

CANADA / JUDGMENT

Foch v. Sharon Gun Club

2026 ONCA 218

COURT

Court of Appeal for Ontario

DECIDED

24 March 2026

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Foch v. Sharon Gun Club Collection Decisions of the Court of Appeal Date 2026-03-24 Neutral citation 2026 ONCA 218 Docket numbers COA-25-CV-1136 Judges Rouleau, Paul S.; Thorburn, Julie; Favreau, Lise G. Subject Civil Decision Content COURT OF APPEAL FOR ONTARIO CITATION: Foch v. Sharon Gun Club, 2026 ONCA 218 DATE: 20260324 DOCKET: COA-25-CV-1136 Rouleau, Thorburn and Favreau JJ.A. BETWEEN Roland Foch and Frank Foch by his Estate Trustee Ida Foch Applicants (Appellants) and Sharon Gun Club, The Gun Club (Sharon) Limited and Sharon Recreation Properties Ltd. Respondents (Respondents) Michael Gayed, for the appellants Ian P. Katchin and Ronald D. Davis, for the respondents Heard and rendered orally: March 23, 2026 On appeal from the order of Justice Laura B. Stewart of the Superior Court of Justice, dated July 14, 2025. REASONS FOR DECISION

- [1] The appellants brought an application seeking wide ranging relief in relation to the operation of the respondent Sharon Gun Club and in relation to the finances of all three respondents. The application judge dismissed the application for several reasons, including lack of standing, a full and final release signed by the appellants and the limitation period.
- [2] On appeal, the appellants purport to argue the merits of the application afresh, with little or no regard to the application judge's determination that the application was barred by a prior release and the limitation period.
- [3] We see no merit to the appeal.
- [4] The parties were involved in prior litigation before the Small Claims Court that raised many of the same issues as were raised on the application. The litigation was resolved on consent, and, on August 2, 2018, , the appellants signed a full and final release, that released the respondents from anything "raised in the small claims actions, or that could have been raised, and from anything known or unknow[n] as of the date of the order on April 22, 2015". The application judge made no error in concluding the release barred the appellants from pursuing the application. Even if some of the issues raised before the application judge and on appeal were not specifically known by the appellants on April 22, 2015, the release specifically covers anything unknown up to that date.

- [5] In addition, we see no error in the application judge's determination that the application was barred by the limitation period. As found by the application judge, the appellants raised the same issues giving rise to the application on many occasions, including in correspondence from 2012 and 2014. The application was not commenced until September 2017, which is well beyond the two year limitation period.
- [6] We also see no error in the application judge's conclusion that the appellants do not have standing to challenge the lawfulness of the gun club's operation. In addition, as she held, the Firearms Officer was aware of the application and expressed no concerns with the gun club's operations.
- [7] The appellant has not identified any reviewable errors in the application judge's determination that the application is barred by lack of standing, the release or the limitation period. This is sufficient to dispose of the appeal.
- [8] The appeal is dismissed.
- [9] Costs are ordered payable to the respondent, in the amount of \$22,000 all inclusive. "Paul Rouleau J.A." "Thorburn J.A." "L. Favreau J.A."

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