

Court of Appeal File No: C65861 (M49615)
Superior Court File Nos: CV-18-00603797-0000
CV-18-00602494-0000
CV-18-00603633-0000

COURT OF APPEAL FOR ONTARIO

BETWEEN:

CITY OF TORONTO

Applicant
(Respondent in appeal – Responding Party)

and

ATTORNEY GENERAL OF ONTARIO

Respondent
(Appellant – Moving Party)

AND BETWEEN:

ROCCO ACHAMPONG

Applicant
(Respondent in appeal – Responding Party)

and

**ONTARIO (HON. DOUG FORD, PREMIER OF ONTARIO), ONTARIO
(ATTORNEY GENERAL)**

Respondents
(Appellants – Moving Parties)

and

CITY OF TORONTO

Respondent
(Respondent in appeal – Responding Party)

(Title of Proceedings Continued on p. 2)

**SUPPLEMENTARY MOTION RECORD OF THE MOVING PARTY,
THE ATTORNEY GENERAL OF ONTARIO
(STAY PENDING APPEAL)**

AND BETWEEN:

**CHRIS MOISE, ISH ADERONMU, and PRABHA KHOSLA, on her own
behalf and on behalf of all members of Women Win TO**

Applicants
(Respondents in appeal – Responding Parties)

and

ATTORNEY GENERAL OF ONTARIO

Respondent
(Appellant – Moving Party)

and

**JENNIFER HOLLET, LILY CHENG, SUSAN DEXTER, GEOFFREY KETTEL AND
DYANOOSH YOUSSEFI**

Interveners
(Respondents in appeal – Responding Parties)

**SUPPLEMENTARY MOTION RECORD OF THE MOVING PARTY,
THE ATTORNEY GENERAL OF ONTARIO
(STAY PENDING APPEAL)**

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Court of Appeal File No: C65861 (M49615)
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(Title of Proceedings Continued on p. 2)

AFFIDAVIT OF ADAM KANJI, SWORN SEPTEMBER 14, 2018

AND BETWEEN:

**CHRIS MOISE, ISH ADERONMU, and PRABHA KHOSLA, on her own
behalf and on behalf of all members of Women Win TO**

Applicants
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DYANOOSH YOUSSEFI**

Interveners
(Respondents in appeal – Responding Parties)

AFFIDAVIT OF ADAM KANJI, SWORN SEPTEMBER 14, 2018

I, ADAM KANJI, of the City of Brampton in the Province of Ontario MAKE OATH AND SAY:

1. I am a Student-at-Law with the Constitutional Law Branch of the Ontario Ministry of the Attorney General. I have been in this position since August 7, 2018. The information set out in this affidavit was obtained by accessing publicly available sources of information, primarily from the City of Toronto website, and by viewing online the public portions of the City Council meeting held on September 13, 2018. As such, I have knowledge of the matters set out in this affidavit. To the extent that my knowledge is based on information and belief, I state the source of the information and believe it to be true.

A. The City Clerk and Deputy City Clerk Address City Council on September 13, 2018

2. On September 13, 2018, Toronto City Council held a special meeting (the “September 13 Council Meeting”).


3. On the evening of September 13, 2018, I viewed the online footage of the September 13 Council Meeting and transcribed questions posted to the City Clerk, Ulli S. Watkiss, and the Deputy City Clerk, Fiona Murray, and the answers they gave. On September 14, 2018 I reviewed the online footage of the September 13 Council Meeting to verify the accuracy of the transcript I had prepared on September 13. Attached as **Exhibit “A”** is a copy the transcript of the September 13 Council Meeting that I prepared.

B. City Council Passes Motion Relating to Bill 5 and Bill 31

4. During the September 13 Council Meeting, various Councillors tabled motions.

5. On the evening of September 13, 2018, I accessed the City of Toronto’s website and downloaded a copy of the motion adopted by City Council at the September 13 Council Meeting. Attached as **Exhibit “B”** is a copy of the same.

SWORN BEFORE ME in the City of Toronto
in the Province of Ontario, This 14th Day of
September, 2018


.....
Commissioner for the Taking of Affidavits
Rochelle S. Fox
LSO # 40836V


.....
ADAM KANJI

Exhibit A

Exhibit "A"
to the affidavit of **Adam Kanji**
sworn before me this 14th day
of **September, 2018**



A Commissioner, etc.

Rochelle S Fox
LSO# 40836V

Sep 13, 2018 – Special City Council Meeting Transcript

Video 1 of 2 – Various questions and answers provided by City Clerk – Ulli Watkiss ("UW"); Deputy City Clerk – Fiona Murray ("FM"); City Solicitor ("CS")

Time	Speaker	
1:40:40	Councillor Davis	If the stay is granted prior to bill 31 being approved, then how does that affect the current 200 people who were wanting to be or were registering for the previous 47 model?
	CS	If the stay is granted it will be as though the decision had not been made yet and we will be back to the bill 5 regime.
	Councillor Davis	So the nomination date will pass on Friday, September 14, so does that mean candidates...well...the difficulty is if that decision is after the September 14 date, what will happen to those people who are seeking re-election and haven't registered yet?
	CS	There will have been a loss of 5 days of the nomination period and that is something the province has attempted to address through bill 31.
	Councillor Davis	But Bill 5 would be in effect if the stay is granted?
	CS	That is correct.
	Councillor Davis	So how would the rights of those candidates who lost days to register, how will they be dealt with?
	CS	That is certainly a problem that arises from the way this is playing out.
	Councillor Davis	There has been commentary about whether or not there is other options to pursue in relation to bill 31. I guess you can't explain your advice, but there are processes that can unfold for instance the parties can challenge the legality of Bill 31, is that correct?
	CS	Yes, that avenue is open to individuals and potentially parties from the bill 5 proceedings.
	Councillor Davis	And that includes the question of the use of the notwithstanding clause and the method by which that was introduced and its application retroactively to a previous bill. Is that true that those would be options available to the party?
	CS	There is very little case law on the notwithstanding clause but certainly the legality can be challenged by anyone through an application to the courts.
1:44:10	Councillor Davis	I asked a series of questions, Ms Watkiss, about a scenario whereby a stay might be granted by the courts prior to bill 31 achieving, if it does, royal

