



LOCAL AUTHORITIES' GUIDE
VESSEL OPERATION RESTRICTION
REGULATIONS
TP 14350E

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VORR AT A GLANCE

The [Vessel Operation Restriction Regulations](#) (VORR) under the [Canada Shipping Act, 2001](#) (CSA 2001) allows local authorities to ask the federal government to restrict the use of pleasure craft and commercial vessels on all Canadian bodies of water in order to improve safety, protect the environment and ensure the public interest.

What is a local authority?

Local authorities include:

- a government of a municipality, township, Indigenous community, county or regional district
- any other government formed under the laws of a province or territory, and
- a provincial, territorial or federal government department

Only local authorities can request a restriction on the use of a vessel. Local associations, citizens' groups or community groups should seek the support of a local authority to resolve problems and conflicts related to waterways.

What kinds of restrictions can be put in place?

- Complete prohibition of all vessels
- Limiting engine power or types of propulsion
- Limiting speed
- Limiting vessels from towing a person on any sporting or recreational equipment or allowing a person to wake surf, or
- Prohibiting a sporting, recreational or public activity, or event

Restrictions can apply at any time or during specific parts of the day, week, month or year.

For more information, see [Appendix 4: Types of restrictions](#).

What is the purpose of the Local Authorities' Guide¹ (Guide)?

The purpose of this guide is to help local authorities produce a complete vessel operation restriction request while complying with the requirements of the VORR and the [Cabinet Directive on Regulation](#).

In [Appendix 1](#), you will find a scenario that will provides a concrete example of the process explained in this guide.

Before beginning the restriction request process, contact your local [Office of Boating Safety](#) for advice and instructions.

Pacific Region (British Columbia)

Telephone: (604) 666-2681

Email: pacobs@tc.gc.ca

Prairie and Northern Region (Alberta, Saskatchewan, Manitoba, Yukon, Northwest Territories and Nunavut)

Telephone: 1-888-463-0521

Email: bsn-pnr-obs@tc.gc.ca

Ontario Region

Telephone: 1-877-281-8824

Email: bsn-ontario-obs@tc.gc.ca

Quebec Region

Telephone: (418) 648-5331

Email: bsn-quebec-obs@tc.gc.ca

Atlantic Region (New Brunswick, Prince Edward Island, Nova Scotia, Newfoundland and Labrador)

Telephone: 1-800-230-3693

Email: bsn-atl-obs@tc.gc.ca

¹ In the event of any discrepancy between the contents of the *Local Authorities' Guide* and any official document to which it refers, the official documents take precedence.

RESTRICTION REQUEST PROCESS

Local authorities must follow a structured process to address issues affecting a body of water or portion thereof, as well as meet the requirements of the [Cabinet Directive on Regulation](#). This process applies to every request for restrictions on vessel use.

Since every body of water is unique and has its own characteristics and users, and that the problems encountered are not necessarily the same, you can't ask for a restriction on multiple bodies of water simultaneously. Instead, you will have to submit a separate request for each body of water.

Before a local authority invests a significant amount of their time and resources that are required to complete the restriction request process, they must contact the local [Office of Boating Safety](#).

An officer from the Office of Boating Safety will:

- organize a meeting to explain the [Vessel Operation Restriction Regulations](#) and the process for submitting a restriction request
- explain the application form, and
- answer your questions

Overview of the Cabinet Directive on Regulation

Our responsibilities

We will ensure that your proposed restriction meets the requirements of the [Cabinet Directive on Regulation](#). The directive requires that:

- regulations protect and promote the public interest and support good governance
- the regulatory process is modern, open and transparent, and
- regulatory decision-making is evidence-based

In addition, we will ensure that all restrictions submitted by local authorities meet the following requirements:

- your proposal involves an obvious problem or risk and that it makes sense for the federal government to get involved
- you've consulted the people who will be affected by your proposal and invited them to participate in the development of proposals to address the problems encountered
- your proposal has benefits that outweigh the costs, and that there will be minimal negative impact without unnecessary regulatory burden, and
- you're committed to enforcing the restrictions you're requesting

Only once the restriction application process has been completed and the restriction application form has been filled out and completed (all the requested information is required) will you be able to submit your request.

Request a restriction

The different steps of the restriction request process are as follows:

- Problems identification
- Public consultations
- Implementation of alternative measures (if applicable)
- Assess the potential impacts of restrictions
- Complete a cost-benefit analysis
- Local authority commitment via council resolution
- Submit application form
- Review of the request by Transport Canada

Next, an in-depth look at each of these steps.

Step 1 – Problem identification

Canada's waterways are more popular than ever, but this rise in users and vessel traffic can also mean more conflict. People's safety and fragile ecosystems can be placed at risk. However, recreational boating, when carried out safely, contributes significantly to the employment of millions of people and is also a major contributor to the economy.

The VORR enables local authorities to solve problems relating to safety (e.g., speed and conflict of use, excessive wake that can cause capsizing, etc.), the environment (e.g., bank erosion, water quality, etc.) and public interest (generally includes anything that affects the rights, health or well-being of the general public such as protecting water quality on a body of water where there is a drinking water intake). It is possible to encounter a number of different problems on the same body of water.

To fully understand a problem and its impacts, you need to analyze the situation.

Ask yourself:

- Who is affected? How many people does this affect?
- What is the problem?
- When did the problem occur? How often does it occur (constantly or once in a while)?
- Where did the problem occur?

- Why is this a problem? Has anything changed recently? What is new?
- How did the problem come about?

When requesting a restriction, you must be able to explain in detail:

- the nature of each problem on the waterway
- how navigation affects each problem
- other things that contribute to the problem(s)

In keeping with the [Cabinet Directive on Regulation](#) principle that regulatory decision-making should be evidence-based, it will be important when addressing environmental issues, to provide us with scientific evidence, expert analysis or conclusions, and studies on the body of water that establish the issues or cause-and-effect relationships between the problem and navigation.

The same applies if you want to apply for a restriction in anticipation of an environmental issue. You need to provide strong evidence to support your application and show us, through expert opinion or environmental study, that the restriction is needed and that it is the best option to address the problem. Transport Canada will assess these types of requests on a case-by-case basis.

Step 2 – Public consultation

Consulting the public is a key part of resolving conflicts. It helps everyone involved understand the concerns and problems on a waterway, and gives them a chance to share feedback and help solve the problems.

Public consultations can help:

- Identify waterway-related problems and their causes
- Find the best solutions to a problem
- Determine whether there are alternative, non-regulatory measures that could resolve the issues, and what they could be
- Determine whether existing laws or regulations could be used to solve problems
- Gain community support
- Educate users of a body of water about an issue
- Determine the costs and benefits of possible solutions
- Determine potential impacts of restriction

During consultations, it will be important to check with stakeholders and users of the body of water whether alternative measures are possible and could be implemented to resolve the problems. In the end, if the only possible solution is to restrict navigation, you will need to justify the decision to take such rapid regulatory action and document your decision (rigorous documentation will be required).

Engagement and Consultation with Indigenous Peoples

Meaningful engagement and consultation with Indigenous Peoples are a necessary part of the restriction request process. In fact, a proposed restriction on the use of vessels can trigger a legal duty to consult with Indigenous Peoples.

It is very important to contact local [Office of Boating Safety](#) at the very beginning of your engagement or consultation planning. Officers will advise you if your proposed restriction request is likely to adversely affect Indigenous or treaty rights. If so, Transport Canada will work with you to meet Indigenous duty to consult requirements.

Even if the legal duty to consult does not apply to the proposed restriction, local Indigenous Peoples must be given the same opportunity to participate in the public consultation as stakeholders and users of the body of water.

Plan your consultations

Consultation planning is the first step to success. First, you will need to prepare a consultation plan, which you will need to send to the people you will be consulting with. Make sure to send the plan well in advance, so everyone has enough time to read it.

A good plan will include:

- the consultation's purpose and goal
- the issues it will address
- the key participants
- a realistic timetable
- how you will advertise the consultations and reach stakeholders
- the consultation approach you're proposing
- the rules for participation, and
- how you will share your results

More details on each of these points are provided below.

