hrs- Fire extinguished. Male in EMS care. • 1020hrs- All emergency services off site. Male was not transported and female was last seen at the soup kitchen. <p>CCTV Review: Large fire in middle of the encampment.</p> <p>**END OF INCIDENT**</p>
Date and time event closed:	Thursday February 12, 2026 at ~1020hrs
Report to Follow:	Yes

This is Exhibit "B" referred to in the 5th Affidavit of Peter Sweeney affirmed by Peter Sweeney of the City of Cambridge, in the Regional Municipality of Waterloo, before me at the City of Toronto, in the Province of Ontario, on February 27, 2026, in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

Signed by:

65F69FB6EFF940B...

Commissioner for Taking Affidavits (or as may be)

GRETA HOAKEN (LSO #87903I)











This is Exhibit "C" referred to in the 5th Affidavit of Peter Sweeney affirmed by Peter Sweeney of the City of Cambridge, in the Regional Municipality of Waterloo, before me at the City of Toronto, in the Province of Ontario, on February 27, 2026, in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

Signed by:

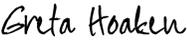
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Commissioner for Taking Affidavits (or as may be)

GRETA HOAKEN (LSO #87903I)

Date and Time:	Thursday February 12, 2026 at ~1140hrs
Call Type:	Fire
Location:	100 Victoria Street North- Echo 1
Reported by:	O/S Guard
Involved/Responding Security:	O/S Guard
Involved Subject:	UNKNOWN
Injuries:	Not reported
Description of Event:	<p>UPDATE 1:</p> <ul style="list-style-type: none"> • O/S Guard report tent fire behind the garbage bins. WRPS drove by and extinguished the fire. KFD will be attending. • 1139hrs- KFD #P12 on site. <p>UPDATE 2:</p> <ul style="list-style-type: none"> • 1208hrs- KFD off site. • 1215hrs- E1 report Police will remain on site and waiting for additional units to investigate arson. <p>UPDATE 3:</p> <ul style="list-style-type: none"> • 1255hrs- WRPS still on site investigating. <p>UPDATE 4:</p> <ul style="list-style-type: none"> • 1307hrs- Forensics identification Unit on site. <p>UPDATE 5:</p> <ul style="list-style-type: none"> • 1308hrs- Detectives on site. • 1407hrs- Detectives off site. • 1412hrs- All WRPS off site and facilities on site. <p>CCTV Review: Large amount of smoke behind garbage bins.</p> <p>WA-26-021160 **END OF INCIDENT **</p>
Date and time event closed:	Thursday February 12, 2026 at ~1412hrs
Report to Follow:	No

This is Exhibit "D" referred to in the 5th Affidavit of Peter Sweeney affirmed by Peter Sweeney of the City of Cambridge, in the Regional Municipality of Waterloo, before me at the City of Toronto, in the Province of Ontario, on February 27, 2026, in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

Signed by:

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Commissioner for Taking Affidavits (or as may be)

GRETA HOAKEN (LSO #87903I)

Date and Time:	Saturday, February 14, 2026, at 1554hrs
Call Type:	Fire
Location:	Echo 1 – 100 Victoria St. N, Kitchener, ON
Reported by:	On site SECURITY
Involved/Responding Security:	On site SECURITY
Involved Subject:	NA
Injuries:	NA
Description of Event:	<p>UPDATE 1: On site Security contacting fire department for fire inside the sand structure 1558hrs: Fire truck # P12 on site 1559hrs: Fire truck # A12 on site 1604hrs: Fire department has extinguished the fire Onsite SECURITY reported that there are no injuries and there does not appear to be any damage Onsite SECURITY informed that it was a pile of wood that was on fire and the fire was getting big very quickly. Residents tried extinguishing the fire with snow, but it was not working 1620hrs: Detectives/Forensics on site to investigate the fire</p> <p>UPDATE 2: 1627hrs: Fire captain off site 1633hrs: Fire truck # A12 off site 1634hrs: Fire truck # P12 off site 1708hrs: Detectives/Forensics off site</p> <p>Occurrence #: WA26-022287</p>
Date and time event closed:	Saturday, February 14, 2026, at 1708hrs
Report to Follow:	Yes

