



**STAFF REPORT
ACTION REQUIRED
with Confidential Attachments**

Council's June 6-8, 2012 Decision to Prohibit Single-Use Plastic Carryout (Shopping) Bags

Date:	September 17, 2012
To:	City Council
From:	City Solicitor
Wards:	All
Reason for Confidential Information:	This report contains advice or communications that are subject to solicitor-client privilege and pertain to litigation or potential litigation.
Reference Number:	

SUMMARY

This report informs Council about recently received correspondence, attached as Confidential Attachment 1, concerning an imminent threat of potential litigation. The potential litigation pertains to the prohibition of single-use plastic carryout (shopping) bags, effective January 1, 2013, as adopted by Council at its meeting of June 6-8, 2012, in its consideration of Agenda Item EX 20.2. Given the urgency, the City Solicitor is authorized to submit this report directly to Council pursuant to Section 27-62B of the Toronto Municipal Code.

As part of informing Council about the letter, this report provides legal advice regarding the prohibition of single-use plastic carryout (shopping) bags, as adopted by Council.

RECOMMENDATIONS

The City Solicitor recommends that:

1. Council consider the confidential legal advice from the City Solicitor; and
2. the information contained in Confidential Attachments 1 and 2 remain confidential.

Financial Impact

There are no financial impacts from this report.

DECISION HISTORY

City Council at its June 6-8, 2012 meeting made the following decisions with respect to rescinding a previously adopted five cent plastic bag fee, effective July 1, 2012, and adopting a ban of such plastic bags, effective January 1, 2013:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.EX20.2>

City Council at its December 1-3, 2008 meeting made the following decisions with respect to a five cent plastic bag fee:

<http://www.toronto.ca/legdocs/mmis/2008/cc/decisions/2008-12-01-cc27-dd.pdf>

COMMENTS

Confidential comments are contained in Attachment 2.

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SIGNATURE

Anna Kinastowski
City Solicitor

ATTACHMENT

Confidential Attachment 1 – Letter to Anna Kinastowski, City Solicitor

Confidential Attachment 2 - Confidential Information