Key participants

Each body of water has its own unique group of stakeholders. Everyone affected or likely to be affected must be given the opportunity to express their views and a chance to share feedback during consultations. It's important to have a diverse range of participants.

List of stakeholders to consider when planning your consultations (please note this is not an exhaustive list):

- local government and non-governmental groups
- local residents
- local businesses (marina operators, boat rental companies, campground owners, etc.)
- shoreline residents
- local boat owners
- Indigenous Peoples
- waterway users, including anglers (people who fish) and boaters
- environmental groups
- sports groups
- commercial navigation representatives (cruise ships, ferries, tour operators, etc.)
- rental cottage owners
- seaplane owners
- people from nearby communities and businesses who use the waterway
- emergency responders, security and law enforcement officers
- provincial boating industry associations (members of the Canadian Marine Retailers Association)
- local tourism promoters
- various lake and boating associations, etc.

Informing stakeholders

Make sure to inform stakeholders well in advance that consultations will be held and when they will be invited. Participants need enough time to reserve the date, examine the issues, consult their organization, and come up with responses or possible solutions. To help them prepare,

send them your consultation plan, information about how the consultations will work, the issues the consultation will address, and your timeline.

When to consult

The timetable for consultations should be chosen according to availability and the best time to reach the various stakeholders identified.

Promote your consultation

Diversify the methods you use to inform stakeholders of consultations. How each stakeholder is informed about consultations, and how they can contribute to them, may vary from one sector to another, depending on the stakeholder in question. The range of methods should increase the number of stakeholders reached.

List of ways to promote your consultation (please note this is not an exhaustive list):

- send targeted invitations
- place notices in local newspapers
- post notices at access points, marinas, park information desks, community bulletin boards, local businesses, etc.
- organize public meetings
- participate in radio and television
- place notices in the mailboxes of homes and businesses in the affected area
- speak directly with associations and ask them to inform their members
- send notices to government and non-government organizations
- distribute pamphlets
- use digital tools like websites, social media and email
- collaborate with local associations

Effective consultations

For effective consultations, please keep in mind that:

- Public consultations must be open, meaningful, and balanced. Public consultations should not be held only to inform the public about issues with the body of water. They should allow stakeholders to share their comments and suggestions to help solve problems on the body of water before the decision is taken to seek a restriction on navigation. Collective discussions must involve both problems and proposed solutions. A survey alone does not constitute a consultation.
- Your consultation should involve discussions and 2-way communication. It's not just a place to tell people what you want from them or what you intend to do.
- The time you'll need for a consultation depends on the complexity of the issue and what methods you're using. Estimate the time you'll need based on the complexity of the project, the number of stakeholders and other case-specific factors.
- Make sure to use a variety of ways to consult (face-to-face, videoconferencing) in order to reach more stakeholders.

Incomplete or non-inclusive consultations may lead Transport Canada to reject a restriction request or return an application to the local authority.

Follow-up on your consultation

Follow-ups are a key part of consultations. It helps you communicate and keep water body users/stakeholders informed about:

- the consultation process
- next steps
- consultation results
- decisions taken following consultations
- what solutions will be put in place to address the problem, when they will be implemented and how they will work
- the results of the implementation of alternative measures, if applicable, and
- whether or not you've decided to submit a request to Transport Canada for a restriction

Final consultation

Before requesting a restriction from Transport Canada, make sure to consult the body of water users and stakeholders one last time on the restrictions that will be requested under the VORR.

This final consultation should proceed in the same way as earlier consultations.

Information on consultations to be included in your application

It is very important to record all information relating to consultations. You will need it when you fill out your restriction application form. In addition, certain documents must be attached:

- List of stakeholders you invited and who participated in your consultations and their role (e.g., recreational boater, shoreline resident, boat merchant, marina member, campground owner, etc.)
- List of methods used to inform the various water body stakeholders of the consultations, along with corresponding dates (like when you mailed letters, when you posted on Facebook, the date you posted posters, etc.). You must include copies of every method with your application (for example: a copy of the letter sent to residents of the municipality, a copy of the newspaper publication, a copy of the information page on the consultations found on the municipal website, etc.)
- A consultation calendar
- The number of people who attended each consultation, a summary of their roles, concerns and positions
- Summary of emails, letters and calls received
- Copy of consultation minutes (names of participants, summary, alternative solutions considered, conclusions, etc.)
- Names of the Indigenous Peoples that you contacted, as identified by the local [Office of Boating Safety](#). Also include a copy of every document related to the Indigenous Peoples that participated (like letters inviting them to the consultations, copies of their responses, summary of the conclusions of their participation)

Step 3 – Implementation of alternative measures (if applicable)

At this stage of the process, stakeholders should have been consulted extensively, and their comments documented. Based on the comments received during the consultations, the best solution to the problem must be found.

- Consider solutions that could eliminate the possible causes of the problem
- Assess all possible options, considering their impact on the people or groups concerned, the surrounding environment and anything else that might be affected
- Attempt to find solutions that are more socially acceptable, either regulatory or non-regulatory alternatives
- There are many possible alternative solutions to a problem. It is possible to implement a single solution or a combination of several solutions (simultaneous or consecutive)

Alternative non-regulatory measures

Table 1: Possible non-regulatory alternatives

Possible solution	Description
Setting up a voluntary code of ethics	The introduction of a voluntary code of ethics is a step that should ideally be initiated by the local authorities together with the various water body users. By doing so, you increase the chances that everyone will accept and follow the code. The measures to be included in a voluntary code of ethics depend on a number of factors, including the problems encountered on the body of water (safety, environment, public interest). It's important to note that since the code is voluntary, water body users won't be required to follow the code and there can be no regulatory enforcement in this respect.
Raising awareness among water body users	In some situations, the problem may be because people don't know about or understand the issue. In these situations, a simple communication / awareness strategy could solve the problem. You could teach water body users about the issues and encourage them to adopt safe and courteous boating practices via: • posters in strategic locations • radio ads • an article in a local newspaper • organized public outreach activities • posting ads and information online • setting up volunteer patrols • distributing information pamphlets to users/boat ramps • sending letters to local residents

Putting up posters or information buoys	Posters or information buoys are one of the most common forms of non-regulatory alternative measures. Here are some examples of language used on signs to improve behaviour: • Narrow channel ahead - Reduce speed • Caution - Swimming area • Reduce wake • Danger near the shore • Fragile environment – Reduce speed • Environmentally sensitive area – Avoid anchoring Posters and buoys can be very effective, but legally they must not resemble official restriction signs from Transport Canada. Before installing a sign on the shore, make sure that it: • complies with existing regulations • is accessible and visible Before using buoys, consult the <u><i>Private Buoy Regulations</i></u> and <u><i>An Owner's Guide to Private Buoys</i></u> to make sure that they comply with the prescribed requirements.
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Alternative regulatory measures

Instead of asking for a new restriction, another solution could be to apply existing laws and regulations on prohibited behaviour.

Table 2: Examples of existing regulations that can be used

Existing law/rule	Text from the law/rule
Section 201 of the <u><i>Small Vessel Regulations</i></u>	“The operator of a pleasure craft shall take all reasonable steps to ensure the safety of the craft and of every person on board.”
Section 1007 of the <u><i>Small Vessel Regulations</i></u>	“No person shall operate a vessel in a careless manner, without due care and attention or without reasonable consideration for other persons.”

Section 15 of the Vessel
Operation Restriction
Regulations

“(1) A person who operates a vessel shall a) consider any circumstances that could pose a danger to the vessel or other vessels; and b) avoid endangering the safety of persons involved in any activity in any waters.

(2) A person who operates a vessel during a sporting, recreational or public activity or event for which a permit has been issued shall do so in a manner that does not to interfere with the activity or event.”

Some provinces have adopted universal near-shore speed limits (10 km/h within 30 metres of the shore) on all waters within their boundaries. For more details, see [Section 2\(7\) of the Vessel Operation Restriction Regulations](#).

- These provincial limits are an effective, economical and quick means of addressing local concerns. They avoid the costs associated with signage and the process of restrictions.
- Although signs are not required to enforce near-shore provincial speed limits, they help educate boaters and reduce incidents.
- There are exceptions to these speed limits where other federal regulations already apply, such as in public parks, controlled-access sites and historic canals. Contact your local [Office of Boating Safety](#) for advice.