This is Exhibit "E" referred to in the 5th Affidavit of Peter Sweeney affirmed by Peter Sweeney of the City of Cambridge, in the Regional Municipality of Waterloo, before me at the City of Toronto, in the Province of Ontario, on February 27, 2026, in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

Signed by:

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Commissioner for Taking Affidavits (or as may be)

GRETA HOAKEN (LSO #87903I)







This is Exhibit "F" referred to in the 5th Affidavit of Peter Sweeney affirmed by Peter Sweeney of the City of Cambridge, in the Regional Municipality of Waterloo, before me at the City of Toronto, in the Province of Ontario, on February 27, 2026, in accordance with O. Reg. 431/20, Administering Oath or Declaration Remotely.

Signed by:

Greta Hoaken

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Commissioner for Taking Affidavits (or as may be)

GRETA HOAKEN (LSO #87903I)



ES PROGRAM OCCUPANCY/CAPACITY REPORT

Region of Waterloo

A SUMMARY OF THE OCCUPANCY REPORT OVER THE PAST FIVE DAYS

Service Provider	Capacity	Feb-15	Feb-16	Feb-17	Feb-18	Feb-19	5-day Av (%)
Cambridge Shelter Corporation	80	70	70	71	72	71	89%
YWCA Cambridge *	20	20	20	20	20	20	100%
House of Friendship ShelterCare	100	97	98	99	98	98	98%
oneRoof	24	13	13	13	12	13	53%
Services and Housing in the Province (SHIP Edith MacIntosh)	30	35	34	35	36	35	118%
ES-SHIP 84 Frederick	22	27	25	26	28	28	124%
Erb's Rd	50	48	48	48	48	48	96%
SafeHaven 2.0	10	5	5	5	5	5	50%
YW Family Motels	-	33	33	33	23	21	-
Motels RoW (Region of Waterloo)	-	78	78	77	78	78	-
ES- CSC BridgeCare	20	9	9	9	9	9	45%
University Avenue TH (UA) ^a	80	74	74	74	76	77	95%
TH- SHIP 84 Frederick	40	20	20	20	20	20	50%
A Better Tent City (ABTC)	50	50	50	50	50	50	100%
Family & Motel Total		103	103	103	95	93	
All Shelters Total (Excluding Family & Motel)	526	468	466	470	474	474	85%

a. TH = Transitional Housing

* YWCA Cambridge data in this chart reflects the original program only; Winter Overflow data is reported separately on the next page.



ES PROGRAM OCCUPANCY/CAPACITY REPORT

Region of Waterloo

Seasonal Winter Programs

Warming Center Provider	Capacity	Most recent records available					5-day Av (%)
Warming Space - Porchlight (Cambridge)	30	45	48	45	43	48	153%
Warming Space - Thresholds (Kitchener)	30	35	30	34	27	33	106%
Warming Space – The Working Centre (SJK)	100	90	81	81	81	102	87%

Emergency Shelter Winter Overflow Provider	Capacity	Feb- 15	Feb- 16	Feb- 17	Feb- 18	Feb- 19	5-day Av (%)
Cambridge Shelter Corporation– ES Winter Overflow	12	10	10	10	10	10	83%
YWCA Cambridge- ES Winter Overflow	5	5	5	5	5	5	100%



ES PROGRAM OCCUPANCY/CAPACITY REPORT

Region of Waterloo

KEY INSIGHTS

Key Notes:

- **Warming Center Note:** Please note that for some warming spaces, in addition to the occupancy figures shown in this report, there were instances where individuals were turned away from the warming center due to capacity constraints. As a result, the reported occupancy numbers may underestimate actual demand and the level of capacity pressure experienced during this period.

