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September 28, 2012

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Honourable Mayor Rob Ford and Members of Council
Toronto City Hall
2nd Floor
100 Queen Street West
Toronto, Ontario
M5H 2N2

Attention: Clerk

Dear Sir or Madam:

Re: City of Toronto Resolution Banning Single-Use Plastic Bags

We are legal counsel to the Canadian Plastics Industry Association ("CPIA"). In the past our client has had a good working relationship with the City. Our client has constructively participated in Reduce, Re-use, Recycle programs and is committed to sound environmental stewardship. CPIA is ready to assist the City in the development of environmental solutions to concerns that Council may have related to plastic bags.

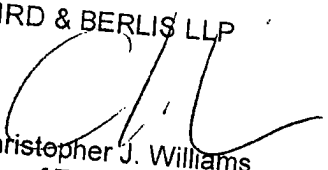
The CPIA includes the manufacturers of the plastic bags that are proposed to be prohibited effective January 1, 2013. On behalf of CPIA we have reviewed the decision of Council to enact the resolution of June 6, 2012; as well as the recommendation regarding the "Voluntary Contributions of Plastic Bag Fee Proceeds" matter dealt with by Executive Committee on May 14, 2012. In this regard, we have reviewed the background reports, transcripts of the minutes of the meetings as well as the applicable law. It is our opinion that the ban on single-use plastic bags contained in the resolution of Council dated June 6, 2012 is unlawful and, if challenged, would be quashed via an Application pursuant to section 214 of The *City of Toronto Act, 2006*.

The effect of the ban on single-use plastic bags will have significant commercial and financial implications for our client's members and their employees as well as retailers and their consumers. If the proposed ban on single-use plastic bags is not rescinded, we shall seek instructions from CPIA to take whatever actions are necessary to protect their interests.

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Yours truly,

AIRD & BERLIS LLP



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CJW/ap

Cc: Anna Kinastowski, City Solicitor
Canadian Plastics Industry Association

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