

Summary of Recent Legislative Changes to the *Conservation Authorities Act*

Bills Enacting Changes to the CA Act	Key Amendments to the Conservation Authorities Act (CA Act)
<p>Bill 139 <i>Building Better Communities and Conserving Watersheds Act, 2017</i> (This Bill received Royal Assent on December 12, 2017).</p>	<ul style="list-style-type: none"> • Introduction of mandatory programs and services that are required by regulation. • Undertaking municipal programs and services that the authority agrees to provide on behalf of municipalities under a memorandum of understanding. • Executing such other programs and services as the authority may determine are advisable to further its objects. • Clarified CAs permitting authority. • Clarified processes for enlargements, amalgamations or dissolution for CAs. • The power for CAs to issue stop work orders was added.
<p><i>Bill 108 More Homes, More Choice Act 2019</i>, as part of the Province's Housing Supply Action Plan in 2019 (This Bill received Royal Assent on June 6, 2019).</p>	<ul style="list-style-type: none"> • Defines the four areas of core mandatory programs and services offered by CAs and allows for the programs and services that make up each area to be further defined by regulation. The four areas included programs and services related to: <ol style="list-style-type: none"> 1. risk of natural hazards; 2. conservation and management of lands owned or controlled by the CA; 3. CAs duties, functions and responsibilities as a source protection authority under the <i>Clean Water Act, 2006</i>; and 4. CAs duties, functions and responsibilities under an Act prescribed by the regulations. • Allows other programs and services outside of the four core areas to be prescribed as mandatory programs and services. • Requires, after a specified date, that municipal financing of a non-mandatory program and service can only continue, where the CA has entered into a financing agreement with its participating municipalities.

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<p><i>Bill 229 Protect, Support and Recover from COVID 19 (Budget Measure) 2020</i> (This Bill received Royal Assent on December 8, 2020).</p>	<ul style="list-style-type: none"> • Provisions defining mandatory and non-mandatory programs and services are retained with minor revisions • A CA is required to enter into agreements with the participating municipalities in its jurisdiction if any municipal funding is needed to recover costs for either non-mandatory or other program or services provided to municipalities. • A new right to appeal fees charged by a CA for permit applications • CAs required to issue permits when Minister's Zoning Orders are issued. • Amended the <i>Planning Act</i> to exclude CAs in the definition of a public body as it relates to specific sections permitting public body appeals.
<p><i>Bill 23, More Homes Built Faster Act, 2022</i> (This Bill received Royal Assent on November 28, 2022)</p>	<ul style="list-style-type: none"> • CAs permitting authority and core mandate has been further scoped to focus on the management of natural hazard risks. • CAs may no longer provide a program or service related to reviewing and commenting on proposals, applications or other matters under prescribed Acts, including Planning Act unless comments related to the CAs natural hazards mandate. • In prescribed municipalities and subject to regulations, development authorized under the Planning Act will be exempt from the need to obtain a conservation authority permit. • Requires a CA to issue a permission or permit where a Minister's Zoning Order has been made under section 34.1 and 47 of the <i>Planning Act</i>. • Requires CAs to identify CA lands suitable for housing (this requirement is part of the preparation of the land inventory required to be completed by CAs by December 31, 2024). • Enables the Minister to issue temporary direction to a CA preventing the authority from changing the amount of a fee it charges under subsection 21.2(10) of the Act (temporary freezing of CA fees).