



**STAFF REPORT  
ACTION REQUIRED  
with Confidential Attachment**

**Zoning By-law Amendment to Regulate Discharge and  
Manufacture of Firearms**

<b>Date:</b>	June 22, 2010
<b>To:</b>	City Council
<b>From:</b>	City Solicitor
<b>Wards:</b>	All Wards
<b>Reason for Confidential Information:</b>	This report is about litigation that affects the City and contains advice and communications that are subject to solicitor-client privilege.
<b>Reference Number:</b>	

**SUMMARY**

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On October 30, 2008, the City enacted By-law No. 1151-2008, which was amendment to all City Zoning By-laws to restrict shooting ranges and the manufacturing of firearms within the City of Toronto. The by-law was appealed to the Ontario Municipal Board by two appellants and the Ontario Municipal Board has held a prehearing conference, with a second prehearing to be scheduled in the near future. One of the appellants has made an Offer to Settle and the Confidential Attachment to this report discusses the Offer and makes confidential recommendations to City Council.

**RECOMMENDATIONS**

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The City Solicitor recommends that:

1. Council adopt the confidential instructions to staff in Attachment 1.
2. Council authorize the public release of the Confidential Recommendations only in Attachment 1 if approved by Council and the balance of the report remain confidential. Appendix "A" Offer to Settle remain confidential and Appendix "B" Proposed Draft of Revised Zoning By-law be made public if the Confidential Recommendations are approved by Council.

## **FINANCIAL IMPACT**

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The adoption of these recommendations will have no financial impact beyond what has already been approved in the current year's budget.

## **DECISION HISTORY**

On October 30, 2008, Council enacted By-law No. 1151-2008, which amended all zoning by-laws in the City of Toronto. The intent of the by-law was to restrict uses permitting the discharge of firearms, specifically firing ranges and gun clubs, to establishments operated by a governmental body, and to restrict the manufacture or making of firearms in Toronto. Two appeals to the By-law were made to the Ontario Municipal Board; the first on behalf of the Canadian Shooting Sports Association, and the second by Charles Taylor, operating as Movie Armaments Group.

The Ontario Municipal Board has held one Prehearing Conference, and will be scheduling a second prehearing conference shortly, at which time it is anticipated that a procedural order will be issued and a hearing date will be scheduled for the hearing of the appeals.

One of the appellants to By-law No. 1151-2008 has delivered a Confidential Offer to Settle to the City Solicitor. The City Solicitor is presenting this Offer to City Council with recommendations and for consideration by Council.

## **COMMENTS**

One of the appellants to By-law No. 151-2008 has delivered a Confidential Offer to Settle their appeal to the Ontario Municipal Board. Attachment 1 to this report discusses the Offer to Settle.

## **CONTACT**

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## **SIGNATURE**

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Anna Kinastowski, City Solicitor

## **ATTACHMENTS**

1. Confidential Information – By-law No. 1151-2008 – Ontario Municipal Board – Offer to Settle
2. Confidential Offer dated June 9, 2010, from Kagan Shastri Lawyers, LLP