

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

B E T W E E N:

*(Court Seal)*

THE NEIGHBOURHOOD GROUP COMMUNITY SERVICES, JEAN-PIERRE AUBRY  
FORGUES and KATHARINE RESENDES

Applicants

and

HIS MAJESTY THE KING IN RIGHT OF ONTARIO

Respondent

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

**AFFIDAVIT OF SCOTT HUNTER**

I, Scott Hunter, of the City of Kitchener, in the Province of Ontario, MAKE OATH AND  
SAY:

1. I am a long time resident of downtown Kitchener. I also own a business in downtown Kitchener that is located 240 meters from the Consumption and Treatment Site (“CTS”) that is operated by Sanguen Health Centre and located at 150 Duke Street West, Kitchener.

2. As such I have knowledge of the matters contained in this affidavit. Where I do not have direct knowledge of a matter, I have stated the source of my information and belief and verily believe that information to be true.

**A. My Neighborhood before the CTS Opened**

3. I have lived in downtown Kitchener for thirty years. My house is located 1.2 kilometers from the CTS.

4. I own a long running retail business called KW Bookstore that operates at 308 King Street West in downtown Kitchener. My store sells used books and other items and paraphernalia related to music, books and media. The store has been operating for 50 years. I have worked there for 33 years and been the owner for 14 years. Other than myself, there are two other staff members.

5. I regularly walk to work and I pass the CTS daily. The CTS is located 240 meters from my business.

6. Starting in and around the mid-90s I began to notice more people using drugs and people experiencing homelessness in downtown Kitchener. In the early 2010s needles and other drug paraphernalia became much more noticeable and visible in my community. I would come across needles, and occasionally bunches of tinfoil and needle caps in parks downtown while walking my dog. When I would cut through alleys to get to work, there were always needles littered throughout. There is an alley right behind my bookstore and there were often needles in that alley.

7. I used to take smoke breaks in the alley behind my store and I would occasionally see people slumped over, nodding out or wandering the alley. This alley was a common place for people to use drugs before the CTS opened.

8. I had issues with people using the washroom in my store to use drugs. I would occasionally find blood in the washroom and needles in the garbage can. There were times where I had to knock on the door and use the key to get people that had been using drugs in the washroom to leave. I

tried to give everyone the benefit of the doubt and wanted to allow the public to use the washroom but this was becoming frequent and becoming a problem.

**B. The CTS at 150 Duke Street**

9. Within a few months of the CTS operating I noticed a fairly quick drop off in terms of people that use drugs wandering it my store and an almost immediate drop in people using and passing out in my washroom.

10. I started to notice that less and less people were wandering around in the downtown and less people were hanging around in the alley behind my store. I also stopped seeing needles and drug paraphernalia on my walk to work, in the alley behind the store and in our community parks. This was a noticeable and positive change.

11. As a local business owner I was recently interviewed by our local newspaper The Record in which I indicated my support for the continuing operation of the CTS. Attached hereto and marked as **Exhibit "A"** to my affidavit is a printout of the article dated January 30, 2025 and titled "Data shows no increase in crime connected to the downtown Kitchener CTS".

**C. Conclusion**

12. The CTS has been positive for businesses in the downtown generally and I have noticed a visible difference in that I no longer see needles in front of my store and I am not coming across paraphernalia littered around my store and community like I used to.

13. There are many families with young children that frequent my store and access our services. Post-covid one of the largest growth factors for my business has been that more families

are regularly frequenting my store. Because many families walk downtown to access local businesses, I worry that if the CTS closes these families will be exposed to more needles and drug paraphernalia on their walks and may be less inclined to walk downtown with their children. This will impact my business.

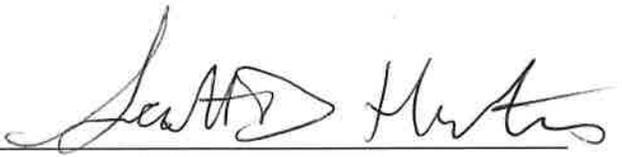
14. I also worry that if the CTS closes, I will go back to issues I used to have with more people wandering into my store and trying to use drugs in the washroom. I worry about my staff and having to train them to deal with drug poisonings and drug overdoses if this were to happen, and the impact this could have on my customers.

15. I hope the CTS can remain open I think it has been beneficial to my neighbourhood, my business and other businesses in the downtown core.

16. I affirm this affidavit in support of the Applicant's application and for no further or other purpose.

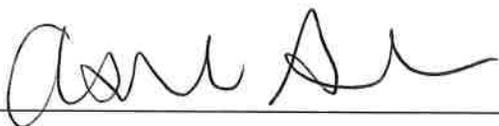
**AFFIRMED BEFORE ME** in the City of Kitchener, this 6 day of February, 2025, in the Regional Municipality of Waterloo.

  
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Commissioner for Taking Affidavits

  
\_\_\_\_\_  
**SCOTT HUNTER**

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

THIS IS **EXHIBIT "A"** REFERRED TO  
IN THE AFFIDAVIT OF SCOTT HUNTER  
AFFIRMED THIS 6<sup>TH</sup> DAY OF FEBRUARY, 2025



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

[https://www.therecord.com/news/waterloo-region/data-shows-no-increase-in-crime-connected-to-the-downtown-kitchener-cts/article\\_dbaa98d6-0dd0-5132-aea0-c4fe0a268927.html](https://www.therecord.com/news/waterloo-region/data-shows-no-increase-in-crime-connected-to-the-downtown-kitchener-cts/article_dbaa98d6-0dd0-5132-aea0-c4fe0a268927.html)

**WATERLOO REGION**

# Data shows no increase in crime connected to the downtown Kitchener CTS

Local businesses and politicians expect working conditions to get worse as the Kitchener CTS is set to close.

