



# Deputation to Severn Township Council

Presented by Gloucester Pool Cottagers' Association

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March 23<sup>rd</sup>, 2022



# Our Objectives Today...

- We have previously provided Council 3 questions we hope to have Severn Township Council address
  1. Would Severn Township consider implementing a by-law similar to Township of Georgian Bay's 3.2 & 4.6 in order to control and regulate the potential explosive growth of floating cottages on our lakes within Severn Township?
  2. If Severn Township Council may not yet be supportive of a 3.2 and 4.6, our association would like to understand what gaps exist in order to have Severn Township create a regulatory framework at the municipal level to manage and control floating cottages, and equally as important, how can we help in closing the gap?
  3. With this context in mind, may we suggest that a meeting with key stakeholders (MP, MPP, MNDMNRF, Environment, Parks Canada) as Mayor Burkett suggested also include our neighboring townships (Tay, Georgian Bay, Township of Archipelago) as each of them are working separately to solve the exact same problem. On behalf of the Gloucester Pool Cottagers' Association, we would be happy to partner with Severn Township Council to assist in organizing and facilitating this strategic discussion. We are hopeful that such a meeting of key stakeholders can happen in April of this year, prior to the start of 2022 boating season.
- Our intention this morning in this brief is to illuminate the issue at hand and hopefully equip Council to develop an enforceable Severn Township strategy



# We are facing an 'unregulated' Floating Cottage problem

## Welcome to our "New Neighbours"



3/14/2022



Gloucester Pool Cottagers; Association



3



# These were originally listed on TREB but quickly delisted

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1 day ago

**\$999,000**

**195 PORT SEVERN RD N**  
**Severn, Ontario L0K1S0**

MLS® Number: S5517198

RE/MAX HALLMARK CORBO & KELOS GROUP REALTY LTD.

2 Bedrooms  
1 Bathrooms

### Description

Welcome To Home On The Water. All The Comforts Of A Condo And So Much More. Year Round Living On Any Lake, Body Of Water Or Marina. With The Ability To Easily Move Anywhere On The Lake. Whether You Are Buying Or Vacationing, The Home On The Water Is An Experience Like No Other. \*\*\*\* EXTRAS \*\*\*\* A Beautiful Kitchen With Stainless Steel Appliances. An Environmentally Friendly Home On The Water Includes Solar Power, Treated Water, Clothes Washer, Dryer, 55" Large Screen , Stunning Views Of The Water. Large Deck To Enjoy The Water. (29603026)

### Property Summary

Property Type	Building Type
Single Family	House
Community Name	Title
Port Severn	Freehold
Land Size	Annual Property Taxes

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### Building

Bedrooms  
Above Grade  
2

Bathrooms  
Total  
1

### Building Features

Style  
Detached

### Heating & Cooling

Cooling	Heating Type
Central air conditioning	Radiant heat (Solar)

Utilities  
Utility Type  
Sewer (Installed), Natural Gas (Available), Electricity (Installed), Cable (Available)

### Exterior Features

Exterior Finish  
Aluminum siding

Neighbourhood Features

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### Property Summary

Property Type	Building Type
Single Family	Other
Community Name	Land Size
Port Severn	19 x 50 FT
Annual Property Taxes	Time on REALTOR.ca
\$0	1 day

Listing Details

Neighbourhood

Statistics

Mortgage Calculator

DAN FURGUELE

Salesperson

Call

Email

Website

RE/MAX

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### Exterior Finish

Aluminum siding

### Neighbourhood Features

Amenities Nearby  
Marina

### Rooms

METRIC IMPERIAL

**Main level**

Kitchen	15 ft ,8 in x 10 ft
Primary Bedroom	10 ft x 12 ft ,1 in
Bedroom 2	10 ft x 12 ft ,1 in
Family room	10 ft x 12 ft ,5 in
Dining room	10 ft x 12 ft ,1 in

**Land**

**Lot Features**

View  
View

**Waterfront Features**

Surface Water  
Lake/Pond

# The Floating Cottage is not an individual DIY project... these have become a big “cottage industry” business

[www.lotb.ca](http://www.lotb.ca)

- Very strategic messaging is being used; he infers that site inspections are passed or compliant... but regulations are non-existent
- GPCA has discovered that in Ontario this is largely an unregulated industry that needs a strong regulatory framework that can be enforced
- There are multiple other builders entering this lucrative space

## The "Party Palace" from \$ 100,000

960 square feet of interior living space.

