

April 11th, 2023

Public Input Coordinator
MNRF-CFLPB – Crown Lands Policy Section
300 Water Street, 5th Floor, North Tower
Peterborough, ON
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Via email Public.Lands@ontario.ca

Re: ERO 019-6590 Ontario Regulation 161/17 concerning Floating Accommodations On Waterways Over Ontario's Public Lands

On behalf of the Muskoka Lakes Association (MLA) and its over 2000 member families who are lakefront property owners and users in the District of Muskoka, we offer the following comments on the ERO Posting [019-6590](#). These comments follow from those provided by the MLA to the then Ministry of Northern Development, Mines, Natural Resources and Forestry in April of 2022.

First, we must state that we are supportive of the Ministry of Natural Resources and Forestry's (MNRF) efforts to tackle this issue which has brought significant concerns to waterfront property owners across Ontario.

As previously stated, the MLA is concerned about the effect floating accommodations will have on Muskoka's lakes, rivers and waterfront properties including:

- sewage and wastewater (including gray water) will end up in the lakes/rivers, threatening the health of the water for wildlife, swimming, drinking and recreation;
- risk of fuel and/or oil spills;
- lack of access to EMS services;
- vehicle parking on land is currently very limited or not available for land owners;
- significant noise pollution, aesthetic, and privacy-related impacts to waterfront private property owners. Camping on water often occurs in sheltered bays where all these problems can be magnified;
- avoidance of by-laws and property taxes - A myriad of municipal by-laws apply to tax paying waterfront landowners to protect the waterfront's natural character, privacy, and enjoyment of the area. These accommodations will not contribute to the municipal revenue stream while taking advantage of the local amenities; and
- lack of enforcement potential - Our municipalities are ill equipped as it is for enforcing by-laws on water access properties.

We support the intent to amend Ontario regulation 161/17 to exclude floating accommodations, float homes or barges with residential units or camping facilities from being placed and used for overnight accommodation on water over public land.

Currently the definitions of what may be placed or used for overnight accommodation on water are too permissive. As outlined in the February 23, 2023 proposal, we agree with the proposed definition:

“TO AMEND THE REGULATION TO EXCLUDE FLOATING ACCOMODATIONS OR FLOAT HOMES (HOUSE-LIKE STRUCTURES INCORPORATING A FLOATATION SYSTEM, INTENDED FOR USE OR BEING USED OR OCCUPIED FOR RESIDENTIAL OR LONGER-TERM PURPOSES AND NOT PRIMARILY INTENDED FOR, OR USABLE IN, NAVIGATION) OR BARGES WITH RESIDENTIAL UNITS OR CAMPING FACILITIES.”

However, we concur with the Federation of Ontario Cottagers Association that this definition may be open to interpretation with respect to being able to reasonably identify what is a floating accommodation and what is not. Does a small motor attached to the rear of the floatation system deem it suitable for navigation?

We would offer that the definitions of floating accommodations should be consistent with those defined by Transport Canada to clarify who is and is not implicated in the prohibition. In the Transport Canada **“Standards for Float Homes and Live-aboard Vessels in Victoria Harbour” 2001**, 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.” In this standard there is a distinction made between liveaboard vessels and float homes, with liveaboard being on a vessel suitable and intended for navigation. This prohibition should include barges or rafts with residential units or camping facilities.

However, we are deeply concerned about removing three of the proposed amendments which were present on February 24, 2023 that should be addressed should the prohibition not be incorporated into the regulation:

- Reducing the number of days that a person can camp on water at one location in each calendar year from 21 day to 7 days.
- Increasing the distance that a camping unit on water must move to a different location from 100 metres to 1 kilometer.
- Adding a new condition to prohibit camping on water with 300 metres of a developed shoreline, (including any waterfront structure, dock, boathouse, erosion control structure, altered shoreline, boat launch and/or fill).

These were removed and are no longer under consideration, effective March 16, 2023. We feel these need to be re-addressed as originally proposed to ensure floating accommodations do not take up residency in Muskoka in front of established residences. Moving a floating accommodation 100 m could result in the unit being stationed off the same property for most of the summer. Further, the removal of the condition to prohibit camping within 300 m of a developed property could put them in direct conflict with safe ingress and egress to a property, not to mention use and enjoyment of the property. If the province allows for floating accommodations, then the locations acceptable should be associated with marinas where proper facilities exist to service them.

The issue of floating accommodations affects numerous government bodies, and we urge the province to co-ordinate and be consistent with other legislation.

Thank you for the opportunity to provide feedback.

Sincerely,

A handwritten signature in black ink that reads "Susan Eplett". The signature is fluid and cursive, with a long horizontal stroke at the end.

Susan Eplett
President

cc: Honourable Graydon Smith, MPP Parry Sound – Muskoka, Ministry of Natural Resources and Forestry
Holly Fullager, Director of Stakeholder Relations Office of the Hon. Graydon Smith
Terry Rees, Executive Director, Federation of Ontario Cottagers Association.