

# TALPINES PROPERTY OWNERS ASSOCIATION DELEGATION TO COUNCIL 2023

WTalpines Property Owners' Association

## LETTER TO TRANSPORT CANADA REGARDING FLOATING SHIPPING CONTAINERS IN GEORGIAN BAY, SEVERN SOUND, STURGEON BAY, AND LOCAL LAKES AND WATERWAYS



**CBC report:** “Live On The Bay's creations have been classed by Transport Canada as vessels, which gave them the same boating and mooring rights as sailboats or cabin cruisers. That left the provincial government unable to stop the floating homes from anchoring overnight on lakes until it created the new regulation.” As per Ontario Regulation 161/17, [the regulation was amended to clarify](#) that floating accommodations, such as sea-cans and similar transport containers, ‘cannot be placed or used for outdoor accommodation or camping purposes on public land covered by water.’

**IMPORTANT EXCERPTS FROM LOCAL ASSOCIATIONS AND  
MUNICIPAL WEBSITES:**

**GEORGIAN BAY ASSOCIATION <https://georgianbay.ca/floating-cottages/>**

## **Latest from the Floating Homes not Vessel Coalition:**

- [Phase 1 accomplishments](#)
- [Phase 2 action plan summary](#)

## **Help Push Floating Home Reform in Ontario**

The priority for GBA's Floating Homes Strategy Group is now the Transport Canada Strategy Plan being spearheaded by Gloucester Pool Cottagers Association under the new name:



**Float Homes not  
Vessels Coalition**

The plan is a multi-pronged approach to get Transport Canada to put in place similar regulations to those that apply in B.C., so that Floating Homes can also be properly regulated in Ontario.

Unregulated floating cottages are becoming a growing concern on Ontario waterways. Deemed “vessels” by Transport Canada, these floating homes are taking advantage of a loophole allowing owners to drop anchor on crown land and lakebeds on any navigable waterway. Because of the “vessel” designation these structures are currently exempt from all forms of oversight and regulation, including building code adherence, environmental protection, navigation and public safety, taxation and location management.

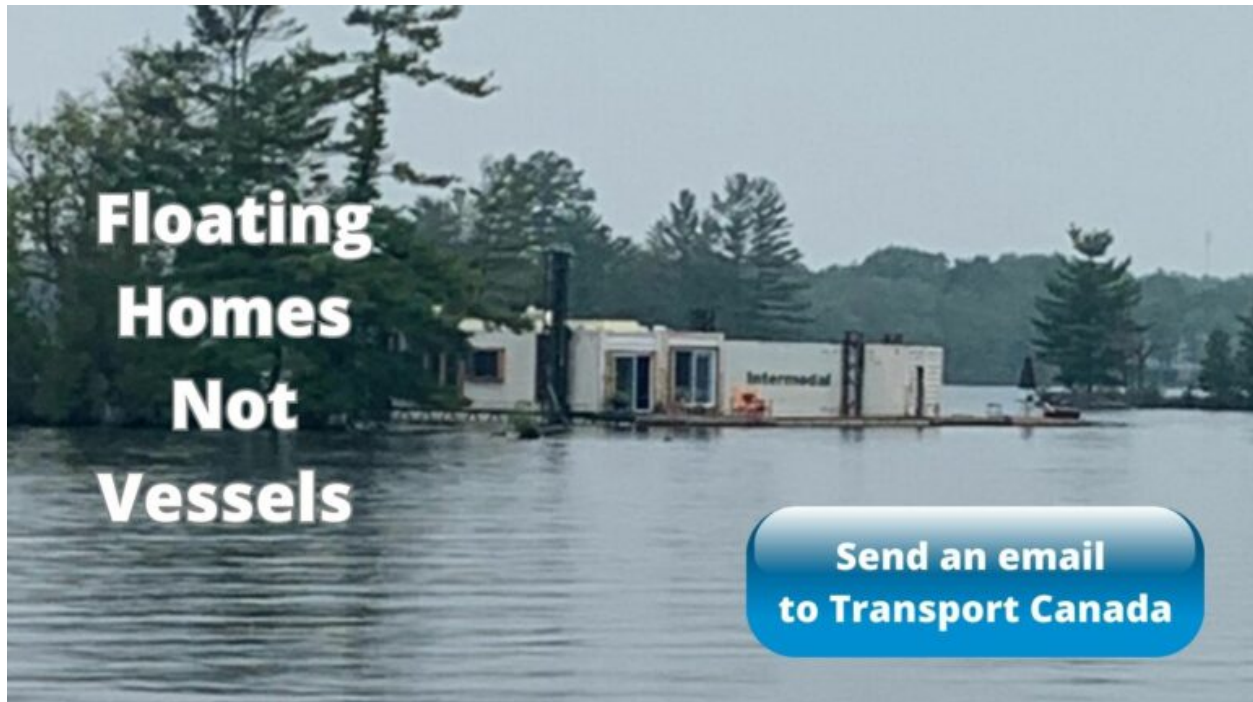


In British Columbia, where Transport Canada classifies them as “float homes”, these structures must conform to strict building standards and can be duly regulated by the province and municipalities to ensure environmental protections.

