

**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 XANDER HARKER

I, Xander Harker, 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 27 year old male.
3. I receive ODSP benefits. I do not receive shelter allowance.
4. I suffer from multiple mental health disabilities.
5. I have a long history of substance use disorder. I use many kinds of drugs and alcohol.
6. I have worked in several trades throughout my career. Most notably, I worked at Toyota for three years, and have also worked in retail, shipping and receiving, and loading trucks.
7. I previously lived at the York Apartments in Kitchener, Ontario, but the rent became too expensive for me and my partner. Unfortunately I got into a dispute with my partner and the police became involved. I was arrested and went to jail for several weeks.

8. After being released from jail I was not allowed to return to my home, and began living on the streets.
9. I have been homeless for three years. *this time around. I was also homeless in my teens.*
10. I have stayed in many shelters including Bridges, One Roof, and SHIP, and slept on the streets. *ERA*
11. I found it difficult to remain at these shelters due to some of the rules. I was not allowed to stay at the shelter during the day, and had nowhere else to go. After some time my bed was given away.
12. I stayed at an encampment in Galt (Cambridge, Ontario) with four other people for approximately one year.
13. By-law officers came and evicted us from the site in 2024. They promised to assist us with the move but did not. On the eviction date, they began to throw all of our belongings away.
14. I lost my tools, a valuable jacket, and many of my other belongings.
15. I made a suicide attempt due to the stress I experienced from the eviction.
16. I prefer not to stay in a shelter due to the restrictions and lack of freedom. Some shelter staff have thrown away my belongings in the past, which caused me a lot of stress. *There was also a lot of theft sometimes by the workers too.* *ERA*
17. I feel safer living on the streets.
18. If the 100 Victoria Encampment site was no longer available, it would be mentally distressing and impossible for me to obtain housing in the private rental market, I would not be able to afford rent.
19. The Encampment provides safety and is a place where I can store some of my belongings. Storage is the biggest obstacle when being homeless. I need a place to store my food and essentials.

- 20. I was unable to store my belongings while I stayed at a shelter. They provided me one bin, which is not enough to store ~~of~~ ^{my} all of belongings. *[Signature]*
- 21. Some people fill their cars just for a weekend camping trip, yet they do not understand that my bag contains everything that I own, and I have to carry it with me everywhere I go.
- 22. I have been assaulted while experiencing homelessness. I was assaulted three weeks ago and lost four of my front teeth.
- 23. I have not stayed in a motel since experiencing homelessness, but I would if it were offered. I do not have any transportation. A motel or any housing option would need to be close to food and other support services so I could access those supports.
- 24. I was approached twice by Region staff to talk about housing. They did not mention any offers of a motel. I am open to talking to them, but I never heard anything further.
- 25. I rely on donations and food drop-offs made to the 100 Victoria Street encampment as well as the Community Fridge, St. Johns Kitchen and Ray of Hope. It is very difficult for me to find food and water at nighttime. People from the community come regularly to drop off food and water at the encampment, and this is very helpful.

26. I feel that the presence of security, police and dumpsters is excessive and uncalled for.

I have had a phone but it has been stolen many times.

AFFIRMED BEFORE ME in the)
 City of Kitchener, this 15th day of)
 October, 2025)
 In the Regional Municipality of Waterloo)

[Signature]

[Signature]

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

I also rely on the outreach services from CMHA and SOS workers.

[Signature]