It will be necessary to communicate well with water body users and stakeholders to inform them of the result of consultations and any resulting measures, before they are implemented. In addition, it will be important to explain to them why and when these will be put in place and what will happen if they are not effective.

Finally, you will need a way to collect and keep a record of user complaints. Everyone should also be aware of how and where to make a complaint. You will also need to compile and include this information in your application form.

Step 4 – Assess the potential impacts of restrictions

It will be necessary to assess the impacts of your proposed restriction. You need to include details on how a restriction could have a positive and negative impact on:

- safety
- the environment, and
- the public interest

Step 5 – Cost-benefit analysis

An assessment of the proposed restriction request is necessary to determine the potential advantages and disadvantages. The calculation of costs and benefits should be carried out over a five-year period and shown by year if possible.

Your analysis must show:

- why the requested restriction is the most feasible way to deal with problems on the body of water
- that the proposed restriction offers qualitative and/or quantitative benefits that may offset potential costs
- that you will implement a restriction in way to maximize benefits over costs
- that the costs and benefits will be shared, when possible, by all the stakeholders that will be affected

The [Cabinet Directive on Regulation](#) requires that regulations' objectives are achieved in a cost-effective manner to users, stakeholders and all Canadians. It also requires potential positive and negative impacts of a proposed regulation be examined, along with feasible alternative options, on the potential impact for Canadians, business, governments and the environment, as well as a requirement to identify how impacts are distributed across the various parties. When it is not possible to quantify the benefits or costs, a comprehensive qualitative analysis of costs or benefits in support of the regulatory proposal is required.

To reduce impacts/costs, we must first assess what they would be and understand what they would consist of.

Any type of restriction implies a change in the balance between the rights of individuals and the benefits to the community. Below are the 3 types of impacts/costs to consider, with questions to help you assess their impact. Please note the questions outlined below are intended as a guide and may not capture all relevant considerations. Additional or alternative questions may better support a comprehensive impact assessment.

Impacts/costs to individuals and water body users

Some examples of questions you can ask yourself to determine the impact on individuals/users of the body of water are:

- Would a restriction affect the rights and privileges of certain water body users and do the benefits outweigh the costs?
- Would some water body users need to buy new equipment (e.g., a new electric motor) to meet the new requirements? How much would this cost?
- Would some users have to give up using their boats?

- How could a restriction affect the value of waterfront properties?

Impacts/costs to businesses

Some examples of questions you can ask yourself to determine the impact on businesses are:

- Would some businesses need to buy new equipment (e.g., a new electric motor) to meet the new requirements? How much would this cost?
- Could business profits decrease due to the new restriction? This does not only apply to businesses associated with recreational boating, but also the various businesses that sell products to people who travel to their location by boat.
- Could some businesses be forced to give up using their boats, or could they be forced to close their doors?

Resources/costs to implement the restriction

Some examples of questions you can ask yourself to determine the level of resources required to implement the restriction:

- What is the cost incurred by the restriction request process, for preparing the documentation and submitting the request (e.g., salaries of people working on the file, costs of consultations, costs of alternative measures, etc.)?
- Following registration of the restriction in the VORR, what would be the cost of signage (e.g., buoys, posters)? How much would it cost to install, maintain and store the required signage? How often would signage need to be replaced?
- What are the costs associated with promoting and educating water body users about the new restriction (e.g., salaries of people who would promote the new restriction, cost of printing pamphlets to inform the public of the restriction, the cost of advertising in a local newspaper, etc.)?
- Would enforcing the restriction require you to create a new marine patrol (e.g., salary, training, etc.)? If a patrol already exists, would there be any costs associated with the increased enforcement work? Would it be necessary to purchase new enforcement equipment (e.g., boat, engine, speedometer, safety equipment on the boat, etc.)? Will the enforcement agents require training to perform this new task (e.g., salary, travel, etc.)?

In the restriction application form, there is a cost table that must be completed in order to describe all the costs inherent in the restriction request you are about to submit.

Once you have completed the cost section of the application form, you will need to list the economic, environmental and social benefits/advantages (qualitative and/or quantitative) that are likely to occur as a result of restricting vessel use.

Finally, you will need to list all the stakeholders that the restriction could affect positively and negatively. You will need to explain how you expect each stakeholder to be affected.

An example follows below. This is provided for illustrative purposes only; the information you provide may differ.

Municipality XYZ plans to ask for restrictions on Lake ABC:

- A restriction to completely ban power-driven vessels and vessels driven by electrical propulsion that have an aggregate maximum power greater than 7.5 kw
- A restriction to completely ban all towing sports

Table 3: Which stakeholders are affected and how?

Who's affected?	How?
The owner of a water ski school on Lake ABC	The owner would have to stop giving lessons on Lake ABC (where his school, facilities and boats are located). The possible solutions are: • close the school, or • relocate to a different body of water
18 lake residents with boats with electric motor with an aggregate maximum power greater than 7.5kW or gasoline engine	These residents would have to stop using their boats with the current engines. The possible solutions are: • sell their boats and stop boating on Lake ABC • change boats to comply with the new restrictions • if possible, install a different engine that complies with the new restriction, or • relocate their boat to a different body of water
Residents of Lake ABC that own human-powered boats and swimmers	These residents would feel safer when using the lake. The benefits are: • reduced risk of incident or accident (collision) • improved sharing of the body of water by all users • increased use of human-powered boats

Canoe and kayak rental company on Lake ABC	Possibility of increase in business (new clientele feeling safer due to the restrictions in place).
Lake residents with bank erosion and broken docks	Reduced wakes would lower costs associated with shoreline degradation and broken private docks.

Measuring benefits and costs

There are different ways to measure the costs and benefits of a restriction, including:

- surveys (by mail, telephone or in person)
- field observations
- studies
- case studies (looking at similar cases on similar bodies of water or with similar problems)

Step 6 – Local authority commitment via council resolutions

Once you've determined that a navigation restriction is the best way to solve your problem, your local authority must formally request the restriction by passing a municipal resolution.

This resolution must explain the restriction you are requesting and the exact location (including geographical coordinates). Your local authority must also, commit to:

- informing body of water users and stakeholders about the new restriction
- creating, installing and maintaining any required signage (at your expense), and
- enforcing the restriction

Step 7 – Submit your application form

In order to file a formal restriction request with Transport Canada, you must complete every section on the Restriction Application Form. You will find instruction on how to complete it in [Appendix 3](#).

You can submit your request at any time of the year, but it needs to be sent to your local [Office of Boating Safety](#) **by November 15** if you want it to be considered and possibly implemented for the next year's boating season.

The restriction request must include the following:

- information on the local authority and contact person
- a detailed description of the body of water (including its official name, local name, geographic coordinates, length, width, depth, types of activities practiced, access points, drinking water intake, washing station, population, number and types of vessels, number of users and other activities related to the body of water, etc.)
- maps of the body of water that show the exact location of the restriction including geographical coordinates in latitude and longitude (degrees, minutes, seconds)
- a clear and complete description of the problem(s) encountered on the body of water, the contributing causes, how long the problem has existed and how often it occurs
- a full report on your consultations
- a summary of regulatory and non-regulatory alternatives examined/tried, if applicable
- an assessment of the potential impact of the restriction
- a cost-benefit analysis
- a description of how you will enforce the restrictions, along with a letter from the local law enforcement agency confirming that it is able to enforce them
- a copy of a municipal council resolution that lists the restrictions you are requesting, their exact location and a commitment to comply with its various responsibilities if the restrictions are put in place
- a communication and signage plan (description of how you will promote the new restriction to users of the body of water)
- a description of how you plan to assess the effectiveness of the restriction

Step 8 – Review of the request by Transport Canada

Once we have your formal request and all accompanying documents, the local [Office of Boating Safety](#) will have 30 calendar days to check that your request is complete, including:

- whether the restriction you have proposed is justified
- whether the public consultations were sufficient and well-documented, and
- whether your request complies with the [Cabinet Directive on Regulation](#)

If your request is deemed complete, it will be recommended for review and processing to the National Office of Boating Safety, and they will have 30 calendar days to complete their review of the request. We may contact you for further information.

