



Ministry of Natural Resources  
Ministère des Richesses naturelles

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Our File: 16-1

Muskoka & Haliburton Association of Realtors  
18 Chaffey Street  
Huntsville, ON  
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To Whom It May Concern:

**Re: Boathouses on Crown Lake Bed**

We are writing to update you on the above noted subject as many of the members of your board carry water front listings on a regular basis, some of which may have boathouses associated with the upland property.

In May 2000 the Ministry of Natural Resources (MNR) temporarily suspended the collection of rents for boathouse sites pending an MNR review of the practice to address concerns that the rental approach was not being implemented in a fair and equitable manner. The review has been completed and in recommending the resumption of rent collection, it recognized the need to reform the program in the following ways:

- Our *Free Use of Crown Land policy* was revised to better clarify the distinction between "free use" boat storage facilities and boathouses containing living accommodation;
- The occupational authority, or tenure, to be issued for most boathouse sites will be standardized in the form of a Lease, which will provide a secure form of tenure for boathouse owners, and a more equitable rental rate structure;
- Rental rates will be established using credible and current market value information;
- The program will be implemented consistently throughout all of Ontario, not just in certain parts of the province.

Our *Free Use of Crown Land policy*, with respect to boathouses, is as follows:

"The following uses of Crown land do not require land use occupational authority or the payment of a fee or rent:

....single storey boathouses, provided they are used strictly for private recreational or commercial tourism non-revenue producing purposes and are in compliance with the following:

- a) are mutually considered to be a necessary adjunct to the use and enjoyment of the adjoining upland property;
- b) are located directly in front of the owner's/occupier's adjoining upland property (or a shoreline road allowance or Crown shoreline reserve abutting the upland property) and do not interfere with a neighbour's use and enjoyment of their waterfront property;
- c) have been approved or exempted by the Canadian Coast Guard\* under the *Navigable Waters Protection Act*, if applicable;
- d) are in compliance with applicable permitting requirements;
- e) and are used only for the storage and docking of boats and related equipment."

If a boathouse does not meet the above criteria, for example, it has a second storey, contains living accommodation or is located remote from the owner's privately owned upland property, then occupational authority and the payment of an annual rent is required. The owner of such a structure is realizing significantly more benefit from their use of Crown land than the owner of a more conventional boathouse and, consistent with MNR strategic direction, the rent provides a fair return to the people of Ontario for this exclusive use and occupation of Crown land.

Although annual rents that would have been due during the May 1, 2000 to December 31, 2005 period will be waived, we will resume the collection of rent for 2006.

Consistent with our *Crown Land Rental policy*, annual rents will be set at 6% of the market value of each site. The market value is based on the "per square foot" value of the site, as determined by an accredited real estate appraiser, and the square footage of Crown lake bed occupied, as determined by a survey prepared by an Ontario Land Surveyor.

Subject to satisfying site specific criteria, the option of purchasing these sites, at market value, will also be made available.

It would be appreciated if you would distribute a copy of this letter to your membership.

Thank you for your anticipated cooperation, and if you have any questions, please do not hesitate to contact Chris Near at this office. Chris can be contacted by telephone at (705) 646-5510.

Yours truly,

Rob Viejou  
A\Bracebridge Area Supervisor  
Parry Sound District / Bracebridge Office  
Ministry of Natural Resources