

EX6.7 Attachments 1 to 3

Attachment 1: Council Directions - Gun-related Regulation and Programs

The table below summarizes 17 Council directions to staff adopted in the 2014-2018 term, and groups them into six themes (City Powers, Licensed Businesses with Known Incidents of Gun Violence, Gun Buy-back Program, Seize-and-Destroy Procedures, Shooting Ranges and ShotSpotter Technology).

1. CITY POWERS
Rec 23, 2018, CC44.14. City Council direct the City Manager to report back on by-law and/or policy initiatives addressing gun violence that may be taken by the City of Toronto, including potential by-laws to control the sale of handguns in Toronto.
Rec 25, 2018, CC44.14/Rec. 3, 2018, MM38.8. City Council request the City Manager, in consultation with the Toronto Police Services Board, to conduct a review of existing municipal initiatives in Canada that have as their aim the reduction and/or regulation in the sale, storage, and use of ammunition, and to identify possible regulatory options that may be pursued by the City of Toronto in this regard.
Rec 26, 2018, CC44.14/Rec 2, 2018, MM38.8. City Council request the City Manager and the Executive Director, Municipal Licensing and Standards, in consultation with the Toronto Police Services Board, to report on the findings of their review of the powers under the licensing provisions of the City of Toronto Act, 2006 to regulate/and or limit the sale of ammunition, similar to the regulations implemented for fireworks.
Rec 27, 2018, CC44.14/Rec 4, 2018, MM38.8. City Council request the City Manager to present City Council with a comprehensive analysis of the legislative tools available to City Council to regulate the sale, storage and use of ammunition with the City's borders.
Rec 28, 2018, CC44.14/Rec 1, 2018, MM38.8. City Council request the Chief Planner and Executive Director, City Planning to report back in the first quarter of 2019 to the Planning and Growth Management Committee with draft options for a zoning by-law amendment that would have the effect of the City of Toronto regulating, within its borders, the sale, storage, and use of ammunition for firearms, with the exception of ammunition that is stored or used by the Canadian Armed Forces, a police force, or other entity that is authorized to store or use ammunition in connection with a legal obligation imposed by the municipal, the provincial or the federal government.
2. LICENSED BUSINESSES WITH KNOWN INCIDENTS OF GUN VIOLENCE
Rec. 2, 2016, MM19.41. City Council request the City Manager in consultation with the Executive Director, Municipal Licensing and Standards (MLS), the Toronto Police Service (TPS), Toronto Fire, Public Health, among other government agencies to report back to the appropriate Committee on proactive enforcement measures that can be utilized under the City of Toronto Act, 2006 to deter illegal criminal activity by dealing with it in a more comprehensive, cohesive and co-ordinated way, to address issues where crime is known or is suspected to be taking place, similar to the action that was applied by Municipal Licensing and Standards when they issued the temporary suspension of the business licence at Cloud 9 Café at 1530 Danforth Avenue.

3. GUN BUY-BACK PROGRAM

Rec 24, 2018, CC44.14. City Council direct the City Manager in consultation with the Toronto Police Services Board, to establish a Gun Amnesty/Buy-back program and report to City Council in the first quarter of 2019 on the status of implementation.

4. SEIZE-AND-DESTROY PROCEDURES

Rec 1, 2018, MM44.6. City Council direct the City Manager to request the Toronto Police Services Board, the Ontario Provincial Police and the Province of Ontario to adopt and implement the necessary measures for a seize and destroy procedure to destroy illegal guns and ammunition seized and confiscated by law enforcement agencies.

Rec 2, 2018, MM44.6. City Council request the City Manager to report back to City Council during the first quarter of 2019 on the implementation of a seize and destroy procedure.

5. SHOOTING RANGES

Rec 29, 2018, CC44.14. City Council request the Executive Director, Municipal Licensing and Standards, in cooperation with the Chief Building Official and Executive Director, Toronto Building and the Chief Planner and Executive Director, City Planning, to investigate any operating gun clubs with a shooting range in the City of Toronto to determine if they are operating legally and take appropriate action if required.

Rec 30, 2018, CC44.14. City Council request the Director, Real Estate Services and the General Manager, Shelter, Support and Housing and Administration to investigate and determine the feasibility of acquiring and repurposing the remaining gun clubs with shooting ranges in the City of Toronto for civic purposes.

6. SHOTSPOTTER TECHNOLOGY

Rec 15, 2018, CC44.14. City Council request the City Manager, in collaboration with the Toronto Police Services Board, prior to awarding the contract to ShotSpotter, to consult with the office of the Ontario Information and Privacy Commissioner, and if any concerns are identified and not resolved to the satisfaction of the Ontario Information and Privacy Commissioner, that these matters be reported to the Executive Committee.

Rec 16, 2018, CC44.14. City Council require the City Manager to monitor the use, and potential community benefits of Shot Spotters in at-risk communities, in consultation with affected communities and the Toronto Police Services Board and to report back to City Council on the effectiveness of this technology in the first quarter of 2019.