If your request is deemed incomplete, we will return it to you and ask for more information.

Complete requests will be sent to the Minister of Transport for approval. If the Minister approves, we will add your restriction to Transport Canada's publication (TP 15587E), *Schedules of the Vessel Operation Restriction Regulations*.

Once your restriction has been published, we will contact you in writing to let you know and remind you of your obligations.

The most common reasons why requests are rejected are:

- the request does not meet the requirements of the [Cabinet Directive on Regulation](#) (for example: consultations were not carried out properly)
- the problem's root cause is not properly identified or explained, a crucial factor when considering options or solutions
- the problem can be solved by using an existing law or regulation
- the problem is not a safety, environmental, public interest issue or is not an issue related to navigation

NEXT STEPS – AFTER THE RESTRICTIONS IS PUBLISHED

Once you have been granted the right to restrict the use of vessels, as a local authority you must:

- inform the public about the new restriction
- create, install, and maintain the required signage, at your expense – local authorities are encouraged to set aside the necessary funds needed for signage of the restriction in advance to ensure you are ready
- enforce the restriction

We strongly encourage you keep a record of everything you have done throughout the restriction request process so you can refer to it in the future.

Inform stakeholders and the public

The success of a restriction depends on water body users knowing about it. As such, it is important to inform water body users about the new restriction, and to ensure that they understand what is expected of them.

There are many ways to achieve this goal. Here again, the range of methods you use should increase the number of stakeholders reached, and thus compliance with the regulations.

You could inform stakeholders and water body users about the new restriction by:

- writing an article or press release for the local newspaper
- posting notices in strategic locations like city hall, boat ramps, water access points, marinas, park information desks, community bulletin boards, local businesses, etc.
- hosting public meetings or awareness sessions
- sharing information via email, or on your website or social media
- sending targeted letters
- participating in radio and tv
- dropping notices in the mailboxes of homes and businesses in the affected area
- speaking directly with associations and asking them to inform their members
- distributing pamphlets
- collaborating with local associations

In the Restriction Application Form, you will be required to provide the communication strategy you have developed to inform stakeholders/users of the water body about the new restriction. This strategy should explain how you will promote the new restriction and the timeline for implementation.

Display the restrictions in place

To be able to enforce the restrictions, which is required under the [Cabinet Directive on Regulation](#), users of the body of water need to know about them. One way of telling users about the restrictions is to post signage.

Signs must be clearly visible and easy to understand. In addition, they must be installed in appropriate locations on or near the body of water to increase the likelihood that people will follow the restrictions.

To ensure consistency, visibility and understanding, keep in mind that both the [Vessel Operation Restriction Regulations](#) and the [Private Buoy Regulations](#) govern the appearance and placement of vessel operation restriction signs.

Please consult the Transport Canada publication: [Signage Requirements and Recommendations — Vessel Operation Restriction Regulations](#) for help and advice on the technical specifications required for signage.

In the Restriction Application Form, you will be required to provide a plan for the buoys and/or signage you will be putting in place to advise stakeholders/users of the restriction on the body of water. This plan should include information on the type of signs you will be using (ground signage and/or buoys), the number of signs and/or buoys and the chosen locations.

Designate enforcement officers

Under subsection 135(1.1) of the [Canada Shipping Act 2001](#), the Minister of Transport may appoint enforcement officers to enforce the [Vessel Operation Restriction Regulations](#).

The [Contraventions Regulations](#), made under the [Contraventions Act](#), set out the prescribed fine amounts for contraventions of designated provisions of regulations, including regulations made under the [Canada Shipping Act 2001](#), such as the VORR. A schedule in the [Contraventions Regulations](#) sets out the precise amounts of fines for non-compliance with vessel operation restrictions, up to a maximum of \$500 in the event of a violation. In addition to fines issued under the [Contraventions Regulations](#), the VORR can be enforced by summary conviction, in accordance with the [Canada Shipping Act 2001](#).

Designation requests should be forwarded to your local [Office of Boating Safety](#) for analysis and follow-up. The Office of Boating Safety works with the local authority to determine the capacity, specialized training and experience required to enforce the regulations.

Once the request is approved, a certificate of designation under subsection 135(1.1) of the [Canada Shipping Act 2001](#) will be issued following training provided by Transport Canada, if required.

To designate enforcement officers:

1. Contact Transport Canada to request a designation for your enforcement officers
2. Include all the information we need to appoint your enforcement officers (for example: you will need to make sure the right training, tools and equipment are in place to qualify the persons or categories of persons as enforcement officers)
3. Send your request to your local [Office of Boating Safety](#)
4. Transport Canada will review and process your request
5. Transport Canada will train enforcement officers, if necessary
6. Transport Canada will send you a copy of the designation certificate

Finally, we hope that after reading this guide, the restriction request process will be clearer and that you will be able to undertake it with greater ease. We invite you to refer to [Appendix 1](#) of this guide, where you will find the Linden Lake case study. This fictional but realistic scenario will help you understand the restriction request process step by step.

Please contact your local [Office of Boating Safety](#) at any time for additional information or assistance. The officers will be able to explain the procedure in detail and answer any questions you may have to ensure that your request is complete.

APPENDIX 1 – SCENARIO – THE LAKE LINDEN CASE

This scenario will help you better understand the process explained in this guide.

Lake Linden is about 1.5 kilometres long and at most one kilometre wide. The eastern part of the lake measures around 600 metres at its widest point. It is surrounded mainly by private property, with the exception of a public park on the western shore of the lake, where there is a private campground offering watercraft rental (canoes, kayaks, pedal boats, paddleboards and personal watercraft), a small marina and a public launching ramp open to all at the end of Lake Linden Road, adjacent to the park.

Population growth in recent years has multiplied the number of uses of the waterway, and the following activities are now practiced: swimming, canoeing, kayaking, paddleboarding, pedal boating, fishing, personal watercraft, water skiing, wakeboarding and wake surfing. Many long-time residents have voiced their concerns and dissatisfaction with the increased use of the lake, including the use by some powerboaters who perform “acrobatics,” jumping on wake waves and skimming close to other boats and docks. Their concerns include the damage that wakes could cause to docks, and the risk of those same wakes causing a small non-motorized boat to capsize. In addition, people complain about the noise that disturbs what used to be a peaceful place, and what some residents call “chaos on the water.”

At a meeting of the owners’ association, the decision was taken to approach the municipality to limit the number of motorized watercrafts to those owned by the owners, or to ban them from the lake altogether. The municipality informed the owners that waterways are a federal responsibility, but agreed to help, given the number of safety concerns raised by residents.

A representative of the municipality contacted the local Office of Boating Safety (OBS) to express the concerns of members of the homeowners’ association regarding activities on Lake Linden and requested that a restriction or ban be imposed on motorized watercraft on the lake. The OBS provided the municipal representative with general information on how the [Vessel Operation Restriction Regulations](#) (VORR) work, adding that there is a structured and rigorous process to follow and that there may already be alternative regulatory or non-regulatory measures that could improve the situation on Lake Linden.

The municipal representative explained that the members of the association had taken a vote and that 98% of them felt that a restriction was the best solution to the problem. The OBS emphasized that before requesting a restriction, the municipality, as the local authority responsible for the file, must carry out appropriate consultations and assess the concerns relating to the body of water. All users and those with an interest in the body of water must be able to take part in consultations and have the opportunity to participate in the process. The consultation process cannot be limited to a single group. The OBS also mentioned that a request for restrictions on the use of vessels should not be the first solution considered. Non-regulatory alternatives should be considered and, wherever possible, tested, before resorting to regulations. Indeed, in many cases, alternative solutions to a formal restriction can solve problems just as well as a restriction. The OBS has also informed the municipality that the restrictions apply to all vessels in the same way, regardless of who owns them. This means that

the boats of waterfront property owners will be subject to the same restrictions as those of other users of the body of water.

