

Municipality of East Ferris

Information Report to Council

Report No.: COMM-2023-04

Date: April 11, 2023

Originator: Greg Kirton, Director of Community Services

Subject: Floating Accommodations – Proposal to Amend O. Reg 161/17

BACKGROUND

At the regular meeting of Council on March 28th, 2023, Council requested that staff prepare an information summary report regarding agenda correspondence item 13. (c) *Update to the proposal for amendment to O. Reg. 161/17 under the Public Lands Act regarding floating accommodations.*

The Ministry of Natural Resources and Forestry (MNRF) regulates the use of public lands in Ontario through the *Public Lands Act*. The ways in which land is regulated by this Act and the various related regulations is broad and applies to a wide range of activities. Specifically, O. Reg. 161/17 regulates how public lands can be used for camping and recreational related activities, which includes what types of buildings, structures, and vehicles can be used as part of the activity.

On February 24, 2023, proposed amendments to O. Reg. 161/17 were posted on the Environmental Registry of Ontario website seeking public comment. As a result of the public comments received, updates were made to the proposed amendments on March 16, 2023. Public comment on the updates is open until April 11, 2023. The first phase of consultation was a general call for comments on floating accommodations as a result of consistent concerns being brought to the ministry. The second phase is seeking feedback generally but also on the proposed amendments.

Currently camping on public lands, including on waterbodies that are on public lands, is regulated in the following main ways:

- The camping unit is being used for private non-commercial camping purposes
- The duration of the use is to a maximum 21 days at one location each year
- After 21 days the camping unit must move at least 100m from its previous location

Originally, the ministry proposed amendments to shorten the number of days for camping on floating accommodations to 7 days and increase the distance that must be moved to 1km. A

separation distance from developed shorelines was also added. However, through consultation all of these changes were removed from the proposal and the following has been added:

"We are proposing to clarify the structures or things that cannot be placed and used for overnight accommodation on water over public land.

- We are proposing to amend the regulation to exclude floating accommodations 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.*

Consequential amendments may be required to other regulations under the Public Lands Act."

If the amendments to this regulation come into force then floating accommodations would be not permitted on public lands. This would not apply to houseboats as per the ministry's notice.

Respectfully Submitted,



Greg Kirton, RPP, MCIP
Director of Community Services

I concur with this report,
and recommendation



Jason H. Trottier, HBBA, CPA, CMA
CAO/Treasurer