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		assent. And, in that case, we would revert back, I understand from the city solicitor, to a 25 ward model and the date for registration of September 14 – will you allow those applicants or candidates who have not yet registered and were waiting for a decision, will you allow them to register this week?
	UW	That is, I believe, a legal question. Once the stay comes into effect, you are correct councillor that we are back in a 25 ward model. However, I don't know what is permissible if the date in the regulation under the bill talks about September 14 or whatever it was. That simply is not possible for me to change. So, legal will have to give advice on that. I can't.
	Councillor Davis	What authority do you have to determine whether or not an election, a successful election, can be held?
	UW	I am frankly at that point Councillor. Every hour that goes by, every day that goes by, creates greater uncertainty and raises in me a huge concern over the proper conduct of this election. I have to let council know that.
	Councillor Davis	(inaudible)
	UW	I am not yet at that point, but I will also tell council that I have retained independent counsel and I will be discussing various remedies with that lawyer.
1:47:10	Councillor Troisi	I know many councillors are frustrated with this process and feel like the government of Ontario wants to run things here. What would happen if in response all members of council, including the mayor, resign in protest? Who would be in charge?
	UW	That's a legal question.
	CS	The province would have to step in in some way. The municipality is a creature of the province.
	Councillor Troisi	If there was an example of an emergency, like the one that happened at 650 Parliament street, what protocols would have to be followed?
	CS	We would have to, in that instance, look at our emergency bylaw and look at who was available to step in. The bylaws are still the bylaws.
1:48:49	Councillor Mihevc	The issue of advanced voting, first to the clerk, many of us have folks who basically leave or will not be available on October 22 and they are starting to be concerned about their ability to vote. Recognizing that you are in a pickle and you deserve all the support you need to weather this

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		particular time, can you give us some indication of how you hope to manage that?
	UW	Bill 31 is now containing a provision, if it's passed, that would give to the clerk the discretion not to hold an advanced vote. I believe that would result in an election that is not fair, that does not meet the principles of the Act, that does not meet any integrity of process because campaign workers, our workers, all sorts of people have all kinds of circumstances in which they would need to be available on a date other than October 22 because they simply couldn't attend the election on October 22, I believe that I must provide an opportunity for advanced vote.
	Councillor Mihevc	So the date is subject to, between now and then, things somewhat settling down but your best attempt will be to have advanced?
	UW	I will do my utmost, as will my staff, to ensure there is an opportunity for an advanced vote in some capacity prior October 22 because I believe the principles of the legislation will not be met otherwise.
1:54:00	Councillor Pasternak	My notes indicate that voters list will be available to all candidates on September 17, is that correct?
	UW	Under the 47 ward model, that is correct.
	Councillor Pasternak	And these lists are ready to be distributed and are available in hardcopy and electronic format?
	UW	Yes they are.
	Councillor Pasternak	So come the 17 th of September, your office will be distributing those lists even though this creeps through the court system?
	UW	Yes, that is the uncertainty and difficulty I have been talking about.
	Councillor Pasternak	So should we hit a legal roadblock and at the end of the day we have an election with 25 wards, would you then produce a second set of voter lists?
	UW	That is also correct councillor.
	Councillor Pasternak	My notes also indicate that voter cards are supposed to go out September 17?
	UW	That is correct.
	Councillor Pasternak	And have those voter cards been printed and are ready to go out?
	UW	Yes they are.
	Councillor Pasternak	Are those based on 47 ward election or 25 seat election?
	UW	Both.

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	Councillor Pasternak	So that is a universal voter card?
	UW	No, that is actually two sets of cards.
	Councillor Pasternak	The card will give two options?
	UW	Yes, councillor your point that I am going to talk about is the uncertainty that this creates for this election.
	Councillor Pasternak	So, the cards will go out on the 17 th , and it will be up to the individual electors to decipher?
	UW	Well, its becoming very difficult to expect that voters and candidates can operate under these scenarios.
	Councillor Pasternak	So polling stations would change fairly dramatically if we go back and forth, people don't know where they are supposed to go. Is that de facto voter suppression? Or through circumstance?
	UW	Actually they wouldn't have to change that much because we have done magic with geography and computers.
	Councillor Pasternak	The advanced poll period has already shrunk...
	UW	Yes, I had to reduce the advance vote period.
	Councillor Pasternak	So, in your opinion, based on your earlier comments, the elimination of advanced polls is actually circumventing voters rights, the shrinking of them could also, based on same logic, could be... ?
	UW	Yes, madam speaker I have already expressed my concern with the lack of advanced votes of any sort and I have equal problems with reducing them any further given my experience with elections and the number of voters in Toronto.
	Councillor Pasternak	Final question, spending limits. We were given an initial spending limit based on 47 wards, another spending limit based on 25 wards – is another letter going out based on 47 wards? Are we going to get final spending limits?
	UW	That is what we are working through now. Yes, if we continue with a 47 ward model, we will absolutely send out those limits.
	Councillor Pasternak	Because there is an interim limit, and a final limit.
	UW	Yes and it is totally confusing councillor and madam speaker I would agree.
1:58:20	Councillor Shen	On Tuesday, if there was a stay granted, what would the scenario be? Because we are hearing

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		the new legislation may not be passed until end of September or October 1, if a stay is granted Tuesday does it mean the clerk would certify the candidates who were already nominated on Wednesday or Thursday? How does the time ... what would happen on Wednesday? Would that be certification of all the candidates who had already registered?
	UW	My staff are working through contingency plans yet again as we speak, so I would have to see what they come up with for that scenario.
	Councillor Shen	There is another date that is important too, the September 27 th date for signs. Have we had had situations before which nominations open, in case we go with a 47 model and candidates put their signs out on the 27 th based on this model, what would happen on October 1?
	UW	I continue to return to the principles of the legislation which require fairness, which require integrity of the process, which require accessibility and I have already expressed my concern around those and our ability to deal with those.
	Councillor Shen	So, is there a plan being developed around these things and what each of these scenarios would look like so candidates know?
	UW	We are working through our plans as best as we can.
	Councillor Shen	I also ask this question for clarification for the public to see what kind of confusion are there so if somebody is in a ward that is only half of their current ward in a 47 model they would be putting up signs in twice their area with different numbers if the legislation passes.
	UW	Councillor I go back to the principles of the legislation and express my concern with being able to carry those out.
2:00:58	Councillor Holland	I was wondering, you mentioned that you sought out independent counsel for legal advice in terms of the ability to hold a fair and democratic election. I remember when we were asking questions originally and you mentioned this, and given the list you provided to council which seemed almost insurmountable for you to move forward and implement all that, and now with it going back and forth I'm wondering what is your feeling on that or

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		what is the advice you are seeking from counsel if you can say that?
	UW	We have hit a tipping point and both scenarios are becoming virtually impossible for us to carry out.
	Councillor Holland	I remember we were discussing that during the first time we were in the chamber discussing this issue and you had mentioned that if you found it impossible to deliver a fair and democratic election, what could you do?
	UW	That is a question I will ask of the counsel I retained.
	Councillor Holland	What is a possible outcome if you are seeking advice and your feeling is that it won't be a fair and democratic election, is there a possibility you can push the election date back? Or is this...
	UW	That is precisely the question I will discuss with my counsel.
2:03:07	Councillor McMahon	So, we heard about the advanced poll, and I just wanted to talk about the proxy votes that people don't often think about or talk about, but we are very concerned about engaging our youth, everyone but especially our youth, in the political process and many of them have gone away to travel or to college or university and so the proxy vote forms were not available before they went away. If you can take us through the process of when these forms will be available and at this point we will have to mail them to our youth, they have to sign them, we have to somehow get them back here, mail them back, I don't know if we can scan them, if you could take us through that process?
	UW	Councillor I believe it is the 17 th we are required to issue proxies as well. This is getting to be very concerning to us because people no longer have candidate lists that are entirely reliable under whatever the circumstance of the day is. And we have equal concerns about, that is why we initially received a request from council to hold advanced votes over the thanksgiving weekend which is no longer possible.
	Councillor McMahon	So that's a problem. And then, for students who, for example, my daughter is at University of British Columbia and she is not coming home for thanksgiving, and many students aren't coming home, so that wouldn't have helped them. Can we send out proxy forms on the 17 th , we're not?