Local authorities' guide and discussion with OBS – Process overview

As a first step, a link to the *Local Authorities' Guide* was sent to the municipality to help them understand the necessary process. The municipality appointed a project manager to handle the project. The project manager reviewed the Guide in order to understand the various stages of the process to be followed. They then contacted the local [Office of Boating Safety](#) for further details and to ensure they understood it. A presentation of the process was made to the municipality (council) by the OBS.

Consultations

Following this presentation, the project manager began working on the consultation plan.

1. They began by defining the purpose and objectives of the consultations and preparing the invitation for the users/stakeholders. In this invitation, the project manager explained how the consultations would work and when they would take place.

Here is the invitation they prepared:

Over the past few years, various safety issues have been encountered on Lake Linden, and the Municipality of Linden wishes to invite lake users and stakeholders interested in and affected by the problems to consultations that will clearly define the problems and their causes and help find solutions.

To help you prepare for the consultations, you will find below the issues raised by users and stakeholders on Lake Linden (description of issues).

Two in-person public consultations will be held at (exact location – address, date and time of each meeting). A virtual meeting (Teams) will also be held for those unable to attend (date and time of the virtual meeting and link to connect to the meeting).

Anyone wishing to submit comments may do so by contacting the Municipality of Linden at (insert email address).

2. They then identified the various stakeholders to be consulted. The OBS had told the project manager that all those affected or at risk of being affected must have the opportunity to be heard, and that the diversity of stakeholders was essential (looking beyond just the local residents and people in the municipality).

Here is the list of stakeholders/users that the municipality should invite, at a minimum, to the consultations:

Local boaters, shoreline residents, local residents, local businesses (campground owners–campers, marina operators–marina members, owners of the boat rental business on the campground), members of the Linden Hunting and Fishing Club, members of the Linden Lake Association, Indigenous Peoples identified by the OBS,

lake users from neighbouring municipalities and elsewhere, law enforcement officers, etc.

3. Simultaneously, they must check with the OBS whether there is a legal obligation to consult with Indigenous Peoples. As mentioned in the discussion with the Office of Boating Safety, this step must be completed in collaboration with the OBS at the very beginning of the consultation process. The project manager sent the OBS officer the name of the body of water, its exact coordinates and a preview of the restrictions that would be requested.

Here is the OBS's response:

After verification, there is no legal obligation to consult Indigenous groups. However, two Indigenous groups were identified as requiring consultation along with other users of the body of water. Letters explaining the problems encountered on Lake Linden are to be sent to the two groups identified, along with an invitation to the consultations. It is important to give them the opportunity to formulate comments and have them sent by email or letter (the letters sent by the municipality as well as the answers received from the Indigenous groups should be included in the final report).

4. They identified autumn as the best time to consult users of the body of water and identified stakeholders. This is when they are most available. It is a quieter time of year, when the people to be consulted are still thinking about the various problems encountered on the body of water over the summer. This is before the holiday season, when many people are away. By choosing autumn, the municipality will have plenty of time to send out invitations to take part in the consultations.
5. They also identified the methods that will be used to inform the various groups and individuals of the consultations. To ensure that all body of water users and potentially affected stakeholders were aware of the consultations, they diversified the methods as much as possible.

Here are the methods selected to communicate the consultations:

- Publication of the consultation notice in the local newspaper serving the Municipality of Linden and five other nearby municipalities. This invitation was published on two occasions (six weeks and four weeks before the consultations). Keep the newspaper clippings for inclusion in the final report.
- The invitation was also included on the Municipality of Linden's web page (on the home page, highly visible to citizens). Keep a screenshot of the invitation for inclusion in the final report.
- A letter of invitation to the consultations was sent to all residents of the municipality (shoreline and non-shoreline residents, the campground owner and boat rental company, marina operators and the two Indigenous groups identified by the OBS. Keep a copy of the letter for inclusion in the final report.
- An email invitation to the consultations was sent to neighbouring municipalities, members of the Lake Linden Association, members of the marina and the hunting and fishing club. Keep a copy of the email for inclusion in the final report.

- Poster invitations to participate in the consultations were placed at strategic locations in the municipality (convenience store, grocery store, town hall, post office, park bulletin board, police station, boat launch, campground, marina). Keep a copy of the poster/photo for inclusion in the final report.
6. Finally, they selected a moderator for the consultations. This person is neutral, and their role will be to lead and moderate discussions to ensure respect and allow everyone to express themselves.

Consultation process

All three consultations were structured in the same way:

- Welcoming remarks by the mayor and introduction of councilors.
- Explanation of how consultations work and presentation of the moderator and their role.
- Presentation of the issues raised by water body users and stakeholders, and probable causes.
- Discussion between consultation participants to reach an agreement about the problems and their causes.
- Finding solutions to the problems on Lake Linden other than a formal restriction request.

At the start of the discussions, opinions differed as to the problems encountered on Lake Linden. Some people agreed that there were problems, while others thought there were no problems at all, given that no accidents had occurred, and no injuries had been reported.

Despite divergent opinions expressed by some people, participants agreed during the consultations that the wake produced by some watercraft could cause problems for small vessels and swimmers, and that high speeds near the shore and swimming areas, and possibly near docks, posed a risk. Noise complaints were also mainly related to parties held onboard one or two unidentified boats, where music played so loudly that it disturbed residents' sleep. However, people had more difficulty determining what the municipality had done to try to improve the situation, apart from the ban or restriction that some members were proposing. What could be done?

Alternatives to the VORR

It was at this stage that alternatives were identified and examined. Everyone now knew that restricting the use of vessels was an option but could not be considered the only solution for the time being without a full analysis.

During the consultations, several solutions were examined.

1. Adopt a voluntary code of conduct. Under this code, it would be forbidden to travel at high-speed close to the shore, or to cause large wakes near docks or small boats. While it was agreed that this approach could work for most local users, it had to be recognized that it would not necessarily be effective in the case of vessels passing through for a single day from other regions. Wakeboarders and water-skiers agreed to set specific times for practicing their sport in the larger part of the lake, and to operate in a counterclockwise direction. These instructions were to be included in the voluntary code of conduct and explained through awareness-raising (signage, article and pamphlets)

and self-monitoring (the municipality is to include a copy of the code of conduct in the final report).

2. Wherever possible, enforce existing regulations, which would be likely to increase safety.
 - Under the VORR, all waterways in the province are subject to a speed limit of 10 kilometres per hour within 30 metres of the shore (this applies to several provinces – see VORR 2(7)).
 - Also under this regulation, section 15(1)a) contains a provision on safe operation. A person who operates a vessel shall do so in a safe manner, considering any circumstances that could pose a danger to the vessel or other vessels.
 - The [*Small Vessel Regulations*](#) (SVR) include provisions prohibiting careless driving (SVR 1007). Careless driving can involve, among other things, passing other vessels at high speed, making jumps over waves or wakes, running a vessel in circles for long periods in the same place, or producing excessive wakes.
 - Under the SVR, section 201 (safety obligation) can also be used if the operator of a pleasure craft fails to take all reasonable steps to ensure the safety of the craft and of every person on board.
3. Raise awareness among users of Lake Linden of the problems encountered on the body of water and of dangerous and disruptive behaviour.
 - Install information panels at strategic locations in the municipality: near the boat launch, at the campground, at the boat rental stand, at the marina, on the park bulletin board, at the police station, at the town hall and at a few businesses serving lake users (take photos of the installed panels to include in the final report).
 - Prepare an article explaining the problems encountered on Lake Linden and mention the right behaviour to adopt in the local newspaper (include a copy of the article in the final report).
 - Produce an awareness-raising pamphlet (speed, safety, civic-mindedness) and distribute it to users of the body of water (by mail to residents of the municipality and shoreline residents, at boat launches on four busy weekends during the summer, at the campground and marina during the summer, to all boat rentals (through the owner of the rental agency) (a copy of the pamphlet should be included in the final report).
4. As for the issue of excessive noise resulting from music played on board boats, a local regulation could be put in place if necessary. It should be noted that engine noise (muffler requirements) falls under federal jurisdiction.

Following the consultations, the Municipality of Linden decided to implement, for the summer season (the busiest period on the lake), the alternative solutions that had been raised by the participants (users and stakeholders).

