Waterloo Region
Community Legal Services

Kitchener – Main Office
450 Frederick Street, Unit 101
Kitchener, Ontario N2K 2P5

Phone: 519-743-0254
Fax: 519-743-1588

MEDIA RELEASE

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FOR IMMEDIATE RELEASE

The Waterloo Region has 2,371 people experiencing homelessness and only 356 emergency shelter beds. Where are people supposed to go?

On May 21, 2026, the Ontario Superior Court of Justice released a decision regarding the 100 Victoria Street encampment case, formally known as the *Regional Municipality of Waterloo v. Persons Unknown and to be Ascertained*.

The case concerned the Region of Waterloo's site-specific by-law, enacted in April 2025, which sought to clear the encampment located in Kitchener by December 1, 2025.

The Ontario Superior Court of Justice found that the by-law violated sections 7 (life, liberty, and security of the person) and 15 (equality rights) of the Canadian Charter of Rights and Freedoms. The Court further held that these violations could not be justified under section 1 of the Charter. As a result, the by-law was declared to be of no force or effect, meaning the Region cannot not use the by-law to clear the encampment.

The decision was grounded in the reality of homelessness in Waterloo Region, where there are 2,371 people were experiencing homelessness and only 356 emergency shelter beds available. A central issue in the case was that the encampment is the only place in Waterloo Region where it is not illegal for people experiencing homeless to set up a tent or structure.

The Court ordered that the Region of Waterloo may seek further direction from the Court regarding its plans to clear the site, but in order to do so it must implement a safe tenting protocol, provide an alternative encampment site reasonably proximate to the 100 Victoria Street location, or both.

As the community considers the implications of this decision, Waterloo Region Community Legal Services has prepared a resource to address common misconceptions about the ruling and its impact. The *Myths and Facts About the Encampment Case* document enclosed responds to five common misconceptions that have emerged following the decision.

Additional information about the case can be found on the WRCLS website at www.wrcls.ca/3878-2.

For further information regarding this media release, please contact Ashley Schuitema, Executive Director, at 519-743-0254, ext. 17.