



15 Falcon Street, Toronto, Ontario M4S 2P4

416-985-7378

rkindersley@georgianbay.ca

www.georgianbay.ca

Amended letter

May 24, 2023

via email

The Honourable Graydon Smith
Minister of Natural Resources and Forestry
99 Wellesley St W,
Toronto, ON
M7A 1W3

Dear Minister Smith,

Proposal to amend Ontario Regulation 161/17 to the Public Lands Act to change the requirements related to floating accommodations

We are writing to confirm our support for the proposed exclusions, whereby floating accommodations or float homes are not considered as “camping units” and therefore cannot be placed and used for overnight accommodation on water over public land. We would also like to thank you for these proposed regulation changes, which will be helpful in ensuring that floating accommodations are appropriately regulated and safely located. We therefore hope that they will be approved and put in place without delay.

We are, however, concerned about the enforceability of this prohibition, on several fronts:

1. In order to ensure that enforcement officers can distinguish between a floating accommodation unit that would be subject to the exclusions, and a vessel with on-board accommodation (i.e. a houseboat) that is not subject to the exclusions, we would recommend that the regulations include the Transport Canada (“TC”): ***“Standards for float homes and liveaboard vessels in Victoria Harbour”***.

In these TC standards: *“a float home means a structure incorporating a flotation system intended for use or being used or occupied for residential purposes not primarily intended for or usable in navigation and does not include a watercraft designed or intended for navigation”*. Barges or rafts with residential units or camping facilities should then be clearly identified as falling under this float home definition.

2. What resources will MNRF allocate to ensure that these new regulations are properly enforced?

3. What fines will be imposed for breaches of these regulations? We would recommend that such fines should be substantial, perhaps \$10,000 or higher.
4. Will MNRF be able to enforce these regulations even if the floating accommodation unit has been issued with a vessel license by TC?
5. If MNRF finds a floating accommodation unit that has been issued a vessel license by TC, will MNRF make a formal request to TC to cancel that vessel license?

We would also like to follow up on our letter to you dated November 30, 2022 on floating accommodations where we requested that MNRF take a lead role on this issue, in particular to persuade TC to make the requisite changes to their regulations to pave the way for proper provincial and municipal controls.

Since that letter was sent, we have determined that there is no need for TC to change their vessel definition, but simply applying consistent regulations across the country will achieve the regulations we need in Ontario. In particular we want TC to bring Ontario regulations in line with those in British Columbia.

We look forward to hearing from you on this matter, and would welcome the opportunity to meet either virtually or in person to discuss it further.

Yours sincerely,

A handwritten signature in blue ink that reads "Rupert Kindersley". The signature is written in a cursive style with a horizontal line underneath the name.

Rupert Kindersley
Executive Director

The Georgian Bay Association (GBA) is an umbrella organization for 18 community associations along the east and north shores of Georgian Bay, representing approximately 3,000 families. We have been advocating on behalf of our land-owning members for over 100 years and estimate that we reach and influence around 34,000 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.