320 sqft of rooftop patio with Tiki bar window, railings and a waterslide!

Docks front and back. Sleeps 4 to 12. Kitchenette, bathroom.

Solar Power. Off the Grid... Off the chart FUN

OR

What possibilities are of interest to you?

Fractional Ownership?

Short or long term rentals?

Time sharing arrangements?

Your own custom floating home?

Hundreds of interested local home owners, cottagers and boaters have been in for a tour.

→ We have been INSPECTED BY ALL 3 levels of government.

→ Each has been invited in to inspect and discuss our vessels.

Visitors have included:

→ Municipal By-Law Enforcement Officer Aug 10 2021

→ Municipal Fire Service representative Aug 10 2021

→ Provincial MNRF conservation Officers Aug 18 2021

→ National Transport Canada Marine Safety Inspector Aug 24 2021

→ Provincial OPP Marine Unit. Sept 2 2021

→ Parks Canada/ Trent Severn Waterway Oct 30 2021

## → LOTB vessels are IN COMPLIANCE

with all of the standards, rules and regulations discussed.

We are proud that there have been no infractions of any kind.

The lack of “any” regulatory framework across all relevant regulatory agencies creates a challenge... all agencies have essentially said “Not our Problem”

- Across all the expected stakeholders there is a complete lack of any cohesive regulatory framework
  - PC - Trent Severn Waterway... Has created a cease-and-desist order but not enforced
  - Transport Canada... Classify floating cottages as “vessels or pleasure craft” & self reporting
  - Fisheries and Oceans... This issue is MNR’s responsibility, not our responsibility
  - MNDMNR... Conservation officer asked owner to move twice, officer refused to repeat a 3<sup>rd</sup> time
  - Min of Environment (CC)... We’ll open a file and investigate damage caused to environment
  - Min of Environment (CP)... Go contact MNDMNR, this isn’t our jurisdiction
  - OPP... Unable to do anything unless object is “officially” registered as a vessel (which it isn’t)
  - FOCA... keen to support but no knowledge of any regulatory framework
- We have engaged FOCA. The GPCA together with Georgian Bay Association are the only associations mobilizing on this issue up to recently... but that is quickly changing

# There are several precedents in Canadian case law that provide guidance, direction and we believe the solution

- Ontario Supreme Court decision [Glaspell vs Crown 2015]
  - Since Confederation, the title to beds of navigable rivers and lakes has been vested in the provincial Crown
  - Municipalities have the right to apply zoning by-laws to lands under water (lakebeds) in their jurisdiction
- BC (Town of North Cowichan) solution
  - Float Homes Standard coordinated by numerous stakeholders (MELP, MMA and Society of Naval Architects and Marine Engineers)
  - Floating homes can only be habited in specifically zoned properties
- Toronto solution
  - Defined structures as Floating Homes. Each has a specific location, mooring fees, septic connection
  - They must be stationary at described (zoned approved) location and have no motorized capability
- Penetang solution
  - Owner was fined for contravening mooring limits, ie it needed to be moving constantly, no permanent mooring
  - Owner towed to Georgian Bay Islands where it sunk!



# Most recently, the Township of Georgian Bay has connected the dots for their regulatory strategy

- By-law 3.2 LANDS UNDER WATER

All lands under water of the lakes and rivers within the Township are subject to this By-law in addition to the requirements of both federal and provincial legislation. All lands under water not otherwise zoned, shall be zoned Lakeside (LS), and may be used in accordance with the zoning of abutting and appertaining lands and the regulations of this By-law and specifically Section 4.1.13. [Section 4.1.13 deals with Shoreline Accessory Structures – Water-based; stuff like boathouses, boat ports, docks, ramps, etc.]