High Demand Locations:

Several shelters remained at or over full capacity, indicating continued system pressure:

- **ES-SHIP 84 Frederick** increased to **124% (+6%)**, now the highest-pressure site this week.
- **SHIP Edith MacIntosh** remained significantly over capacity at **118% (-5%)**, though slightly lower than last week.
- **YWCA Cambridge** returned to **100%**, reflecting continued strong winter demand.
- **House of Friendship ShelterCare** held steady at **98%**, maintaining near-full utilization.
- **Erb's Rd** increased slightly to **96% (+1%)**, continuing its steady upward trend.
- **University Avenue TH (UA)** rose to **95% (+2%)**, showing gradual growth in occupancy.

Available Capacity:

A number of shelters continued to operate under full capacity, offering space for referrals:

- **Cambridge Shelter Corporation** increased to **89% (+2%)**, but remains below peak levels seen earlier this winter.
- **oneRoof** declined sharply to **53% (-16%)**, marking the largest week-over-week drop across all providers.
- **SafeHaven 2.0** remained stable at **50%**, consistent with its long-term trend.
- **TH-SHIP 84 Frederick** held at **50%**, reflecting stable transitional housing utilization.
- **BridgeCare** declined slightly to **45% (-3%)**, remaining among the lower-utilization sites.

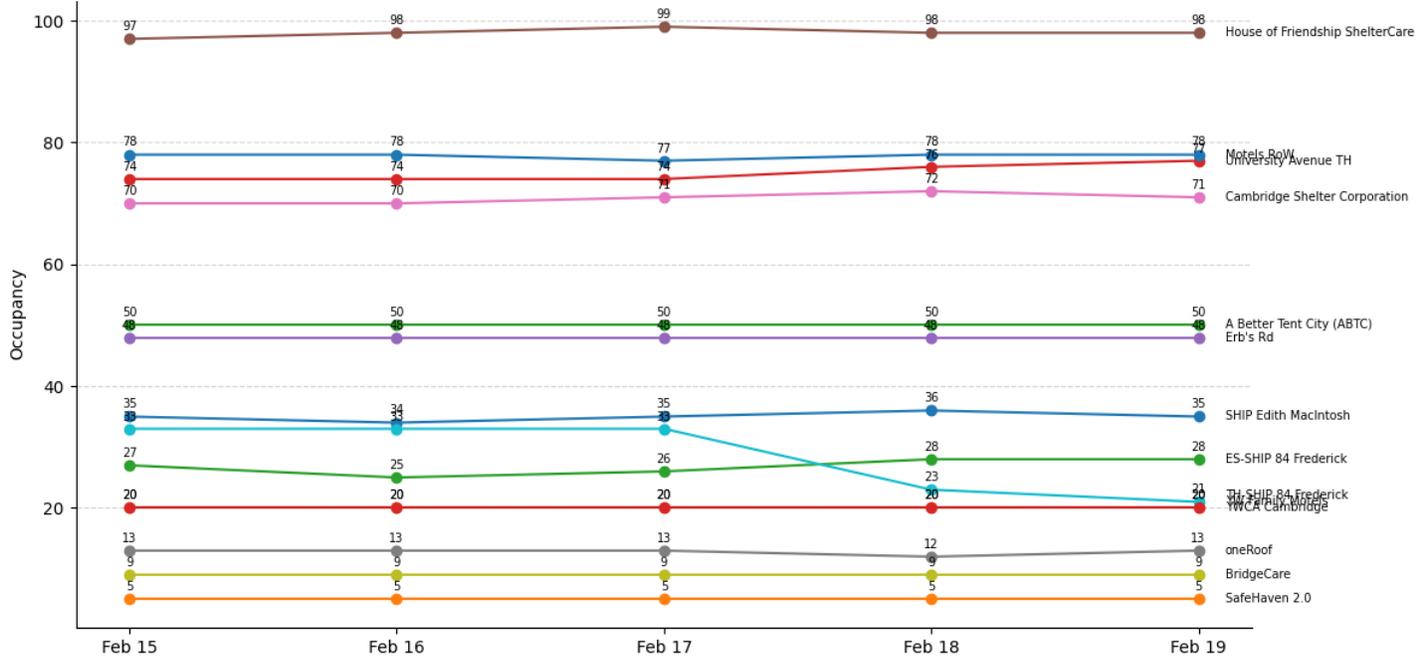
Trend Insights:

- The most notable change this week is the continued increase at ES-SHIP 84 Frederick, now operating well above capacity.
- MacIntosh remains consistently over capacity, reinforcing ongoing demand pressure in the system's highest-acuity sites.
- oneRoof's significant drop (-16%) stands out and may warrant monitoring to determine whether this reflects short-term turnover or a broader utilization shift.
- Overall, most core shelters (ShelterCare, Erb's Rd, UA, YWCA) show stable but elevated occupancy, suggesting sustained winter demand conditions across the system.