Before the summer

Before the start of the boating season, the project manager set up a small project team whose mandate was to implement the selected alternative measures, as well as to set up a complaints office to collect and compile complaints received during the summer. The Municipality of Linden published a public notice (on the municipality's website, in the local newspaper serving the municipality and neighbouring municipalities, by email) to explain to users and stakeholders the alternative solutions that would be put in place over the summer. The contact details of the complaints office were included in the public notice.

During the summer

During the summer season, the project team implemented the alternative solutions announced in the public notice and gathered complaints from the public. At the municipality's request, enforcement officers were more present on Lake Linden to enforce the regulations already in place.

End-of-summer review (alternative solutions) – Conclusion A

At the end of the summer, the municipality and its project team took stock of the alternative solutions put in place during the summer.

The compiled complaints, warnings and fines were also analyzed. A comparison with previous years showed that the number of complaints had fallen drastically.

The municipality decided to survey the population (water body users) to check their satisfaction with the alternative solutions. The results of the survey were very encouraging, with a large majority (95%) of those polled very enthusiastic and satisfied with the measures taken by the local authority to resolve the problems on Lake Linden.

Of course, the municipality would have to continue its awareness-raising efforts over the next few years, and certain adjustments would have to be made to the measures already in place, but all the work had paid off, the alternative solutions had succeeded in resolving the vast majority of the problems, and a request to restrict navigation was not justified, for the time being at least.

The municipality notified water body users, stakeholders and all those who had taken part in the consultations of the success of the alternative measures, and of their continuation (with some corrective measures) for the following year.

End-of-summer review (restrictions) – Conclusion B

At the end of the summer, the municipality and its project team took stock of the alternative solutions put in place during the summer.

The compiled complaints, warnings and fines were also analyzed. A comparison with previous years showed that, despite all the work done by the municipality over the summer (implementation of alternative measures), the number of complaints was practically the same as in previous years (a slight decrease, nothing significant).

Despite this, the municipality decided to survey the population (water body users) to check their satisfaction with the alternative solutions. The results of the survey were, as the municipality had expected, not very encouraging. Indeed, the vast majority of those surveyed were very disappointed and dissatisfied with the outcome of the measures put in place by local authorities to resolve the problems on Lake Linden. Many of those surveyed called for a restriction on navigation to put an end to the problems encountered on the body of water.

In light of these results, the municipality felt that there was ample justification for continuing with the restriction request process and requesting a restriction on vessel use from Transport Canada. The municipality therefore notified water body users, stakeholders and all those who had taken part in the consultations.

Before completing the Restriction Application Form, the municipality consulted water body users and stakeholders one last time on its intention to implement a restriction under the [Vessel Operation Restriction Regulations](#) and to make a formal request to Transport Canada. This consultation would enable the municipality to gauge the support for this solution (restriction). For this final consultation, the municipality proceeded in the same way as for the first. Respondents' support for a restriction on navigation was very convincing. In fact, 90% of those surveyed agreed with the municipality's solution of requesting a restriction from Transport Canada.

The municipality therefore asked the project manager to continue the process and complete the Restriction Application Form, which would allow the restriction request to be submitted officially to Transport Canada.

Simultaneously, the municipality prepared a municipal resolution officially requesting a restriction to Transport Canada, clearly identifying the restriction (schedule and geographic coordinates). In addition, in this resolution, the municipality agreed to:

- Inform the public of the new restriction.
- Create, install and maintain required signage, at their expense.
- Ensure implementation of the law enforcement process.

The municipality also contacted the local [Office of Boating Safety](#) to discuss the process of appointing enforcement officers to enforce the VORR. As the municipality already has a marine patrol on the body of water (boat, personnel and equipment), it would be easier to set this up.

Once the Restriction Application Form had been completed, the request was sent to the local [Office of Boating Safety](#).

APPENDIX 2 – REFERENCES AND USEFUL LINKS

- [Transport Canada – Office of Boating Safety](#)
- Transport Canada's publication (TP15587E) – *Schedules of the Vessel Operation Restriction Regulations*
- [Contact the Office of Boating Safety](#)
- [Canada Shipping Act, 2001](#)
- [Vessel Operation Restriction Regulations](#)
- [Signage Requirements and Recommendations - Vessel Operation Restriction Regulations](#)
- [Cabinet Directive on Regulation](#)
- [Small Vessel Regulations](#)
- [Collision Regulations](#)
- [Private Buoy Regulations](#)
- [Contraventions Regulations](#)
- [Canadian Geographical Names Database](#)

APPENDIX 3 – INSTRUCTIONS FOR COMPLETING AN APPLICATION FOR A VESSEL OPERATION RESTRICTION

The [Vessel Operation Restriction Regulations](#) (VORR) allow any level of government to ask the federal government to restrict the use of either pleasure craft or commercial vessels on all bodies of water in Canada.

Assessment criteria

All restrictions submitted by local authorities must meet the requirements of the [Cabinet Directive on Regulation](#).

Important

The Local authority must complete all sections and properly document each question/step, record and keep all information gathered at every stage of the process and include all documents relevant or necessary to analyze the file (like studies, analyses, resolutions and letters) as appendices.

Note: At any time during the file analysis, Transport Canada may ask the local authority to provide more details and supporting documents.

For more information regarding the VORRs, you can read the Local Authorities' Guide Vessel Operation Restriction Regulations.

Step 1 - Local authority/authorities and contact information

Local authority/authorities

Enter the name of the local authority requesting the restriction. If several local authorities are involved, enter all their names.

Note: Generally, all local authorities bordering the body of water where the restriction will be requested should be part of the restriction request and should support the restriction. A Local authority can be a municipality, city, administrative region, township, province, Indigenous governing bodies, etc.

Contact name

Enter the name of the person who worked on the file and will be the point of contact for Transport Canada.

Full address

Enter the full mailing address of the contact person.

Phone number

Enter the phone number of the contact person or the general number of the local authority.

Email address

Enter the contact person's email address or a general local authority email address.

Step 2 - Description of the body of water

Official name

Enter the official name of the body of water found in the [Canadian Geographical Names Database](#) (CGNDB).

Local name

Enter the local, commonly used name of the body of water if it differs from the official one.

Geographical coordinates

Enter the official geographic coordinates of the body of water in latitude and longitude (degrees, minutes, seconds). Use the geographic coordinates in the [Canadian Geographical Names Database](#) (CGNDB).

Example: 55° 55' 55" 55° 55' 55".

Detailed description

Provide the surface area, length, width, average depth and any other important information (e.g., watershed, water quality, and renewal, etc.) of the body of water.

Public water intake(s)

Indicate whether the body of water has public water intakes. If so, specify how many, where they are located (include a map showing their location if you have it), and how many people are served by these public water intakes.

Public access(es) and boat launch ramp(s)

Indicate whether the body of water has public access points, landings, and launching ramps. If so, specify how many, where they are located (include a map showing their location if you have it) and how many people a year these facilities.

Washing station(s)

Indicate whether the lake has washing stations. If so, specify how many, where they are located (include a map showing their location if you have it) and how many people use these facilities a year.

Private accesses or rights-of-way

Indicate the number of private access points around the body of water (how many private lots have direct access to lower a boat into the water) and the number of rights-of-way issued for the body of water (if applicable).

Restrictions already in force

Indicate if there are already restrictions on the body of water. If so, specify what the restrictions are (Schedule, Part and Section), if the restrictions are displayed and what type of signage was used (like buoys or posters on land). Include a photo of the signage.

Number of shoreline properties

How many shoreline properties are there? Specify how many residential properties (list the number of permanent and seasonal residents), how many commercial properties provide details on the type of business (e.g., campgrounds, marinas, boat rentals, etc.) and how many private docks and swimming platforms are on the body of water.

Current use of the body of water

Provide the estimated number of users, specifying how many are shoreline residents and how many are visitors (non-residents/tourists—boat ramp users, with public or private access, cottage rental users, campground users etc.).

Include a list of common activities on the body of water (e.g., fishing, swimming, recreational towing activities such as water-skiing, wake surfing, recreational boating (non-motorized), recreational boating (motorized), seaplanes, commercial activities (like cruises, ferries and fishing), other (provide details).