Transport Canada needs to change the regulations in Ontario to make them consistent with those in BC. In short, floating cottages need to be classified as “floating homes” and be subject to strict building standards and appropriate safety and environmental regulations.

**What you can do:**

**A. Please consider sending an email to  
Transport Canada**



You can email The Honourable Omar Alghabra, Minister of Transport, using our tool [here](#) to ask that Ontario regulations be made consistent with those in BC to better protect our waterways. The email takes only a minute to populate and requires only your name, the postal code of your home or cottage and your email address.

## **B. Please work with your local cottager association to get more petitions organized**

The petitions are a separate initiative from the letters. Both are needed and both are important. You can find the petition format [here](#) and the instructions on how to complete them [here](#). Please read the instructions carefully as incorrectly completed petitions will be rejected.

The main features are:

- Each petition must have exactly 25 signatures – no more, no less.
- No two signatures from the same address. A couple can both sign the same petition but one must use the home address, the other the cottage.
- Only original signatures in ink will be accepted

## **What to do if you see a Floating Home**

GBA and the floating homes strategy group have developed a “[What to do if you see a Floating Home](#)” on Georgian Bay and not at a marina or similar location. You can find contact information for federal, provincial, municipal and the floatings homes not vessels coalition. It also includes how to identify a floating accommodation and what to do if you noticed a spill or pollution.

## WHAT has GBA Done?

- Put together a strategic alliance, which includes the townships of [Port Severn](#), [Georgian Bay](#) and [Archipelago](#), [FOCA](#), [Great Lakes & St. Lawrence Cities Initiative](#), and [Gloucester Pool Cottagers Association](#)
- Started discussions on a coordinated approach to determine how municipal regulations can be implemented and enforced
- Commenced discussions with Transport Canada to request that vessel licenses not be issued for floating homes and those that have been issued are rescinded
- Provided input into MNR at a March 2022 consultation webinar on the issues
- Developed [suggested comments to MNR on the March/April 2022 Environmental Registry of Ontario \(ERO\) posting](#), as above
- Submitted comments on the March/April MNR ERO posting:
  - [GBA Comments to MNR on Floating Cottages – April 16 2022](#)
  - [GBA Follow up Comments to MNR on Floating Cottages – April 19 2022](#)



- GBA thanks MNRF for their support on floating cottages issues but more help is needed: [GBA amended letter to Minister Graydon Smith on proposed regulation changes and TC may 24 2023](#)

## **GBA will:**

- Continue to advocate to Transport Canada, MNR, and other government agencies for changes required to ensure municipalities can regulate floating homes and full environment protections are in place
- Continue to work with municipalities, cottage associations and other stakeholders to establish a coordinated approach to determine how municipal regulations can be implemented and enforced

## **Key developments on this issue so far are:**

- Township of the Archipelago successful 1998 lawsuit to ban a floating homes attached to crown land: [ToA 1998 Floating Cottages Lawsuit Judgement](#)
- Township of Georgian Bay has developed bylaws aimed at regulating floating homes, see: [TGB staff report on floating cottages Feb 2022](#) link <https://georgianbay.civicweb.net/document/204366/>
- A 2015 Ontario Supreme Court decision and a 2018 BC court decision that may provide support for

municipal regulation: [Kawartha Lake Supreme Court Decision – 2015](#) and [BC Court Decision – 2018](#).

- The Ministry of Northern Development, Mines, Natural Resources and Forestry (MNR) asked for [public comment on floating cottages](#). GBA's suggested responses can be found [here](#).
- GBA along with Gloucester Pool Cottagers' Association (GPCA) and Great Lakes St. Lawrence Cities Initiative (GLSLCI) have asked Natural Resources Minister, Graydon Smith, to take the lead on this file. Read the GBA letter [here](#).
- GBA provided information and guidance for members to provide feedback to MNRF regarding their amendments to the Publics Lands Act, which will include changes that will help to get floating accommodation structures properly regulated [here](#)
- Following the combined efforts of GBA's Floating Homes Strategy Group, MNRF introduced floating home regulations on July 1, 2023 to prevent floating homes from tying up to crown land or anchoring overnight on a lakebed, see: [news release](#)

There have also been some useful press coverage and presentations as follows:

- Reactions to the MNRF regulation changes:
  - [Wild Great Lakes article](#)
  - [CBC article](#)