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	UW	That is again something we are addressing in the latest contingency plan.
	Councillor McMahon	Can you explain other difficulties you are having in this process? I know Canada post is having an impending strike.
	UW	Well, we have thought we had that fixed but we don't. Yes, there is the potential for a Canada post strike which will further create issues with voter identification cards and when that might reach people.
	Councillor McMahon	Are there any other difficulties? I think you were mentioning paper is that still, are there any other difficulties in addition to the ones you have listed already?
	UW	Again, councillor, we are addressing that in our contingency plan and we will deal with that as the need arises.
2:08:30	Councillor Wong-Tam	With respect to the <i>Access for Ontarians With Disabilities Act</i> , because you know I am the chair of the Toronto accessibility advisory committee, our committee was consulted quite broadly as well as advocates of those who advocate for accessible voting, accessible election planning, a lot of work was done leading up to this election, and the clerks may want to pay attention to this question as well. There was supposed to be a 9 day period around voter accommodation for those requiring accommodation around voting, how is that 9 day period affected for that community because we have now shrunk the period, we may have got rid of it all together, do we even have time to accommodate those 9 days outlined in the <i>Municipal Elections Act</i> ?
	FM	As the clerk said earlier, we had to reduce the advanced vote date given the circumstances we found our self in. Originally we planned on 9 days of advanced vote and now we have reduced it to 5 days of advance vote. The Clerk has discretion on number of days and times and locations. The Clerk is very committed to accessibility in elections and that is one of the key activities we put a lot of effort into. We still feel confident in a 5 day advanced vote period that we can meet accessibility requirements. We are also piloting a home vote system in this election for the first time. That was also supposed to be for 9 days pursuant to the advanced vote

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		schedule and will be reduced to 5 days, but we have doubled up our schedule and still feel confident we can serve the same number of electors in that time period.
	Councillor Wong-Tam	So there is confidence that the voters who are supposed to be served under the 9 day program for home voting by advanced voting, those living with disabilities...but is there still the same confidence in delivering fair and free elections for voters who don't need the home visiting program?
	FM	As clerk said earlier, we are reaching a tipping point in election planning and the uncertainty is becoming increasingly difficult and we are continuing to examine every contingency plan we have available to us in order to fulfill our statutory mandate.
2:12:35	Councillor Holyday	Obviously councillors are getting a lot of questions about ... I just wanted to get some clarity, you mentioned before that you have voter cards prepared. Can citizens still expect to get a voter card? I just want to get this to some really clear messages because I think there are a lot of questions about there from citizens, never mind what councillors have going on.
	FM	One of our contingency plans councillor given the uncertainty in the election is that we have moved forward to produce, print and distribute 2 sets of voter cards under both a 47 and 25 ward scenario. We have not yet posted those and our plan is to hope for some certainty over the next couple days, so that we know which voter information and we are to distribute to the public. We continue to monitor and will pull the trigger when we get some certainty. We have plans in place for both scenarios.
	Councillor Holyday	So either way citizens get a voter card it directs them to some voting place, I think I heard the clerk say they will generally be similar voting places, but citizen will follow what the card says just like it was in the last election, so that really hasn't changed. Is it fair to say how bill 5/bill 31, court challenges play out – the contents of the ballots will be different when they get to the voting place? And that really is the effect on the voter, the list on the ballot will be different.
	FM	Certainly under a 47 ward scenario we have one set of certified candidates and conceptually we will

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		have a different list of certified candidates under 25. So, yes, absolutely.
	Councillor Holyday	Are there any people prohibited from campaigning at this time?
	FM	We have been receiving that question from a number of candidates, members of the public and media. Our answer at this stage is that we are administering a 47 ward model pursuant to the Superior Court decision and the <i>Municipal Elections Act</i> requires only certified candidates technically should be campaigning at this time. Particularly if they are raising and spending money.
	Councillor Holyday	For anyone that is out campaigning, I understand it is the 47 ward model. Is there anything that prohibits them from campaigning in another area?
	FM	There is nothing in <i>Municipal Elections Act</i> that prevents candidates from campaigning in area other than where they are running.
2:16:48	Councillor Holyday	So candidates are still out there able to provide information to people. They can figure out whether they want to hedge their bets as to what the final composition will be, so voters are still getting information.
	FM	I understand voters are still receiving information and in fact when I got home very late last night I had three different pamphlets in my own mailbox and they were very neutralized in terms of what they were running in.
	Councillor Holyday	What are the risks out there for voters to be cognizant of? I hear they are still getting voter card, still going to a place to vote, candidates still knock on their door, it is possible some candidates won't be on final ballot because of outcomes of these cases – are there anything else to be cognizant of because of the changing dynamic?
	UW	At this point voters don't even know what ward they live in.
	Councillor Holyday	Why would they care other than to know what candidates there are if its just a number?
	UW	It's not just a number, and I think voters will care as there really is no certainty for them at this stage.
	Councillor Holyday	Can you explain a little better what the uncertainties are that voters should pay attention to over the next few days?
	UW	The uncertainty is that people don't know what ward they are in, they are following this debate and

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		getting different issues raised every single day about who is running, where they are running, where they are, where they vote, we are getting those phone calls – and frankly the uncertainty is making this very difficult.
2:18:28	Councillor Karygiannis	If we are in a scenario that we are in today that is in flux, and September 27 goes around and signs go up – there are no restrictions where we can campaign and distribute literature, would there be a restriction on signs and where they are placed?
	UW	That is a question for the sign bylaw people and we aren't sure we have that answer.
2:19:51	Councillor Shiner	If you are not a registered candidate under the 47, which I understand is where you had to register now to be a candidate, can you raise any money, can you spend any money, can you campaign, or can you do nothing until legislation comes in to permit new ward boundaries?
	UW	The scenario that we are and candidates are working under is 47 and those are the rules that apply.
	Councillor Shiner	If you are not registered in the 47 ward election, you cannot campaign, have a campaign office, spend money, put out brochures?
	UW	That is correct.
	Councillor Shiner	And you won't be a candidate until new legislation passes in the House in Queens Park and you register?
	UW	Well, or a stay is granted.
	Councillor Shiner	Ok, but otherwise you are not a candidate so those of us who didn't register in 47 ward, can't do anything now but sit at home?
	UW	That is correct.
	Councillor Shiner	So the Act, if you have registered in 47, you can continue to work under those, spend money, raise money, all those based on the limits in place at that time?
	UW	Yes.
	Councillor Shiner	This is a very confusing situation – what could the provincial government do so you don't have a nervous breakdown, what could they do to help alleviate the current situation and make it get better?
	UW	I'm not sure I can answer that question, the fact of the matter is we are in court on a stay application