Provide a list of all the types and number of pleasure craft found on the body of water (e.g., fishing boats, personal watercrafts, pontoons, large wave boats, non-motorized watercraft (e.g. canoes, kayaks, paddleboards, pedal boats, etc.), sailboats, other motorized watercraft and any other types (provide details).

New use (planned)

Include any plans for new uses of the body of water, new residential and commercial developments, new public access, etc.

Other relevant information

Indicate any other relevant information that might be unique to your situation (like the presence of a hydroelectric dam).

Step 3 - Maps

Include a large map of the municipality (with the body of water affected by the restriction clearly identified), a map of the body of water clearly identifying the area(s) of the requested restriction(s) including exact geographical coordinates in latitude and longitude (degrees, minutes, seconds) and, if a restriction already exists, identify it on the map. If available, also include a bathymetric chart.

Step 4 - Problem description

Nature of the problem or existing risks

In your introduction, summarize the problems encountered on the body of water that require intervention such as a restriction on vessel use. Then, explain in detail the nature of each of the problems identified (environment, safety and public interest).

Note: There can be several different problems on the same body of water.

Environment

Explain, in detail and separately, the environmental problems encountered on this body of water (e.g., bank erosion, water quality, species at risk, wildlife, etc.). For each problem, explain the causes related to navigation, indicate how long the problem has existed and specify how often the problem occurs (every day or all the time, every week or often, every month or occasionally, every year or rarely).

Regulatory decision-making must be evidence-based. You need to provide evidence to demonstrate the cause-and-effect relationship between the environmental problems encountered and navigation (e.g., scientific data, studies, expert opinions specific to this water body, etc.).

Safety

Explain, in detail and separately, the safety problems encountered on this body of water (e.g., speed, conflicts of use, excessive wake that causes capsizing, etc.). For each problem, explain the causes related to navigation, indicate how long the problem has existed, and specify how often the problem occurs (every day or all the time, every week or often, every month or occasionally, every year or rarely).

If you have data on the number of accidents, incidents and complaints, provide a summary of this information.

Public interest

Explain, in detail and separately, the public interest problems encountered on this body of water. It is important to confirm with your local [Office of Boating Safety](#) representatives that the

problem is one of public interest. For each problem, explain the causes, indicate how long the problem has existed and specify how often the problem occurs (every day or all the time, every week or often, every month or occasionally, every year or rarely).

Note: Public interest refers to the general public's well-being, where society has an interest that should be protected. The idea of public interest is very broad. It generally includes anything that affects the rights, health or well-being of the general public.

Step 5 - Consultations

Note: Public consultations are an essential conflict resolution mechanism. Their goal is to find solutions to problems on a body of water. They help define the problem, its causes, and allow water body users to participate in the development of alternative or non-regulatory measures.

All stakeholders (parties) affected or likely to be affected (e.g., water body users; local businesses) must be given the opportunity to express their views during consultations.

Planning consultations

Indicate the purpose and objectives of the consultations (e.g., identify problems; discuss solutions).

Indicate how the consultations were publicized to water body stakeholders (e.g., letter of invitation, newspaper article, radio announcement, signage in targeted locations, website, targeted emails to users, etc.). Include a copy of all these consultation materials and include the publication date for each method.

Include the list of stakeholders identified for consultation (e.g., water body users, marina members, water body association members, shoreline residents, sailing club members, fishing club members, campground owners, boat rental companies, boat retailers, etc.).

Indigenous Peoples

Note: Before starting consultations, please contact the local [Office of Boating Safety](#) (engagement with Indigenous Peoples may be necessary).

You must ask the local [Office of Boating Safety](#) if there is a legal obligation to consult with Indigenous Peoples. If so, specify, which groups were consulted, how they were invited to the consultations, how they were consulted and the outcome of these consultations.

Note: If there is no legal obligation to consult Indigenous Peoples, the local [Office of Boating Safety](#) may still identify groups that need to be included in your engagement process. The names of the Indigenous Peoples to be invited to participate must come from the local [Office of Boating Safety](#).

If Indigenous peoples are identified, provide the names of the Indigenous Peoples identified by the local [Office of Boating Safety](#), a copy of the letters/emails sent to the Indigenous Peoples inviting them to participate in the process and a copy of their responses. Also, include a summary of the engagement and findings.

Initial consultations and follow-ups

Note: Consultation follow-ups are also an essential part of the consultation process. They involve notifying the body of water users/stakeholders of proposed decisions in an attempt to resolve any problems on the body of water.

For each consultation, include the consultation calendar, the number of people present (if in person), the number of online participants, a summary of who they are representing (e.g., companies, individuals and organizations), a summary of their concerns and positions.

Summarize emails, letters and telephone calls related to the consultations.

Explain the results/conclusions of each consultation (e.g., alternative measures will be implemented first, implementation of restrictions is favoured and why).

Explain how you did the follow-up to consultations with water body users / stakeholders / consultation participants (to explain to them the proposed decisions that will be implemented to address the issue).

Final consultation

Note: Before requesting a restriction from Transport Canada, make sure that water body users and stakeholders have been consulted on your intention to implement a restriction under the VORR (to confirm support for the restriction being requested).

Indicate how the local authority informed water body stakeholders about the restriction that would be requested from Transport Canada (e.g., invitation letter, newspaper publication, radio announcement, signage in targeted locations, website, targeted emails to users, etc.). Include a copy of all these documents and their date of publication.

Indicate the consultation calendar, the number of people present, the number of responses received, a summary of who they were representing (e.g., companies, individuals and organizations) and a summary of their concerns/positions.

Step 6 - Alternative measures (if applicable)

Note: Regulations should be the last option you consider. If no alternative measures have been tried in the past, it may be advantageous to implement alternative measures that have been identified during consultations instead of a new restriction. Alternative measure must be discussed as part of the consultations.

Examples of possible alternative measures: increasing awareness, voluntary code of ethics, signage (posters or private information buoys) and enforcing existing regulations (such as the [Small Vessel Regulations](#)).

Previous alternative measures (if applicable)

Explain, in detail, each previous alternative measure you have tried using to solve the problems on this body of water. For each previous alternative measure, indicate the start and end dates of the trial period and explain, in detail, the results of each of them.

Alternative measures implemented after consultations

Explain, in detail, each alternative measure put in place after consultations to solve the problems on this body of water. For each alternative measure, indicate the start and end dates of the trial period, and explain, in detail, the results of each alternative measure.

If a code of ethics was implemented, include it and record the number of complaints/code of ethics violations describing them and the number of regulatory violations observed by enforcement officers (e.g., [Small Vessel Regulations](#) violations for dangerous driving) for each year of trying alternative measures.

No alternative measures

Explain, in detail, why no alternative measures have been tried before or after consultations. You must discuss and consider testing an alternative approach during stakeholder consultations. Include how water body users and stakeholders feel about not implementing alternative measures.

Step 7 - Assessing the potential impact of the restriction

Safety

Will the restriction have positive or negative impacts on people's safety? Possible answers are no impact, minimal impact, some impact and considerable impact. Explain the possible impacts in detail.

Environment

Will the restriction have positive or negative impacts on the environment? Possible answers are no impact, minimal impact, some impact and considerable impact. Explain the possible impacts in detail.

Public interest

Will the restriction have positive or negative social impacts on lifestyle, culture, community, political systems, well-being, individual and property rights, fears and aspirations, or on any ethical concerns? Possible answers are no impact, minimal impact, some impact, and considerable impact. Explain the possible impacts in detail.

Step 8 - Cost-benefit analysis

Note: You must show that the recommended restriction is the best option for solving the problem.

Stakeholders affected and significant impacts

List all stakeholders likely to be affected positively or negatively by the new restriction you are requesting (e.g., specific water body users, shoreline residents, rental agencies, boat or equipment sales companies, marinas and enforcement officers, etc.).

Explain how they will be likely to be affected and describe any potential impact a navigation restriction would have on the local economy. Enter potential costs in the table at the bottom of this section.