- [National Post article](#)
- Why this shipping container home is making waves in Ontario cottage country – CBC – November 3 2022  
[CBC article and video](#)
- [Township of Georgian Bay Press Release on Floating Container Dwellings – March 2022](#)
- [Tiny Eyeing Issue of Floating Homes on Horizon, Midland News – March 23 2022](#)
- [Gloucester Pool Association Presentation to Severn Township – March 2022](#)
- [Manitoulin First Nation, Municipal Leaders Express Opposition to ‘Floating Accommodations, Manitoulin Expositor – March 23 2022](#)
- CBC: [Ontario wants to ban cottage country “floating homes” made from shipping containers](#)
- Parry Sound North Star May 2023: GBA is not trying to eliminate floating homes as implied in this article, we simply want them to be properly regulated and located, for safety and environmental protection reasons.
- Cottage Life: [This curious Georgian Bay structure is causing controversy in cottage country – May 24 2023](#)
- National Post: [Cottage country braces for the invasion of the floating May 20 2023](#)

Members of GBA's Floating Homes Strategy Group spoke to CBC recently to discuss the need to properly regulate pop-up floating cottages

## **Press Release**

**To: All Media Georgian Bay Township**

**From: Christopher Aspila, Director of Planning**

**Date: March 4, 2022**

Subject: Floating Container Structures as Dwellings within Municipal Waterways Pages: 2

### FLOATING CONTAINER DWELLINGS IN THE TOWNSHIP OF GEORGIAN BAY

Port Severn, Township of Georgian Bay, Ontario – Over the past few months concerns about container dwellings have been received from many residents.

Using a Floating Structure as a dwelling unit is an illegal use per the Township of Georgian Bay Zoning By-law 2014-75, as amended. The Municipality reserves the right to take enforcement actions as deemed appropriate to ensure compliance with the Zoning By-law.

The Township of Georgian Bay has been actively working with multiple partner agencies to ensure compliance to all applicable regulations and by-laws, as well as determining the most appropriate enforcement actions.

As the Township is not the only jurisdictional authority addressing these matters it is recommended that concerns also be directed to provincial and federal agencies.

#### Transport Canada

Toll-free: 1-866-995-9737 Telephone: 613-990-2309 Email: [questions@tc.gc.ca](mailto:questions@tc.gc.ca)

#### Parks Canada

General inquiries: 1-888-773-8888 Email: [pc.information.pc@canada.ca](mailto:pc.information.pc@canada.ca)

#### Trent-Severn Waterway

Telephone: 705-750-4900

Toll free: 1-888-773-8888

Email: [pc.trentsevern.pc@canada.ca](mailto:pc.trentsevern.pc@canada.ca)

#### Ministry of Environment, Conservation and Parks

Office: 416-325-3000; Crisis: 1-866-663-8477 (1-866-MOE-TIPS)

Toll Free Phone: 1-800-268-6060 Email: [moe.tips@ene.gov.on.ca](mailto:moe.tips@ene.gov.on.ca)

#### Ministry of Northern Development, Mines, Natural Resources and Forestry

MNRF TIPS line: 1-877-847-7667

Crime Stoppers (anonymous): 1-800-222- TIPS (8477)

Ontario Provincial Police

Non-emergency line: 1 888 310-1122

If you would like more information about this topic, contact the Senior Municipal Law Enforcement Officer-Planning, Cody Avery at 705-538-2337 ext. 266 or email at [cavery@gbtownship.ca](mailto:cavery@gbtownship.ca)

## **TOWNSHIP OF GEORGIAN BAY**

### **ZONING BY-LAW 2014-75 November 10, 2014**

#### **4.6 FLOATING IN-WATER BOATHOUSES, BARGES & DWELLING UNITS**

**Notwithstanding any other provisions in this By-law, no person shall use or attach any in-water boathouse, barge, marine vessel or any other floating structure or building used for a dwelling unit in any Residential (R), Shoreline Residential (SR), Shoreline Residential Island (SRI), Open Space (OS, CL & LS), and/or Environmental Protection (EP, NSC & NSI) Zone or appurtenant to such zones.**

**TALPINES ASKS TAY COUNCIL TO CREATE A COMPREHENSIVE ACTION PLAN TO PREVENT THESE FLOATING JUNK**

**POLLUTERS FROM ENTERING SEVERN SOUND. We ask that you create a coalition with other local municipalities, lobby the federal and provincial government, Simcoe County and the Association of Municipalities to enact an action plan, and pass bylaws prohibiting these from entering or parking on our waterways.**

**Tay already has a bylaw preventing containers on land, an accompanying bylaw preventing them on water is important.**

**The Federation of Cottagers' Association [foca.on.ca](http://foca.on.ca) also has done useful research.**

**Thank you for considering our delegation.**

**Talpines Property Owners' Association**

**Victoria Réaume, President**