

King's firearms bylaw update deferred

By Angela Gismondi

If it ain't broke, don't fix it.

That was the general consensus among deputants who came out to speak to the discharge of firearms bylaw review at the committee of the whole meeting Monday.

The review of the bylaw was initiated after concerns were brought up by Councillor Debbie Schaefer. According to Schaefer, residents living in subdivisions in King City adjacent to rural lands were discharging firearms. Concerned about the safety of the surrounding residents and new development in the area, Schaefer asked for a review of the bylaw.

The purpose of the review was to bring the bylaw up to date with current regulations. The main change being proposed in the bylaw is to expand the zone in King City where discharge of firearms is prohibited. This is due to growth in the area.

'It's based on safety,' said Township Clerk Kathryn Smyth. 'All we're trying to do is create a more substantial buffer zone between the residential community and the rural community for safety reasons. Discharge of firearms is not being completely prohibited in King.'

The boundaries of the proposed prohibited zone are King-Vaughan Line, Bathurst Street, Highway 400 and the 16th Sideroad.

Another change is the inclusion of power of entry clause, which is a standard requirement under the municipal act and is incorporated into any new bylaws the Township proposes. This allows enforcement officers to access properties when they believe there is an infraction against one of the Township's bylaws. For the most part, discharge of firearms infractions are dealt with by the police, Smyth pointed out.

When updating the bylaw, staff met with both the Ministry of Natural Resources and the Ontario Federation of Anglers and Hunters who advised them the affected property owners should be consulted prior to considering expanding the defined area. In June, staff circulated a letter and the proposed amended mapping to 254 affected properties giving notice of the proposed revisions to the 'no discharge' areas. The letter requested that property owners provide their position in favour of or against the proposed revisions and to offer any additional input they may have. Twenty-two responses were received, of which eight were in support and 14 were opposed. The remaining 232 affected properties were deemed to be in support of the revisions, as the circulation stated clearly that nonresponses would be considered as having no objections to the bylaw and therefore in favour. The final tally was 240 in favour of the revisions and 14 against.

But those opposed to the revised bylaw said that it is not fair to assume that all of those who did not respond were in favour of the proposed bylaw changes. They also said they were given very short notice for the meeting and didn't have time to review the detailed bylaw and report.

King resident Richard Horne said he received notice of the meeting Thursday, which didn't give him enough time to review the report. He had a few issues with the revisions in the proposed bylaw including that he would not be allowed to discharge a firearm within 100 metres of his dwelling. His barn is within 100 metres of his dwelling.

'What am I supposed to do, wait until the animal walks away,' he said. 'I think it should be changed so I can shoot within any distance of my dwelling for protection.'

He also took issue with the fact that the bylaw states anyone from the Township can go on his property.

Eric Milotzki, an agent representing several landowners, said he was 'disturbed by the late notice' given for the meeting. He asked that the matter be postponed to a later day.

'It smells of a personal agenda, as if it's being pushed through at the last minute,' he said. 'It needs to be digested and reviewed in more detail.'

He asked council if the landowners were being punished for not supporting changes to the bylaw tabled in 2012.

'This bylaw includes far more sweeping changes, far more rules,' he said.

Local resident Antonio DiFebo said the bylaw should be left as is. Although surrounding municipalities have similar bylaws he pointed out that King is different and is farther north. The discharge of firearms is currently prohibited in Markham, Newmarket, Richmond Hill, Aurora and Vaughan, and is permitted in King, Georgina, Bradford West Gwillimbury, East Gwillimbury and Whitchurch-Stouffville.

'Why are we here? This should be left as it is,' he said. 'If it ain't broke, don't fix it.'

He pointed out that he's never read a story of a discharge of firearm incident in the local paper.

'I agree with public safety, but we have to think about what we're doing,' he added.

He also had an issue regarding the results of the survey. Assuming that the people who didn't respond to the survey are in support of

the revised bylaw is not right, he said.

?It's ethically wrong. It needs to be fair.?

Robert Pye, a representative from the Ontario Federation of Anglers and Hunters, agreed with that point.

?No response is no response, it is not an indication of support,? he said.

Councillor Cleve Mortelliti suggested the matter be deferred so landowners have enough time to review the matter. Mayor Steve Pellegrini was concerned that dealing with the matter too close to the holidays. He asked that people be notified well in advance of the next meeting.

The matter was deferred and staff is expected to report back at the Jan. 27 meeting.