Benefits

List the benefits (economic, safety, environmental and social) likely to occur as a result of a restriction adopted under the VORR. If you have quantitative data, please include it. Explain who will benefit from them.

Costs

Include a table showing the costs to local authorities from adopting a restriction under the VORR. Here are some examples of costs: signage of the restriction (e.g., buoys and/or signs on land), regulatory enforcement (e.g., the cost of marine patrol salaries, boat, equipment, etc.) and promotion and education of the restriction (e.g., salary of promoters, cost of newspaper ads, etc.).

Enter potential costs in the table at the bottom of this section. The table should include: the name of each local authority (if more than 1), a description of the likely costs to each local authority, the amount of each item for the year costs are incurred (include your calculations and explanations) and any recurring costs. If you have qualitative data (costs), include them and explain them.

Costs should be calculated over a period of five years. Cost should be shown by year, if possible.

Note: The following table contains examples of costs you may encounter. This table can be used as a template to create your own table. You should add or remove any costs to reflect your restriction accurately.

Cost Table

Stakeholders affected	Description of costs	Total costs incurred to date (20xx-20xx)	Expected future costs (20xx – 20xx)	Recurring costs Starting in 20xx
Local authority Note: There must be a section for each local authority requesting a restriction.	Preparing and submitting the restriction request (e.g., salaries, consultation costs, newspaper advertisements, costs of alternative measures, etc.)	\$	\$	\$
	Signage of restrictions (e.g., buoys and/or signs on land, removal and placement of buoys, maintenance, etc.)	\$	\$	\$
	Regulatory enforcement (e.g., salaries of enforcement officers, boat costs, costs of equipment, training, etc.)	\$	\$	\$
	Promotion and education to raise awareness of the restriction (e.g., salary of promoters, cost of newspaper ads, cost of pamphlets, etc.)	\$	\$	\$
	Other	\$	\$	\$
	Sub-total (local authority)	\$	\$	\$
Users and local stakeholders (costs must be entered for each group)	Shoreline residents and body of water users (e.g., cost of changing motor/boat, moving boat, etc.)	\$	\$	\$
	Local business (for example, a campground owner losing income due to a drop in boat launches)	\$	\$	\$
	Local business (for example, a marina owner losing income due	\$	\$	\$

Stakeholders affected	Description of costs	Total costs incurred to date (20xx-20xx)	Expected future costs (20xx – 20xx)	Recurring costs Starting in 20xx
	to a new restriction prohibiting motorized watercraft)			
	Local business (for example, a watercraft rental business owner losing income due to a new restriction prohibiting motorized watercraft)	\$	\$	\$
	Local business (for example, a local gas station losing income after a new restriction prohibiting motorized gasoline-powered watercraft)	\$	\$	\$
	Other	\$	\$	\$
	Sub-total (users and stakeholders)	\$	\$	\$
All stakeholders	Total costs	\$	\$	\$

Step 9 - Authority and governance

Intergovernmental agreements

List all intergovernmental agreements you are subject to that are relevant to the issue or body of water. Provide a web link for each agreement.

Restriction enforcement

Note: The local authority requesting a restriction on a body of water is responsible for enforcing it.

Describe how you will enforce the requested restriction on the body of water once it has been implemented.

Indicate the name of the local enforcement agency (enforcement officers) who will be responsible for enforcing the restriction on the body of water. Include an official letter from them confirming that they will be able to enforce the restriction on the body of water where it is requested. If no group is already designated under Part 5 of the [Canada Shipping Act, 2001](#) to enforce the restriction, include a letter requesting designation.

Contact the local [Office of Boating Safety](#) for procedures.

Communication and signage plan

Note: The success of a restriction depends on making the body of water users aware of it. It is important to inform body of water users about the new restrictions and to ensure that they understand what is expected of them.

Provide the communication strategy you implemented (how you will communicate the new restriction to water body users) and a timetable for implementation.

Include the buoys and/or signage plan that will be implemented. Will buoys and/or terrestrial signage be installed? How many? And what are their planned locations?

Commitment – Local authorities

Note: Local authorities must officially request the restriction by municipal resolution. They must also commit to publicizing the restriction, producing, posting, and maintaining signage, including related costs (at their expense) and enforcing the restriction.

Include a municipal resolution containing a formal request for the restriction indicating the type of restriction requested and its exact location (geographical coordinates), a commitment to publicize the restriction, to produce, post and maintain signage at your own expense and to enforce the requested restriction.

If several local authorities are involved, each local authority must provide a resolution.

Assessing regulatory effectiveness

This assessment should be done one year after implementing the restriction.

Describe how you will assess if the requested restriction is effective (like comparing the number of complaints received by the local authority one year after the restriction with the number of complaints received before it was put in place, by conducting a survey, or by evaluating the nautical report of the organization enforcing the VORR, etc.).

Step 10 - Proposed restrictions

Give details of the requested restriction, indicate which schedule and include its exact location (including geographical coordinates - latitude and longitude). If more than one restriction is requested, provide details for each.

If the restriction is not located on the entire body of water, specify its exact position on the body of water (where it begins and where it ends).

For details of the various possible schedules, refer to [Appendix 4](#) of the *Local Authorities' Guide*).

APPENDIX 4 – TYPES OF RESTRICTIONS – VORR

SCHEDULE OF THE VORR	TITLE OF THE SCHEDULE	SIGNAGE OF THE SCHEDULE
SCHEDULE 1	Waters on which all vessels are prohibited	
SCHEDULE 2	Waters on which vessels driven by electrical propulsion and power-driven vessels are prohibited	
SCHEDULE 3	Waters on which vessels driven by electrical propulsion that have an aggregate maximum power greater than 7.5 kw and power-driven vessels are prohibited	
SCHEDULE 4	Waters on which vessels driven by electrical propulsion and power-driven vessels are subject to an engine power limit	
SCHEDULE 5	Waters on which vessels driven by electrical propulsion and power-driven vessels are subject to a speed limit	

SCHEDULE 6	Waters in which towing a person on any sporting or recreational equipment is prohibited except during the permitted hours	 A circular sign with an orange border and a diagonal orange line. The word "SKI" is written in bold black letters. At the bottom, there is a small Canadian flag and the text "Canada" and "Ontario".
SCHEDULE 7	Waters in which allowing a person to wake surf is prohibited except during the permitted hours	 A circular sign with an orange border and a diagonal orange line. It features a black silhouette of a person wake surfing. At the bottom, there is a small Canadian flag and the text "Canada" and "Ontario".
SCHEDULE 8	Waters in which a sporting, recreational or public event or activity is prohibited	 A circular sign with an orange border and a diagonal orange line. The word "REGATTA" is written in bold black letters. At the bottom, there is a small Canadian flag and the text "Canada" and "Ontario".

APPENDIX 5 – PROVINCIAL SHORELINE SPEED LIMITS

Some provinces have adopted a speed limit of 10 km/h within 30 metres of shore for certain waters in their territory. This limit applies to:

- the waters of Ontario, Manitoba, Saskatchewan and Alberta
- the rivers and lakes in British Columbia and Nova Scotia
- Nitinat River and Nitinat Lake upstream of the Nitinat Bar in British Columbia
- Bras d'Or Lake in Nova Scotia, inland of a line drawn between Coffin Point and Red Head in Great Bras d'Or Channel and at the inland end of St. Peters Canal

This limit applies whether displayed on a sign or not. However, a few exceptions apply:

- Towing a person for recreational purposes (perpendicular to the shoreline)
- Rivers less than 100 metres wide, canals and buoyed channels
- Waters for which a different speed limit is prescribed in Schedule 5 of the [Vessel Operation Restriction Regulations](#)
- Waters for which a different speed limit is established under the [Canada Shipping Act, 2001](#) (CSA 2001) or the [Canada Marine Act](#)

These provincial limits are an effective, economical and quick means of addressing local concerns. They avoid the costs associated with signage and the process of restrictions. Although signs are not required to enforce near-shore provincial speed limits, they help educate boaters and reduce incidents.

If, despite the provincial near-shore speed limits, excessive speed near the shore is still a problem you should consider adding signs as a first step in tackling the problem. Consult your local Transport Canada office for advice on appropriate signage.