Updated Jan. 30, 2025 at 8:51 a.m. | Jan. 30, 2025  



A report from the Region of Waterloo states crime statistics provided by the Waterloo Regional Police Service demonstrate the presence of the CTS has not been connected to an increase in crime in the area.

Brent Davis Waterloo Region Record file photo

**By Joe McGinty Reporter**

While facing a Charter challenge for its decision to close safe consumption sites, the province has been searching for evidence these locations create a dangerous environment for those around them.

The province recently confirmed it hired private investigators to find correlations and evidence of increased risks around CTS sites.

In November 2024, the province announced 19 CTS sites located within 200 metres of any schools, including the one in downtown Kitchener, would be closed.

While businesses in downtown Kitchener face daily challenges surrounding safety and crime, some say the CTS is not to blame and things will only get worse once it closes.

“I thought the consumption site was a brilliant idea,” said Scott Hunter, owner of the KW Bookstore on King Street.

Having been in the downtown core for the past 32 years, Hunter has experienced people passing out in his bathrooms and using drugs in his entryway and has had people walk in off the street and cause trouble — but when the CTS site was introduced in 2019, some of these issues started to go away.

“As an ex-smoker, having smoked in alleyways and stumbled over needles and falling into all kinds of things, I thought it was cleaner than I had seen in like a decade,” he said.

With the CTS as a place where individuals could go and exchange needles, be monitored while consuming drugs and get off the streets, people like Hunter who live and work downtown saw the site as a positive service.

Rob Deutschmann, the recently resigned regional councillor and current Ontario Liberal candidate for Cambridge, calls the provincial claim of increased crime “a complete fabrication.”

“If the province had the data that they claim they had about CTS and made the decision to close them, why are they sending private investigators now? It’s because they don’t have that data, so they’re using private investigators to try and back up their position, which is a weak and untenable position,” he said.

A report from the Region of Waterloo states crime statistics provided by the Waterloo Regional Police Service demonstrate the presence of the CTS has not been connected to an increase in crime in the area.

## Trouble falls in core

Calls for police service have mostly declined for selected occurrences in downtown Kitchener.

	2019	2024
Disturbance	221	133
Intoxicated person	96	18
Assault	90	87
Property damage	69	94
Threats	49	38
Drugs	40	29

*Compares calls for part of 2024 to the same period in 2019 (Jan. 1-July 31) in central patrol zone 1.*

Chart: Jeff O'Neil, Source: WRPS, [Get the data](#), Created with [Datawrapper](#)

“While almost half of the respondents in the community perspective survey felt criminal activity has increased since the opening of the CTS, the data from WRPS illustrates that no increase was seen or connected to the CTS,” the report reads.

Data pulled from a police crime map shows calls around the CTS site for assaults, disturbances, threats and robberies are down from Jan. 1 to July 31, 2024, when compared to the same period in 2019, before the site was opened.

The WRPS’ data does show increases in calls for property damage and break-and-enters in downtown Kitchener, but they are not tied to the CTS site.

Kitchener Mayor Berry Vrbanovic said the city’s experience with the CTS was positive and those around the site rarely had issues.

“The region, who’s responsible for the CTS site, did their homework, particularly as it related to the two daycares that are within close proximity of that site,” he said.

“That location specifically has not been a concern.”

While Vrbanovic doesn’t see a correlation between complaints from downtown residents and the CTS, he adds that the safety issues are still “real concerns.”

Last week, the Downtown Kitchener BIA held a meeting with around 60 business owners and employees, giving them a chance to talk about the issues they face working downtown.

David Marskell, chief executive officer of TheMuseum, shared with the group that his staff have been physically and verbally assaulted and they constantly find people using drugs near their front entrance.

“It’s a mental health issue for many,” he said, as he read from a prepared statement.

In an email after the meeting, Marskell added that each person who spoke echoed the previous person's urgency, despair and frustration with the challenges they all face.

"Despite these challenges, there are a lot of positives about the downtown core and currently there has been no serious crime," he wrote.

"I live and work downtown and see the vibrancy even on a Sunday evening, but we need to build on that by working together to find a solution."

As the CTS site nears its closure date of March 31, Deutschmann adds that what businesses are seeing now will only get worse once people have nowhere to go.

"They're (downtown businesses) all going to have to get naloxone kits, because now they're going to be resuscitating people that are going to be ODing in their entryways. So, how is that a better situation? It's going to be worse," he said.

Vrbanovic said he doesn't want to speculate on what could happen when the CTS closes, but adds the newly announced Homelessness, Addiction, Recovery and Treatment (HART) hub will hopefully fill in the gaps left by the CTS.

"That HART Hub will, in fact, start providing some of the much needed services that are going to be critical to get people on a healthier path going forward in terms of mental health and addictions," he said.

Hunter adds that police should increase their patrols in the downtown core to help mitigate safety risks and any fallout from the site's closure.

"It's our community, the police station's three blocks away, like, there should be a presence downtown and I don't think it would be a wasted presence," he said.

Marskell echoes the call for more patrols in his letter, calling for police to make more arrests and social services to continue helping the vulnerable.

"There needs to be a cohesive approach that includes senior representation from all levels of government, both elected and staff, the WRPS, plus all social services, agencies and hospitals," Marskell wrote.



*Joe McGinty is a reporter with the Waterloo Region Record.*

## Related Stories

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## Downtown Kitchener businesses grapple with homelessness crisis

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## Kitchener, Guelph CTS sites to close under new provincial government rule

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COMMUNITY SERVICES et al.

Applicants

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HIS MAJESTY THE KING IN RIGHT  
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Respondent

Court File No. CV-24-00732861-0000

***ONTARIO***

SUPERIOR COURT OF JUSTICE

Proceeding commenced at TORONTO

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