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		and in the process of passing new legislation. So I have several uncertainties to deal with.
	Councillor Shiner	If the provincial government just passed the legislation, even if you challenge what they've done, that would now permit the 25 wards to go forward, candidates to go forward, registration to continue, you to send out cards, it would alleviate the situation?
	UW	I think it depends on what date that occurs on as we have both said – we are at a tipping point.
	Councillor Shiner	The faster it is passed, the better it is for candidates, the better it is for the public to know what ward boundaries are?
	UW	The faster we get certainty is the way I'd answer that. The better off we would be. The other issue is the legislation is one thing but we would need regulations to allow us to carry out process.
	Councillor Shiner	When do you get the regulations?
	UW	After the act is passed and given royal assent.
	Councillor Shiner	If they can pass 2 nd and 3 rd reading this week, it would be the best situation for you?
	UW	Certainty in one way shape or form is the best situation.
	Councillor Shiner	Would that provide some certainty?
	UW	Yes.
2:25:07	Councillor Filion	Have we reached the point where it would be in public interest to request a postponement of the election?
	UW	I can't answer that, I need to seek legal advice and have done so.
	Councillor Filion	If we thought that was in the public interest, presumably we would say something to that effect. I guess I will try to get you out of the box Ulli and perhaps Fiona can answer.
	FM	As the clerk and I said earlier, we are definitely reaching a tipping point and every day matters in our election planning, we are less than 5 weeks out from election day, we are seeking 3 rd party independent legal counsel and in terms of what next steps are in the public interest, I don't think we are at a point where we can comment on that.
	Councillor Filion	If you reach that conclusion, do you need anything from council or do you have the authority to make that declaration?

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	UW	This is not a matter for council, this is an issue I will address with my counsel.
2:27:10	Councillor Doucette	I have a question from one of my residents. Holly is watching this procedure, first she wants to know what ward she will end up in but I will deal with that one. She would like to know if there will be a report coming to this council, an audited report, that will detail additional expenses city is incurring with this debacle?
	UW	The MEA has a provision that states that when I certify the election costs council is required to pay those costs.
	Councillor Doucette	Sorry, I know we have to pay them and I know we have to take from reserve funds to pay them, but will a report come to this council chamber or one of our standing committees saying the audit of how much this has cost the city to run this election?
	UW	In the report that will come out after the election, we will address the issue of costs – yes, as we always have.
	Councillor Doucette	That will become a public document for everyone to see rather than those just sitting in this chamber?
	UW	Reports to council on the election will be public.
2:29:15	Councillor Karygiannis	We were told by the clerk we can campaign regardless of where we are registered... However, my question is on the 27 th we will be allowed to put up signs, the same question is right now we can campaign outside the 47 scenario, can we put up signs as if we are running in 25 ward? If not, what measures will you take to prevent that?
	Sign Bylaw Staff	You can place signs where you choose to as long as you meet the times and locations, guidelines on that. You are not restricted by your ward.
	Councillor Karygiannis	If we are running under 25 scenario, I take over certain boundary that I don't have right now. Regardless, I can put up signs in those areas that are not under my 47?
	Sign Bylaw Staff	That would be my understanding, again this is new and unique and I don't have precedent but that is my understanding.
	Councillor Karygiannis	If we are running under scenario 25, we are able to spend extra money, if at the end of the day we run under 47 but spend the extra money, are we still restricted under the 47 or are we...?
	UW	We are not certain we have an answer at this point but we are pursuing those answers.

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2:34:40	Councillor Fletcher	Earlier the clerk had mentioned there are some 200 people that were understanding that the bill 5 nomination date is September the 14 th , which is tomorrow. With the suspension of bill 5 there are nomination days removed from the public.
	CS	I will let the clerk answer that....perhaps we don't know if they all want to register.
2:35:36	Councillor Fletcher	Clerk, you sent a message out on Tuesday saying you are not taking registration, so would there be any use in attempting to register?
	FM	The clerk is not able to accept nominations at this time under the 25 ward model because technically it does not exist. We are administering under a 47 ward model pursuant to superior court decision.
	Councillor Fletcher	Can any of those 200 people attempt to register and be turned down? Because you are saying you have no idea if they want to, but if they show their interest in that and are turned back, do they have a right to attempt?
	CS	Certainly anyone can attempt anything.
2:36:50	Councillor Di Giorgio	You indicated that we have two sets of voting cards available to be sent out, when is the anticipated sending out date?
	FM	We are in the process of finalizing the voter info cards under 47 ward scenario and 25 ward scenario, we have not yet determined our induction date through Canada post for mailout as we are waiting if some certainty can come in the next few days – but our plan is certainty to induct by likely mid next week.
	Councillor Di Giorgio	The certainty, well there are 2 parts to it – the locations have already really been established and what I thought I heard the clerk say is regardless of whether it is a 47 or 25, the locations are basically the same, so the voter cards going out should establish the locations and there should not be much difference, is that correct?
	FM	We have been able to confirm voting places for election day that are fairly similar under 25 and 47 ward models with some minor adjustments. The challenge becomes the advance vote location which we include on the voter information cards so eligible electors are aware of dates and locations where they can utilize the advanced vote option.
	Councillor Di Giorgio	If we run on the assumption that there will be election on October 22, what really is important is

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		what appears on ballot. That is the uncertainty. The names that appear on the ballot on the election date or the advanced vote day. What happens if we can't establish what the ballots look like by the advance polling date? Can we do away with advance voting and just rely on an actual election?
	UW	I believe I have already addressed parts of this question, no it is not sufficient to meet principles of the legislation to simply have ballots at various places on election day. People need to know where to go vote, who their candidates are, I have principles that I must comply with, and we absolutely need to provide some level of advance vote. It simply is not possible, we have a number of requirements for ballot printing, it takes a large amount of time to print those ballots.
	Councillor Di Giorgio	If we are approaching a tipping point, what is that date?
	FM	We can't give you an actual date, we are continuing to work through various time scenarios and things are changing as you can appreciate day by day. We are pushing out the vendor and processes as much as possible.
2:41:22	Councillor Perks	On what date does the oath of office of existing council expire?
	UW	Midnight, November 30.
	Councillor Perks	In the event an election is unable to be conducted prior to that day, what happens?
	CS	There is a provision in the legislation that allows the province to step in, I'm not prepared to say more than that given it is a hypothetical and I hope a very unlikely one.
	Councillor Perks	By stepping in, there is nothing in law about how they step in? they could, for example, appoint Paul Christie or Michael Ford or some other period to run the City of Toronto in the interim?
	CS	The province would be entitled to appoint individuals to govern, yes.
2:43:23	Councillor Peruzza	Under the 25 ward scenario, the list you are using is the province's list?
	UW	You're talking about voter lists? Yes.
	Councillor Peruzza	Under the 25 ward scenario, the voting places are the voting places that the province used?
	UW	No.
	FM	The province has a very different electoral administration system, they are decentralized

