



## STAFF REPORT ACTION REQUIRED

### City-Based Measures to Address Gun Violence

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|--------------------------|---------------------------|
| <b>Date:</b>             | May 22, 2008              |
| <b>To:</b>               | Executive Committee       |
| <b>From:</b>             | Shirley Hoy, City Manager |
| <b>Wards:</b>            | All                       |
| <b>Reference Number:</b> |                           |

#### **SUMMARY**

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Toronto is a remarkably safe city compared to other large urban centres in North America. The combined prevention and enforcement efforts of the Government of Canada, the Government of Ontario, and the City of Toronto work to uphold this high degree of safety. In accordance with the balanced approach to gun violence equally employing prevention and enforcement established through the City's 2004 Community Safety Plan, the City has undertaken significant investment in prevention programming and enforcement innovations through the "Making a Safe City Safer" initiative.

However, at national, provincial and local levels handguns continue to be a persistent threat to the safety and security of Canadians. Although the City is constrained by federal and provincial law from exercising direct regulatory control over handguns, there are a number of options available to the City to address handgun violence that build upon Toronto's existing approach of balanced preventative programming investment and innovative enforcement techniques.

This report provides an overview of the findings of the "City of Toronto: City-Based Measures to Address Gun Violence" Options Paper prepared by an interdivisional staff team tasked with examining the public health and safety threat of handgun violence and identifying options for further City action. By employing land use zoning bylaws, strengthening the City's ability to support existing innovative prevention programs, establishing clear City directives on appropriate uses of City facilities and engaging in an active national advocacy campaign on firearms issues, the City can maximize the opportunities it has to act within its jurisdictional authority to specifically reduce the availability of handguns. This approach is consistent with the City's balanced prevention and enforcement efforts focusing on making a safe city safer.

## RECOMMENDATIONS

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### **It is recommended that Council:**

In keeping with the City's preventative efforts to address gun violence, ensuring that Toronto's public and private spaces do not support gun violence, in action or by appearance, will contribute to making a safe city safer.

#### *Land Use Zoning*

1. Direct the Chief Planner and Executive Director, in consultation with the City Solicitor, to prepare a zoning by-law to restrict uses permitting the discharge of guns, including firing ranges and gun clubs, to establishments operated by a police service of the City or the Provincial or Federal Government and establishments operated by the Department of National Defence, and restrict and/or prohibit establishments that manufacture, assemble, warehouse and/or distribute guns and that the by-law be brought forward to a public meeting at the September 10, 2008 meeting of the Planning and Growth Management Committee.
2. Direct staff to give notice for the public meeting under the Planning Act in accordance with the regulations under the Planning Act.

#### *Recreational Use of Firearms on City Property*

3. Direct the City of Toronto to cancel the permit to Scarborough Rifle Club with respect to its use of the rifle range at Don Montgomery Community Recreation Centre and the General Manager, Parks Forestry and Recreation or designate be authorized to give notice of such cancellation.
4. Direct the City of Toronto to terminate the lease to the CNRA Gun Club with respect to its use of a firing range at Union Station and the Chief Corporate Officer or designate be authorized to give notice of such termination.
5. Direct the City Manager to add "shooting ranges", "gun clubs" and the promotion of firearms use, in general, to the list of unacceptable uses of City facilities for permit or lease, except for permits or leases for use by a police service of the City, provincial or federal governments or the Chief Firearms Officer.

The City has a mandate to ensure its prevention and enforcement efforts are responsive to the shifting challenges presented by handgun violence, with a particular importance on ensuring efforts address the public health and safety threat faced by Toronto's residents at greatest risk.

#### *Monitoring the Incidents and Impacts of Gun Violence*

6. Direct the Deputy City Manager, Cluster A to develop a comprehensive system to track the impacts and incidents of firearm violence and injury in Toronto on an ongoing basis, as part of the City's Community Safety Plan.

In keeping with the City's prevention programming investments through the "Making a Safe City Safer" initiative, the City has a mandate to provide support programs that assist youth engaged in illegal gun activities to break the cycle of violence and serve as positive role models for vulnerable youth.

