

Appendix A

Excerpt: O. Reg. 41/24 – Prohibited Activities, Exemptions and Permits

Applicants are strongly encouraged to confirm exemptions with their local conservation authority prior to carrying out the work.

Exemptions

5. Paragraph 2 of subsection 28(1) of the Act does not apply to,

- (a) The construction, reconstruction, erection or placement of,
 - i. A seasonal or floating dock that,
 - A. is 10 square metres or less,
 - B. does not require permanent support structure, and
 - C. can be removed in the event of flooding,
 - ii. a rail, chain-link or panelled fence with a minimum of 75 millimetres of width between panels, that is not within a wetland or watercourse,
 - iii. agricultural in-field erosion structures that are not within and that do not have any outlet of water directed or connected to a watercourse, wetland or river or stream valley,
 - iv. a non-habitable accessory building or structure that,
 - A. is incidental or subordinate to the principal building or structure,
 - B. is 15 square metres or less, and
 - C. is not within a wetland or watercourse, or
 - v. an unenclosed detached deck or patio that is 15 square metres or less, is not placed within a watercourse or wetland and does not utilize any method of cantilevering;
- (b) the installation of new tile drains that are not within a wetland or watercourse, within 30 metres of a wetland or within 15 metres of a watercourse, and that have an outlet of water that is not directed or connected to a watercourse, wetland or river or stream valley, or the maintenance or repair of existing tile drains;
- (c) the installation, maintenance or repair of a pond for watering livestock that is not connected to or within a watercourse or wetland, within 15 metres of a wetland or a watercourse, and where no excavated material is deposited within an area where subsection 28(1) of the Act applies;
- (d) the maintenance or repair of a driveway or private lane that is outside of a wetland or the maintenance or repair of a public road, provided that the driveway or road is

- not extended or widened and the elevation, bedding materials and existing culverts are not altered;
- (e) the maintenance or repair of municipal drains as described in, and conducted in accordance with the mitigation requirements set out in the *Drainage Act* and the *Conservation Authorities Act* Protocol, approved by the Minister and available on a Government of Ontario website, as it may be amended from time to time; and
 - (f) the reconstruction of a non-habitable garage with no basement, if the reconstruction does not exceed the existing footprint of the garage and does not allow for a change in the potential use of the garage to create a habitable space.

[Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits](https://www.ontario.ca/laws/regulation/240041?search=Conservation+Authorities+Act)

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