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		across Ontario with a different staffing model. We certainly leverage the poll stations that they used in June but they are not all the same.
	Councillor Peruzza	Would they be like 80%, 90% the same?
	FM	Generally our poll lists are fairly comparable as there are only so many libraries, community centres, schools and churches that one has available to avail oneself of, but they are not all the same.
	Councillor Peruzza	In terms of the vote counting machines, are they ours or province's?
	FM	Our machines purchased 18 years ago.
	Councillor Peruzza	They are completely adaptable to either scenario very very quickly?
	FM	As part of our contingency planning between a 47 and 25 ward scenario, we have put contingencies in place to enable our tabulators to effect both scenarios in a fairly flexible manner.
	Councillor Peruzza	I heard you say that you are going to be holding an advanced vote or not?
	UW	I have indicated my intention and desire to hold an advanced vote, however I need certainty and I need it soon and I can only evaluate whether I will or I won't when I have that.
	Councillor Peruzza	But you did say no longer possible during the thanksgiving weekend to hold the advanced vote?
	FM	We already reduced advance vote from 9 to 5 days that does not include thanksgiving weekend any longer.
	Councillor Peruzza	Do you have the authority to shift the election date?
	UW	I will address that with my legal counsel however that raises a whole serious of difficulties and complexities that need to be sorted out, so it is not a simple matter.
	Councillor Peruzza	So are you going to ask, can I as city clerk just push the election day back a couple of weeks and everything else be damned? Or is the election date fixed into the legislation?
	UW	I can't answer that question
	Councillor Peruzza	In terms of the regulations, you said you require some regulations after the new act is passed in order for you to do what exactly?
	FM	When the province enacted bill 5, they enacted regulations that provided new dates through

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		regulations that were already passed in the <i>Municipal Elections Act</i> . We would need similar regulations under bill 31 to enable us to implement an election and still meet statutory processes.
	Councillor Peruzza	what does that mean exactly?
	FM	For example, the voter list for candidates due date was 2 weeks ago. A regulation made under Bill 31 would need to tell us what our new date was for voter lists, proxies, etc.
	Councillor Peruzza	Office signs on campaign offices, when can they legally go up?
	Sign Bylaw Staff	If there is an existing sign structure on the facility, they can go up now.
	Councillor Peruzza	What do you mean by existing sign structure?
	Sign Bylaw Staff	So, at a plaza, they have signs that may be vacant or have commercial operation using it at this time.
	Councillor Peruzza	Can you be a little clearer? I thought it was the 27 th .
	Sign Bylaw Staff	Election signs in the window of the office follow election sign time, the 25 days. The signs above the windows as headers can go up now.

Video 2/2 does not contain any comments from the City Clerk or her Deputy and, therefore, has not been transcribed.

Exhibit B

Exhibit "B"
to the affidavit of Adam Kanji
sworn before me this 14th day
of September, 2018



A Commissioner, etc.

Rochelle S. Fox
LSO # 40836V

Tracking Status

- City Council adopted this item on September 13, 2018 with amendments.

City Council consideration on September 13, 2018

CC47.1	ACTION	Amended		Ward:All
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Discussion of the reintroduction of a bill to reduce the size of Toronto City Council and the use of Section 33 of the Canadian Charter of Rights and Freedoms to exempt this bill from judicial review

City Council Decision

Caution: This is a preliminary decision. This decision should not be considered final until the meeting is complete and the City Clerk has confirmed the decisions for this meeting.

City Council on September 13, 2018, adopted the following:

1. City Council express its strong opposition to Bill 31 and the use of the Section 33 of the constitution in this matter.
2. City Council direct the City Solicitor to challenge the legality of Bill 31 through an application in the Courts.
3. City Council instruct the City Solicitor to respond to any proceeding to which the City is named as a party in a manner that supports Council's decision to challenge Bill 5 and Bill 31 and to seek status as a party in any other proceeding that in the opinion of the City Solicitor, in consultation with the City Manager, would support Council's decision to challenge Bill 5 and Bill 31.
4. City Council instruct the City Solicitor to take any further steps necessary consistent with these instructions, in consultation with the City Manager.
5. City Council instruct the City Solicitor to exhaust all legal avenues, including the appeal of any further judicial ruling(s).
6. In the event that a stay of Justice Belobaba's Order is granted by the Court, City Council request the Province to file Regulations to address the loss of candidates' ability to file nominations with the City Clerk between September 10 to 14, 2018.

7. City Council request the Federal Government to exercise the power of Disallowance with respect to Bill 31 to preserve respect for fundamental rights and freedoms provided for in the Charter of Rights and Freedoms.
8. City Council request the Prime Minister and the Government of Canada to immediately take the following actions:
- a. recognize the federal significance of the Canadian Charter of Rights and Freedoms including that of free and fair elections without interference; and
 - b. recognize the supremacy of citizens' rights over legislative convenience outside times of crisis or catastrophe.
9. City Council request the Government of Canada to provide a mechanism for the City of Toronto and other municipal governments to establish a City Charter that provides authority over "municipal issues" including, but not limited to, the following:
- a. municipal elections;
 - b. municipal governance structure;
 - c. local land use and zoning decisions;
 - d. local fiscal matters including the ability to determine revenue sources, set tax rates, borrow funds, and allocate monies; and
 - e. personnel decisions.
10. City Council receive the supplementary report (September 12, 2018) from the City Solicitor for information.
11. City Council direct that the confidential information in Confidential Attachment 1 to the supplementary report (September 12, 2018) from the City Solicitor remain confidential in its entirety as it contains advice that is subject to solicitor-client privilege and is about litigation or potential litigation that affects the City of Toronto.
12. City Council forward its decision to all municipalities in Ontario seeking their support to defend municipal government autonomy and the right of municipalities to govern their own affairs and represent the interests of their residents and electors.
- Confidential Attachment 1 to the supplementary report (September 12, 2018) from the City Solicitor remains confidential in its entirety in accordance with the provisions of the City of Toronto Act, 2006, as it contains advice that is subject to solicitor-client privilege and it pertains to litigation or potential litigation that affects the City of Toronto.

City Council Decision Advice and Other Information

City Council recessed its public session and met as Committee of the Whole in closed sessions on September 13, 2018, to consider confidential information on this Item as it pertains to

litigation or potential litigation that affects the City of Toronto and it contains advice or communications that are subject to solicitor-client privilege.