*Providing Social Supports to Break the Cycle of Violence*

7. Direct the City Manager, in consultation with the Chief of Police, to seek further funding partnership opportunities through the National Crime Prevention Strategy to benefit community-based safety and crime prevention initiatives.
8. Direct the Deputy City Manager, Cluster A, in consultation with the Toronto Police Service, to work with staff from the National Crime Prevention Centre and other relevant federal and provincial ministries to facilitate approval of the City's application for funding for a 'gang exit' wrap around support initiative, in keeping with the goals of the National Crime Prevention Strategy.

The City has a responsibility to engage with other orders of government, international bodies and non-governmental organizations to ensure legislation, regulations and litigation that advance the City's efforts reduce handgun violence in Toronto are effectively advanced.

*Intergovernmental Advocacy Opportunities*

9. Advocate against the repeal of the long gun registry (Bill C-24, the act to amend the *Criminal Code* and the *Firearms Act*).
10. Request the Government of Ontario to consider regulations relating to the licensing of restricted firearms (handguns) for target shooting, similar to the legislation enacted by the Government of Quebec.
11. Request the Toronto Police Services Board to consider the proposed Ontario Private Member's Bill 56, which permits the suspension of drivers' licenses and detention of vehicles connected to unlawfully possessed firearms.
12. Urge the federal government to implement the *Firearms Marking Regulations*, recently deferred to December 2009, which will permit the Government of Canada to ratify the OAS Convention, and the UN Firearms Protocol.
13. Request the federal government to address the international impacts of U.S. gun control laws.

## **FINANCIAL IMPACT**

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Approval of this report will result in the loss of \$3,655 in 2008 and \$4,898 in 2009 in Parks, Forestry and Recreation permit fees and Facilities and Real Estate lease payments from the cancellation recreational permit fees from the Don Montgomery CRC shooting range, and from the cancellation of the lease agreement with the CNRA Gun Club.

| <b>Rec'd</b> | <b>Shooting Range Facility</b>                 | <b>Recommended City Action</b> | <b>June – Dec 2008</b> | <b>2009 (incremental)</b> |
|--------------|--|--------------------------------|------------------------|---------------------------|
| 3            | Scarborough Rifle Club – Don Montgomery C.R.C. | Cancel recreation permit       | \$ 3,155               | \$4,398                   |
| 4            | CNRA Gun Club – Union Station                  | Cancel lease agreement         | \$500                  | \$ 500                    |

The Deputy City Manager will report back on the budget implications of developing and implementing a system to track the impacts and incidents of firearm violence through the 2009 Operating Budget process.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact information.

## **EQUITY STATEMENT**

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The options for City-based measures to address gun violence as outlined in this report will provide the City with further tools to address an issue that disproportionately impacts Torontonians.

## **DECISION HISTORY**

At its meeting of January 29 and 30, 2008 Council referred Notice of Motion M16.1 “Request Federal Government to Completely Ban Handguns in Canada” to the Executive Committee for consideration on April 7, 2008:

<http://www.toronto.ca/legdocs/mmis/2008/ex/comm/communicationfile-6637.pdf>

On April 7, 2008 EX19.16a “Request Federal Government to Completely Ban Handguns in Canada” was considered by Executive Committee with EX19.16 “Report to Executive Committee Update on Toronto Gun Strategy”:

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-11790.pdf>

At the request of the Mayor (as detailed in EX19.16), City staff were tasked with “preparing options for City-based measures to address gun violence, including a thorough analysis of possible legal measures that the City could put in place to impose gun controls within its own jurisdiction” to be brought forward to the June 3, 2008 meeting of the Executive Committee.