Attachment 2: Summary of Firearm Legislative Framework

	Canada	Ontario	Toronto
Possession, use, storage and sale of handguns	The <i>Firearms Act</i> and its regulations govern the possession, storage and sale of firearms, including licensing firearm businesses. The <i>Criminal Code</i> identifies the various firearms, weapons and devices governed under the <i>Firearms Act</i> . The possession of a firearm without a licence is a <i>Criminal Code</i> offence.	Under delegated authority from the Federal government, the Provincial Chief Firearms Officer is responsible for decision-making and administrative work related to licences, under the federal <i>Firearms Act</i> .	None.
Possession, use, storage and sale of ammunition	The <i>Firearms Act</i> , and its regulations govern the possession, transportation, and sale of ammunition, including licensing ammunition businesses. The <i>Criminal Code</i> identifies the various firearms, weapons and devices governed under the <i>Firearms Act</i> .	The <i>Ammunitions Regulation Act, 1994</i> and <i>Imitation Firearms Act, 2000</i> prohibits the sale of ammunition, deactivated firearms and imitation firearms to individuals under 18 years of age.	None.
Discharge of firearms	The <i>Firearms Act</i> , and its regulations govern discharge of firearms at shooting ranges and shooting clubs.	Provincial jurisdiction over the discharge of weapons has been delegated to municipalities under the <i>City of Toronto Act, 2006</i> and the <i>Municipal Act, 2001</i> .	A use involving the discharge of a firearm is prohibited by continued by-laws of the former municipalities and Chapter 473, except for in licensed shooting ranges and for police, military and bodies operating under government authorization.
Shooting ranges	The <i>Firearms Act</i> and its regulations govern shooting ranges, including approval to operate, which requires evidence of compliance under any operating licences required under municipal law.	Power to allow or restrict certain land uses delegated to municipalities under <i>Planning Act</i> .	Prohibited in all zones by zoning by-law (569-2013) except for pre-2008 legal businesses, and police, military and bodies operating under government authorization.

	Canada	Ontario	Toronto
Manufacturing of firearms or ammunition, or parts thereof.	The <i>Firearms Act</i> and its regulations govern the manufacture of firearms. The <i>Explosives Act</i> , and its regulations govern ammunition manufacturing. The <i>Criminal Code</i> makes it an offence to manufacture firearms or ammunition in contravention of the <i>Firearms Act</i> and its regulations.	Provincial jurisdiction to allow or restrict certain land uses delegated to municipalities under <i>Planning Act</i> .	Prohibited in all zones by zoning by-law (569-2013), except for pre-2008 legal businesses.

Attachment 3: Scan of Local Government Actions to Regulate Firearm and Ammunition Activities

City staff conducted a scan of actions taken by comparable Canadian local governments to regulate firearm and ammunition activities. This research included identifying whether they have by-laws including licensing provisions, or other initiatives to reduce/regulate the sale, storage, and use of ammunition, and the sale of handguns. In total, 16 municipalities and two regional governments were included in the scan.

GTHA	Regions	Other Large Cities	High incidence of gun-related crime	Border cities
Mississauga Hamilton Brampton Vaughan Markham	Peel Region York Region	Montreal Calgary Ottawa Edmonton Winnipeg Vancouver	Surrey Regina Halifax	Niagara Falls Windsor

The research found that three of the 18 local governments have sought to license or zone for firearm and ammunition retailers using municipal powers, and one that did has since changed its approach. As well, one local government licenses firearm training, and three local governments zone for ammunition manufacturing similar to Toronto.

Business Licenses

Of the 18 local governments included in the jurisdictional scan:

- Only Edmonton licenses firearm and ammunition dealers. Edmonton registers/licenses all businesses (including firearm and ammunition dealers), but regulates only some of them. Edmonton defines "gun shops" as those "selling, purchasing, manufacturing, importing, exporting, repairing or altering of any firearm or ammunition". Edmonton levies a \$235 fee for the licence, requires the business consults with local Fire Rescue Services, and notifies Edmonton Police Services. There is no regulation for gun shops beyond this.
- Only the City of Surrey licenses businesses that provide government-certified firearms training, using fully deactivated and un-fireable firearms, under full supervision of a federally certified instructor. This licensing category, together with the zoning category described below, was created in response to a single firearms-training business locating in the City.

Zoning By-laws

Regarding zoning regulations, only two of the 18 local governments examined had specific zoning by-laws in place for ammunition manufacture, similar to Toronto.

- Vaughan's [zoning bylaw 1-88](#) includes “ammunition manufacture and/or storage” as a prohibited use.
- Surrey's [zoning bylaw 12000](#) prohibits in all zones the manufacturing and sale of firearms and ammunition, and firearms certification, unless specifically provided for in that zone.

None of the Ontario municipalities surveyed regulate the sales of firearms through zoning. The City of Hamilton's zoning by-law previously defined "gun shop" as a separate retail use, but this was changed through a recent amendment passed by its Council in November 2017. The recent amendment added a new definition for "retail", which represents a move away from the approach of differentiating among retail stores on the basis of the products sold, and to a general land use term which applies to any type of retail. As a result of this recent change, Hamilton is no longer distinguishing between gun shops and other types of retail stores, and the sale of guns would be permitted wherever retail is permitted. This is consistent with practice in the other municipalities examined.