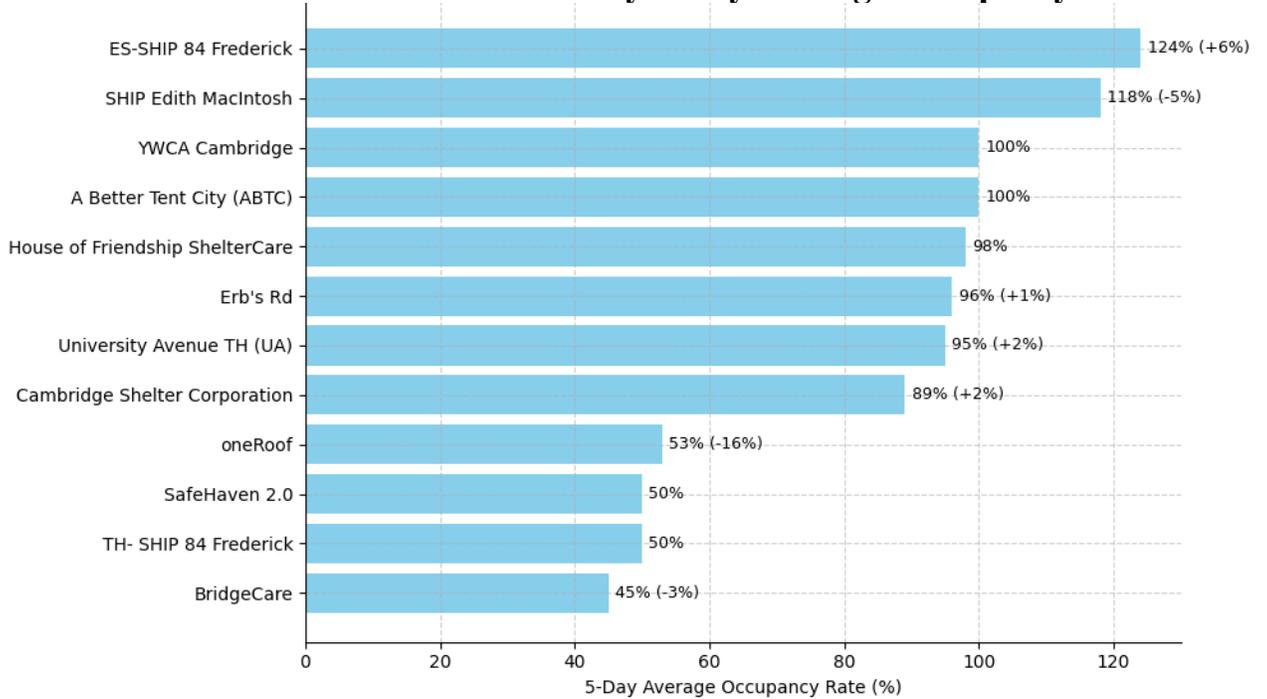
ES PROGRAM OCCUPANCY/CAPACITY REPORT

Daily Occupancy Trend by Service Provider



*The chart above helps visualize how each provider's occupancy count changed day by day over the past week

Service Providers Ranked by 5-Day Average Occupancy



*The bar chart above ranking service providers by their 5-day average occupancy rate (%), along with changes from the previous week

THE REGIONAL MUNICIPALITY OF WATERLOO
Applicant

-and- PERSONS UNKNOWN AND TO BE ASCERTAINED
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SUPERIOR COURT OF JUSTICE**

PROCEEDING COMMENCED AT
WATERLOO REGION

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