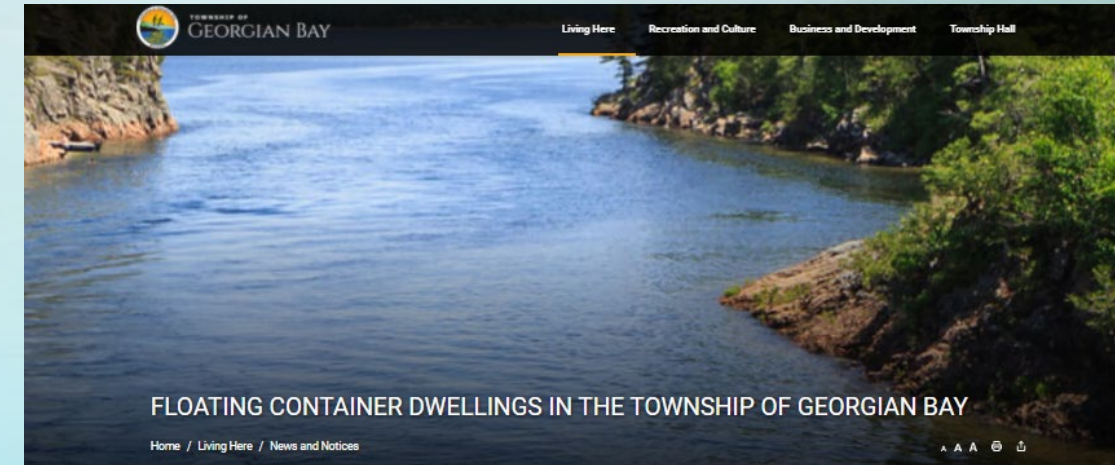
- By-law 4.6 FLOATING IN-WATER BOATHOUSES, BARGES & DWELLING UNITS

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.



# We believe TGB's by-law 3.2 and 4.6 are the backbone of an enforceable regulatory framework

- Since our FOCA presentation we have engaged several cottage associations and municipalities...
  - Lake Huron in the North Channel; (Nemi)
  - Carson Trout Lepine and Greenan Lakes Association; (Madawaska Valley Twp)
  - Bass Lake; (Oro-Medonte)
  - Talpines POA; (Waubauskene)
  - Indian Point Property Owners, Balsam Lake, (Coboconk)
  - Georgian Bay Association; (Georgian Bay, Tay Township, Township of Archipelago)



## News and Notices

- Burn Bans
- Community Notices
- Media Releases
- Road Closures
- Service Interruptions
- Weather and Emergency Updates

About Georgian Bay

Bressette House Market

Community and Cottage Associations

Community Calendar

Community Garden

Education

Environment and Sustainability

Facilities

Fire and Emergency Services

Garbage and Recycling

Georgian Bay Speaks

Posted On Friday March 04, 2022



## 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.

<b>Transport Canada</b> Toll-free: 1-866-995-9737 Telephone: 613-990-2309 Email: <a href="mailto:questions@tc.gc.ca">questions@tc.gc.ca</a>	<b>Parks Canada</b> General inquiries: 1-888-773-8888 Email: <a href="mailto:pc.information@canada.ca">pc.information@canada.ca</a>
<b>Trent-Severn Waterway</b> Telephone: 705-750-4900 Toll free: 1-888-773-8888 Email: <a href="mailto:pc.trentsevern@canada.ca">pc.trentsevern@canada.ca</a>	<b>Ministry of Environment, Conservation and Parks</b> Office: 416-325-3000; Crisis: 1-866-663-8477 (1-866-MOE-TIPS) Toll Free Phone: 1-800-268-6060 Email: <a href="mailto:moe.tips@ene.gov.on.ca">moe.tips@ene.gov.on.ca</a>
<b>Ministry of Northern Development, Mines, Natural Resources and Forestry</b> MINRF TIPS line: 1-877-847-7667 Crime Stoppers (anonymous): 1-800-222-TIPS (8477)	<b>Ontario Provincial Police</b> Non-emergency line: 1 888 310-1122

GPCA is energized to partner with Severn Township to build a sustainable regulatory framework

- Are there any questions or clarifications we can provide to assist in our journey to implement a regulatory framework?
- Have we provided sufficient context to Council for Severn Township to take next steps in regulating Floating Cottages?
- How can GPCA provide assistance going forward?

# Working together to prevent our worst fears...



On behalf of GPCA... thank you for your time, attention, and interest to solve a VERY BIG ISSUE