



15 Falcon Street.
Toronto, ON M4S 2P4
416-485-5103
rkindersley@georgianbay.ca

www.georgianbay.ca

March 3, 2020

To: Nicole Girard
Director General, Navigation Protection Program
330 Sparks Street
Ottawa, Ontario
K1A 0N5

Dear Director General,

From our review of a recent application for a mooring buoy in the Township of Georgian Bay, we recommend that some improvements should be made to the notice protocol for Private Mooring Buoy Applications.

The Georgian Bay Association (GBA) is an umbrella organization for 19 community associations along the east and north shores of Georgian Bay, representing around 3,000 families. We have been advocating on behalf of our land-owning members for over 100 years and estimate that we reach around 18,000 residents of the Georgian Bay. Our mandate is to work with our water-based communities and other stakeholders to ensure the careful stewardship of the greater Georgian Bay environment.

The application in question was 2019-401285, Application for Approval, Private Mooring Buoy, Township of Georgian Bay (Mooring Buoy, Single Point). The notice was only posted in one Midland newspaper to the best of our knowledge. This proposed buoy was to provide additional docking space for a private island. No written notice was given to neighbouring property owners or the Township of Georgian Bay. The description and address for the island in the notice was both inadequate and incorrect.

It is important to note that in Georgian Bay the navigable waters are our roads. In addition to the marked channels there are countless unmarked channels frequently used by residents to navigate safely to their destinations. Neither Transport Canada, nor the municipality, can be expected to know the location of these unmarked channels and, therefore, whether or not the location of a new private buoy would pose a hazard to navigation and local recreational use of the water. This will, however, be well known to local residents.

Similar bodies of water with numerous islands would have the same attributes as the east and north coasts of Georgian Bay.

Our recommendations for improvements to the notice protocol for Private Mooring Buoy Applications are therefore as follows:

1. In addition to more extensive newspaper postings to ensure greater exposure, the notice should be provided to the local municipality, where the buoy is proposed to be located, to enable the municipality and local residents to review the application and provide comments to Transport Canada.
2. Part of this notice to municipalities should grant authority to the municipality, if it so chooses, to forward the notice to residents and property owners within, say, two kms of the proposed buoy location, or such other distance as Transport Canada may determine to be appropriate ("notice area").
3. The municipality and local residents should also be granted, say, 120 days to respond and comment on the Notice, in order to ensure that a sufficient, but reasonable, timeframe is allowed for public consultation.
4. In addition to the full municipal address of the applicant, the Notice should include a location map(s) and GPS coordinates for the proposed mooring buoy, and show the correct island numbers and names, if any, for both the applicants' property and the surrounding area and all islands/properties within the notice area. Nearby geographical features, such as a bay or channel, should be included on this map(s).

We also recommend that the following principles and conditions be adopted by Transport Canada for Private Mooring Buoy Applications and that failure to meet these should be grounds to reject the application:

- A. Mooring buoys shall only be allowed in exceptional circumstances, e.g. where there is insufficient depth for a deep draft vessel near shore, and only for the mooring of a vessel owned by the adjacent waterfront property owner.
- B. The application must include a maximum vessel length that it is intended to be moored at the proposed buoy.
- C. The mooring buoy location must take account of the maximum boat length and be located as close as possible to the property of the boat owner, directly in front of the applicant's property.
- D. The moored boat must not interfere with access to neighbouring properties, or any navigation channel, or with traditional recreational use of the water.

Please refer to the Parks Canada policies on mooring buoys, which we suggest provide useful precedents for some of the above recommendations, and for assessing mooring buoy applications in Georgian Bay, or similar water bodies:

<https://www.pc.gc.ca/en/docs/r/poli/page15>

We look forward to hearing from you in this respect and perhaps meeting with you to discuss the matter further if that would be helpful.

Yours sincerely



Rupert Kindersley
Executive Director

Copied to:

Navigation Protection Program Registry

Transport Canada, Marine Office
4900 Yonge St, 4th Floor (PH)
Toronto, ON
M2N 6A5

Regional Manager
Navigation Protection Program
100 S Front St, 1st Floor
Sarnia, ON N7T 2M4

Via email: NPPONT-PPNONT@tc.gc.ca

Marc Garneau Minister of Transport

Bruce Stanton MP for Simcoe North

Scott Aitchison MP for Parry Sound Muskoka

Township of Georgian Bay Peter Koetsier, Mayor; Jessica Gunby, CAO

Township of the Archipelago Bert Liverance, Reeve; John Fiore, CAO

Carling Township Mike Konoval, Mayor; Kevin McIlwain, CAO

Municipality of Killarney Ginny Rook, Mayor; Candy Beauvais, Clerk

Town of Northeastern Manitoulin and the Islands Alan MacNevin, Mayor; David Williamson, CAO