Confidential Attachment - Litigation or potential litigation that affects the City of Toronto and advice or communications that are subject to solicitor-client privilege

Background Information (City Council)

(September 12, 2018) Supplementary report from the City Solicitor on Update Report on Challenge to Bill 5, the Better Local Government Act, 2018 (CC47.1a)

(<http://www.toronto.ca/legdocs/mmis/2018/cc/bgrd/backgroundfile-120483.pdf>)

Confidential Attachment 1

Attachment 2 - Bill 31, Efficient Local Government Act, 2018 ("Bill 31")

(<http://www.toronto.ca/legdocs/mmis/2018/cc/bgrd/backgroundfile-120485.pdf>)

Communications (City Council)

(September 11, 2018) E-mail from Rosemary Boissonneau (CC.Supp.CC47.1.1)

(September 12, 2018) Submission from Don Pratt (CC.Supp.CC47.1.2)

(September 12, 2018) E-mail from Hamish Wilson (CC.Supp.CC47.1.3)

(September 13, 2018) E-mail from Toby Wright (CC.New.CC47.1.4)

(September 13, 2018) E-mail from Lyn Adamson (CC.New.CC47.1.5)

(September 13, 2018) E-mail from Keith Bates (CC.New.CC47.1.6)

Motions (City Council)

1a - Motion to Amend Item moved by Councillor Joe Mihevc (Carried)

That:

1. City Council express its strong opposition to Bill 31 and the use of the Section 33 of the constitution in this matter.
2. City Council direct the City Solicitor to challenge the legality of Bill 31 through an application in the Courts.
3. City Council request the Federal Government to exercise the power of Disallowance with respect to Bill 31 to preserve respect for fundamental rights and freedoms provided for in the Charter of Rights and Freedoms.

Vote (Amend Item)

Sep-13-2018 2:39 PM

Result: Carried	Majority Required - CC47.1 - Mihevc - motion 1a as amended - Part 1
Yes: 29	Paul Ainslie, Maria Augimeri, Ana Bailão, John Campbell, Christin Carmichael Greb, Gary Crawford, Joe Cressy, Janet Davis, Glenn De Baeremaeker, Sarah Doucette, John Fillion, Paula Fletcher, Mary Fragedakis, Mark Grimes, Jim Hart, Mike Layton, Josh Matlow, Mary-Margaret McMahan, Joe Mihevc, Denzil Minnan-Wong, Frances Nunziata (Chair), Gord Perks, Anthony Perruzza, Jaye Robinson, Neethan Shan, John Tory, Lucy Troisi, Jonathan Tsao, Kristyn Wong-Tam

No: 7	Justin J. Di Ciano, Frank Di Giorgio, Michael Ford, Stephen Holyday, Jim Karygiannis, Miganoush Megardichian, Cesar Palacio
Absent: 9	Jon Burnside, Josh Colle, Vincent Crisanti, Michelle Holland, Norman Kelly, Giorgio Mammoliti, James Pasternak, David Shiner, Michael Thompson

Vote (Amend Item)

Sep-13-2018 2:39 PM

Result: Carried	Majority Required - CC47.1 - Mihevc - motion 1a as amended - Part 2
Yes: 26	Paul Ainslie, Maria Augimeri, Ana Bailão, Christin Carmichael Greb, Gary Crawford, Joe Cressy, Janet Davis, Glenn De Baeremaeker, Sarah Doucette, John Filion, Paula Fletcher, Mary Fragedakis, Mark Grimes, Jim Hart, Mike Layton, Josh Matlow, Mary-Margaret McMahon, Joe Mihevc, Frances Nunziata (Chair), Gord Perks, Jaye Robinson, Neethan Shan, John Tory, Lucy Troisi, Jonathan Tsao, Kristyn Wong-Tam
No: 10	John Campbell, Justin J. Di Ciano, Frank Di Giorgio, Michael Ford, Stephen Holyday, Jim Karygiannis, Miganoush Megardichian, Denzil Minnan-Wong, Cesar Palacio, Anthony Perruzza
Absent: 9	Jon Burnside, Josh Colle, Vincent Crisanti, Michelle Holland, Norman Kelly, Giorgio Mammoliti, James Pasternak, David Shiner, Michael Thompson

Vote (Amend Item)

Sep-13-2018 2:40 PM

Result: Carried	Majority Required - CC47.1 - Mihevc - motion 1a as amended - Part 3
Yes: 24	Paul Ainslie, Maria Augimeri, Ana Bailão, Christin Carmichael Greb, Joe Cressy, Janet Davis, Glenn De Baeremaeker, Sarah Doucette, John Filion, Paula Fletcher, Mary Fragedakis, Jim Hart, Mike Layton, Josh Matlow, Mary-Margaret McMahon, Joe Mihevc, Gord Perks, Anthony Perruzza, Jaye Robinson, Neethan Shan, John Tory, Lucy Troisi, Jonathan Tsao, Kristyn Wong-Tam
No: 12	John Campbell, Gary Crawford, Justin J. Di Ciano, Frank Di Giorgio, Michael Ford, Mark Grimes, Stephen Holyday, Jim Karygiannis, Miganoush Megardichian, Denzil Minnan-Wong, Frances Nunziata (Chair), Cesar Palacio
Absent: 9	Jon Burnside, Josh Colle, Vincent Crisanti, Michelle Holland, Norman Kelly, Giorgio Mammoliti, James Pasternak, David Shiner, Michael Thompson

1b - Motion to Amend Item moved by Councillor Joe Mihevc (Carried)

That City Council adopt the following recommendations contained in the supplementary report (September 12, 2018) from the City Solicitor [CC47.1a]:

1. City Council receive this report for information.

2. City Council direct that the confidential information contained in Confidential Attachment 1 remain confidential in its entirety, as it contains advice which is subject to solicitor-client privilege and is about litigation or potential litigation that affects the City of Toronto.

Vote (Amend Item)

Sep-13-2018 2:41 PM

Result: Carried	Majority Required - CC47.1 - Mihevc - motion 1b
Yes: 34	Paul Ainslie, Maria Augimeri, Ana Bailão, John Campbell, Christin Carmichael Greb, Gary Crawford, Joe Cressy, Janet Davis, Glenn De Baeremaeker, Justin J. Di Ciano, Frank Di Giorgio, Sarah Doucette, John Filion, Paula Fletcher, Mary Fragedakis, Mark Grimes, Jim Hart, Stephen Holyday, Jim Karygiannis, Mike Layton, Josh Matlow, Mary-Margaret McMahon, Miganoush Megardichian, Joe Mihevc, Denzil Minnan-Wong, Cesar Palacio, Gord Perks, Anthony Perruzza, Jaye Robinson, Neethan Shan, John Tory, Lucy Troisi, Jonathan Tsao, Kristyn Wong-Tam
No: 2	Michael Ford, Frances Nunziata (Chair)
Absent: 9	Jon Burnside, Josh Colle, Vincent Crisanti, Michelle Holland, Norman Kelly, Giorgio Mammoliti, James Pasternak, David Shiner, Michael Thompson

2 - Motion to Amend Item moved by Councillor Josh Matlow (Carried)

That City Council request the Government of Canada to provide a mechanism for the City of Toronto and other municipal governments to establish a City Charter that provides authority over "municipal issues" including, but not limited to, the following:

- a. municipal elections;
- b. municipal governance structure;
- c. local land use and zoning decisions;
- d. local fiscal matters including the ability to determine revenue sources, set tax rates, borrow funds, and allocate monies; and
- e. personnel decisions.