On April 28, 2008, Council endorsed EX19.16 and EX19.16a, with three Council motions referred to the City Manager for consideration in the preparation of the staff options paper on city-based measures to address gun violence:

<http://www.toronto.ca/legdocs/mmis/2008/cc/decisions/2008-04-28-cc20-dd.pdf>

## ISSUE BACKGROUND

Firearm violence, in particular handgun violence, continues to represent a significant public health and safety threat to Canadians in general and Torontonians in particular. In 2006, police services reported over 8,100 victims of violent gun crime (assault, robbery and homicide) nationally<sup>1</sup> – a rate of almost one victim of violent gun crime per hour in Canada. Handguns comprised approximately two-thirds of all firearms used in 2004.<sup>2</sup> Toronto experienced the highest number of victims of firearm-related violent crimes in Canada in 2006, as well as the highest proportion of violent crimes involving firearms. Almost 2,000 people in the Toronto CMA were victims of a violent offence related to guns in 2006.<sup>3</sup>

Among young people, the use of guns in violent crime is increasing. The rate of youth aged 12 to 17 accused of a firearm-related offence has risen in three of the past four years, increasing 32% since 2002.<sup>4</sup> In 2006, the rate of youth accused of a firearm-related violent crime in Toronto (96.2 per 100,000 youth population) was well above the national average (55.5 per 100,000 youth population) and higher than all Canadian Census Metropolitan Areas (CMAs).<sup>5</sup> Toronto youth (15 to 29 years) had the highest rates of firearm injury deaths, hospitalization and ER visits, compared to all other age groups.

On average, more than 1,200 Canadians are killed and over 1000 are injured with firearms each year. The economic costs of gun deaths and injuries in Canada have been estimated at \$6.6 billion per year.<sup>6</sup>

Canada's firearms homicide rate is six times lower than the U.S. However, Canada's firearms homicide rate is three times higher than Australia and six times higher than England and Wales<sup>7</sup>. Handguns are banned in Australia and the U.K.

According to the Canada Firearms Centre, there are 7,235,699 legally registered firearms in Canada, as of April 2008; including 686,029 restricted and prohibited weapons

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<sup>1</sup> Dauvergne M and L De Socio. "Firearms and Violent Crime" Juristat-Statistics Canada-Catalogue no. 85-002

<sup>2</sup> Hung K. *Firearm statistics (updated tables)*. Table 11. Research and Statistics Division, Department of Justice; January 2006

<sup>3</sup> Statistics Canada (2008), The Daily February 20, 2008 "Study: Firearms and violence Crime: 2006" Ottawa: Minister of Industry

<sup>4</sup> Ibid.

<sup>5</sup> Statistics Canada (2008), The Daily February 20, 2008 "Study: Firearms and violence Crime: 2006" Ottawa: Minister of Industry

<sup>6</sup> Miller T. "Costs associated with gunshots in Canada in 1991." *Can Med Assoc J* 1995;153 (9):1261-8.

<sup>7</sup> Dauvergne and De Socio (2008) *Firearms and Violent Crime* Statistics Canada – Catalogue no. 85-002-XIE, Vol. 28, no. 2, Ottawa: Minister of Industry

registered to licensed owners.<sup>8</sup> In Ontario there are approximately 215,000 registered handguns.

As noted in the attached Options Paper, handguns (restricted firearms) can be purchased by licensed target shooters and collectors and there is no limit to the number of handguns that can be purchased by licensed individuals. This raises a number of serious safety and security concerns for the residents of Toronto.

## **COMMENTS**

Detailed discussions about the recommendations contained in this report are presented in the attached document, “City of Toronto: City-Based Measures to Address Gun Violence.”

The Options Paper developed by City staff in support of this report builds on the existing work of many of the City’s Divisions to address gun violence in Toronto. The Options Paper developed by staff outlines the impact of gun violence in Toronto, options the City has pursued to date and potential further options Council may wish to pursue. Where staff believes further action is feasible, a recommendation to Council has been provided.

## **CONTACT**

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## **SIGNATURE**

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Shirley Hoy  
City Manager

## **ATTACHMENTS**

“City of Toronto: City-Based Measures to Address Gun Violence” – Staff Options Paper for Report *City-Based Measures to Address Gun Violence* to Executive Committee, May 22, 2008.

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<sup>8</sup> Canadian Firearms Centre. “*Quick Facts about the Canadian Firearms Program*”, [http://www.cfc-cafc.gc.ca/media/program\\_statistics/default\\_e.asp](http://www.cfc-cafc.gc.ca/media/program_statistics/default_e.asp) Accessed on: May 20, 2008.