Vote (Amend Item)

Sep-13-2018 2:42 PM

Result: Carried	Majority Required - CC47.1 - Matlow - motion 2
Yes: 28	Paul Ainslie, Maria Augimeri, Ana Bailão, John Campbell, Christin Carmichael Greb, Joe Cressy, Janet Davis, Glenn De Baeremaeker, Sarah Doucette, John Filion, Paula Fletcher, Mary Fragedakis, Jim Hart, Jim Karygiannis, Mike Layton, Josh Matlow, Mary-Margaret McMahon, Joe Mihevc, Denzil Minnan-Wong, Frances Nunziata (Chair), Gord Perks,

	Anthony Perruzza, Jaye Robinson, Neethan Shan, John Tory, Lucy Troisi, Jonathan Tsao, Kristyn Wong-Tam
No: 8	Gary Crawford, Justin J. Di Ciano, Frank Di Giorgio, Michael Ford, Mark Grimes, Stephen Holyday, Miganoush Megardichian, Cesar Palacio
Absent: 9	Jon Burnside, Josh Colle, Vincent Crisanti, Michelle Holland, Norman Kelly, Giorgio Mammoliti, James Pasternak, David Shiner, Michael Thompson

3 - Motion to Amend Item moved by Councillor Lucy Troisi (Out of Order)

That, in view of the Province's determination to deprive Toronto City Council and its Councillors of any meaningful say in the governing of the City that Members were elected to govern, City Council resolve to tender their unanimous resignation of its Members effective immediately.

Ruling by Speaker Frances Nunziata (Upheld)

Speaker Nunziata ruled motion 3 by Councillor Troisi out of order.
Challenged by Councillor Lucy Troisi

Vote

Sep-13-2018 2:00 PM

Result: Carried	Majority Required - Uphold chair on Troisi challenge
Yes: 33	Paul Ainslie, Maria Augimeri, Ana Bailão, John Campbell, Christin Carmichael Greb, Gary Crawford, Joe Cressy, Janet Davis, Glenn De Baeremaeker, Frank Di Giorgio, Sarah Doucette, John Fillion, Paula Fletcher, Michael Ford, Mary Fragedakis, Mark Grimes, Jim Hart, Michelle Holland, Stephen Holyday, Mike Layton, Josh Matlow, Mary-Margaret McMahon, Miganoush Megardichian, Joe Mihevc, Denzil Minnan-Wong, Frances Nunziata (Chair), Gord Perks, Anthony Perruzza, Jaye Robinson, Neethan Shan, John Tory, Jonathan Tsao, Kristyn Wong-Tam
No: 2	Justin J. Di Ciano, Lucy Troisi
Absent: 10	Jon Burnside, Josh Colle, Vincent Crisanti, Jim Karygiannis, Norman Kelly, Giorgio Mammoliti, Cesar Palacio, James Pasternak, David Shiner, Michael Thompson

4a - Motion to Amend Motion moved by Councillor Kristyn Wong-Tam (Carried)

That City Council amend motion 1a by Councillor Mihevc by adding the following:

4. City Council instruct the City Solicitor to respond to any proceeding to which the City is named as a party in a manner that supports Council's decision to challenge Bill 5 and Bill 31 and to seek status as a party in any other proceeding that in the opinion of the City Solicitor, in consultation with the City Manager, would support Council's decision to challenge Bill 5 and Bill 31.

5. City Council instruct the City Solicitor to take any further steps necessary consistent with these instructions, in consultation with the City Manager.

6. City Council instruct the City Solicitor to exhaust all legal avenues, including the appeal of any further judicial ruling(s).

Vote (Amend Motion)

Sep-13-2018 2:36 PM

Result: Carried	Majority Required - CC47.1 - Wong-Tam - motion 4a - Part 4
Yes: 29	Paul Ainslie, Maria Augimeri, Ana Bailão, John Campbell, Christin Carmichael Greb, Gary Crawford, Joe Cressy, Janet Davis, Glenn De Baeremaeker, Sarah Doucette, John Fillion, Paula Fletcher, Mary Fragedakis, Mark Grimes, Jim Hart, Mike Layton, Josh Matlow, Mary-Margaret McMahon, Miganoush Megardichian, Joe Mihevc, Frances Nunziata (Chair), Gord Perks, Anthony Perruzza, Jaye Robinson, Neethan Shan, John Tory, Lucy Troisi, Jonathan Tsao, Kristyn Wong-Tam
No: 7	Justin J. Di Ciano, Frank Di Giorgio, Michael Ford, Stephen Holyday, Jim Karygiannis, Denzil Minnan-Wong, Cesar Palacio
Absent: 9	Jon Burnside, Josh Colle, Vincent Crisanti, Michelle Holland, Norman Kelly, Giorgio Mammoliti, James Pasternak, David Shiner, Michael Thompson

Vote (Amend Motion)

Sep-13-2018 2:37 PM

Result: Carried	Majority Required - CC47.1 - Wong-Tam - motion 4a - Part 5
Yes: 29	Paul Ainslie, Maria Augimeri, Ana Bailão, John Campbell, Christin Carmichael Greb, Gary Crawford, Joe Cressy, Janet Davis, Glenn De Baeremaeker, Sarah Doucette, John Fillion, Paula Fletcher, Mary Fragedakis, Mark Grimes, Jim Hart, Mike Layton, Josh Matlow, Mary-Margaret McMahon, Miganoush Megardichian, Joe Mihevc, Frances Nunziata (Chair), Gord Perks, Anthony Perruzza, Jaye Robinson, Neethan Shan, John Tory, Lucy Troisi, Jonathan Tsao, Kristyn Wong-Tam
No: 7	Justin J. Di Ciano, Frank Di Giorgio, Michael Ford, Stephen Holyday, Jim Karygiannis, Denzil Minnan-Wong, Cesar Palacio
Absent: 9	Jon Burnside, Josh Colle, Vincent Crisanti, Michelle Holland, Norman Kelly, Giorgio Mammoliti, James Pasternak, David Shiner, Michael Thompson

Vote (Amend Motion)

Sep-13-2018 2:37 PM

Result: Carried	Majority Required - CC47.1 - Wong-Tam - motion 4a - Part 6
Yes: 26	Paul Ainslie, Maria Augimeri, Ana Bailão, Christin Carmichael Greb, Gary Crawford, Joe Cressy, Janet Davis, Glenn De Baeremaeker, Sarah Doucette, John Fillion, Paula Fletcher, Mary Fragedakis, Mark Grimes, Jim Hart, Mike Layton, Josh Matlow, Mary-Margaret McMahon, Joe Mihevc,

	Gord Perks, Anthony Perruzza, Jaye Robinson, Neethan Shan, John Tory, Lucy Troisi, Jonathan Tsao, Kristyn Wong-Tam
No: 10	John Campbell, Justin J. Di Ciano, Frank Di Giorgio, Michael Ford, Stephen Holyday, Jim Karygiannis, Miganoush Megardichian, Denzil Minnan-Wong, Frances Nunziata (Chair), Cesar Palacio
Absent: 9	Jon Burnside, Josh Colle, Vincent Crisanti, Michelle Holland, Norman Kelly, Giorgio Mammoliti, James Pasternak, David Shiner, Michael Thompson

4b - Motion to Amend Item moved by Councillor Kristyn Wong-Tam (Carried)

That City Council request the Prime Minister and the Government of Canada to immediately take the following actions:

- a. recognize the federal significance of the Canadian Charter of Rights and Freedoms including that of free and fair elections without interference; and
- b. recognize the supremacy of citizens' rights over legislative convenience outside times of crisis or catastrophe.

Vote (Amend Item)

Sep-13-2018 2:42 PM

Result: Carried	Majority Required - CC47.1 - Wong-Tam - motion 4b
Yes: 31	Paul Ainslie, Maria Augimeri, Ana Bailão, John Campbell, Christin Carmichael Greb, Gary Crawford, Joe Cressy, Janet Davis, Glenn De Baeremaeker, Justin J. Di Ciano, Frank Di Giorgio, Sarah Doucette, John Filion, Paula Fletcher, Mary Fragedakis, Mark Grimes, Jim Hart, Mike Layton, Josh Matlow, Mary-Margaret McMahon, Joe Mihevc, Denzil Minnan-Wong, Frances Nunziata (Chair), Gord Perks, Anthony Perruzza, Jaye Robinson, Neethan Shan, John Tory, Lucy Troisi, Jonathan Tsao, Kristyn Wong-Tam
No: 5	Michael Ford, Stephen Holyday, Jim Karygiannis, Miganoush Megardichian, Cesar Palacio
Absent: 9	Jon Burnside, Josh Colle, Vincent Crisanti, Michelle Holland, Norman Kelly, Giorgio Mammoliti, James Pasternak, David Shiner, Michael Thompson

5 - Motion to Amend Item moved by Councillor John Filion (Carried)

That, in the event that a stay of Justice Belobaba's Order is granted by the Court, City Council request the Province to file Regulations to address the loss of candidates' ability to file nominations with the City Clerk between September 10 to 14, 2018.

Vote (Amend Item)

Sep-13-2018 2:43 PM

Result: Carried	Majority Required - CC47.1 - Filion - motion 5

Yes: 34	Paul Ainslie, Maria Augimeri, Ana Bailão, John Campbell, Christin Carmichael Greb, Gary Crawford, Joe Cressy, Janet Davis, Glenn De Baeremaeker, Frank Di Giorgio, Sarah Doucette, John Fillion, Paula Fletcher, Michael Ford, Mary Fragedakis, Mark Grimes, Jim Hart, Stephen Holyday, Mike Layton, Josh Matlow, Mary-Margaret McMahon, Miganoush Megardichian, Joe Mihevc, Denzil Minnan-Wong, Frances Nunziata (Chair), Cesar Palacio, Gord Perks, Anthony Perruzza, Jaye Robinson, Neethan Shan, John Tory, Lucy Troisi, Jonathan Tsao, Kristyn Wong-Tam
No: 2	Justin J. Di Ciano, Jim Karygiannis
Absent: 9	Jon Burnside, Josh Colle, Vincent Crisanti, Michelle Holland, Norman Kelly, Giorgio Mammoliti, James Pasternak, David Shiner, Michael Thompson

6 - Motion to Amend Motion moved by Councillor Janet Davis (Carried)

That City Council amend the motion 1a by Councillor Mihevc by adding the following:

1. City Council forward its decision to all municipalities in Ontario seeking their support to defend municipal government autonomy and the right of municipalities to govern their own affairs and represent the interests of their residents and electors.

Vote (Amend Motion)

Sep-13-2018 2:38 PM

Result: Carried	Majority Required - CC47.1 - Davis - motion 6
Yes: 27	Paul Ainslie, Maria Augimeri, Ana Bailão, John Campbell, Christin Carmichael Greb, Joe Cressy, Janet Davis, Glenn De Baeremaeker, Sarah Doucette, John Fillion, Paula Fletcher, Mary Fragedakis, Jim Hart, Mike Layton, Josh Matlow, Mary-Margaret McMahon, Joe Mihevc, Denzil Minnan-Wong, Frances Nunziata (Chair), Gord Perks, Anthony Perruzza, Jaye Robinson, Neethan Shan, John Tory, Lucy Troisi, Jonathan Tsao, Kristyn Wong-Tam
No: 9	Gary Crawford, Justin J. Di Ciano, Frank Di Giorgio, Michael Ford, Mark Grimes, Stephen Holyday, Jim Karygiannis, Miganoush Megardichian, Cesar Palacio
Absent: 9	Jon Burnside, Josh Colle, Vincent Crisanti, Michelle Holland, Norman Kelly, Giorgio Mammoliti, James Pasternak, David Shiner, Michael Thompson

Court of Appeal File No.: C65861 (M49615)

ROCCO ACHAMPONG and
Applicant (Respondent in appeal)

THE CITY OF TORONTO and
Applicant (Respondent in appeal)

CHRIS MOISE *et al.* and
Applicants (Respondent in appeal)

ONTARIO and CITY OF TORONTO
Respondent (Appellants) Respondent (Respondent in
Appeal)

ATTORNEY GENERAL OF ONTARIO
Respondent (Appellant)

ATTORNEY GENERAL OF ONTARIO and CITY OF
TORONTO
Respondent (Appellants) Respondent (Respondent in
Appeal)

Superior Court File No: CV-18-00602494-0000

Superior Court File No: CV 18-00603797-0000

Superior Court File No: CV-18-00603633-0000

COURT OF APPEAL FOR ONTARIO
Proceeding commenced at Toronto

Affidavit of Adam Kanji

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ROCCO ACHAMPONG and ONTARIO and CITY OF TORONTO
Applicant (Respondent in appeal) Respondent (Appellants) Respondent (Respondent on Appeal)

THE CITY OF TORONTO and ATTORNEY GENERAL OF ONTARIO
Applicant (Respondent in appeal) Respondent (Appellant)

CHRIS MOISE *et al.* and ATTORNEY GENERAL OF ONTARIO and CITY OF TORONTO
Applicants (Respondent in appeal) Respondent (Appellants) Respondent (Respondent on Appeal)

Court of Appeal File No.: C65861 (M49615)

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**COURT OF APPEAL FOR ONTARIO
Proceeding commenced at Toronto**

**SUPPLEMENTARY MOTION RECORD
(STAY PENDING APPEAL)**

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