
SUBJECT: Amendment to Lot Maintenance By-law 49-2022 (Loose Leaf Collection)

TO: Committee of the Whole

FROM: Development and Growth Management

By-law Compliance

Report Number: DGM-48-25

Wards Affected: All

Date to Committee: October 6, 2025

Date to Council: October 14, 2025

Recommendation

Approve the amendments to By-law 49-2022, known as the “Lot Maintenance By-law” being a by-law to regulate exterior property maintenance including vegetation, refuse, and graffiti, to clarify laws regarding the discarding of leaves on public property and correcting fine amounts, attached in draft form as per Appendix A to development and growth management report DGM-48-25, in a form satisfactory to the Commissioner, Legal and Legislative Services/City Solicitor.

Executive Summary

This reports updates Lot Maintenance By-law 49-2022 to allow for enforcement of leaves placed on public property by adjacent private property owners. The existing by-law does include provisions for enforcement of leaf waste on private property but does not provide options for enforcement when leaves are placed on public property by an adjacent property owner. The proposed by-law amendment will allow enforcement action to be taken against property owners who do not properly place leaves on public property– aligning with enforcement on private property. The focus in 2025 will be on warning and education but staff will be requesting a set fine of \$150 from the Province of Ontario for each offence under Part I of the *Provincial Offences Act*. An amendment to By-law 49-2022 Offences and Penalties section is also being proposed to correct a typographical error in the system of fines established under the by-law. This amendment ensures that the fines set out in By-law 49-2022 are in line with the City’s statutory authority for a system of fines under section 429 of the *Municipal Act, 2001*.

Recommendation Report

Background

During deliberations for the 2025 Budget (held in Fall 2024), questions were raised related to the ability to enforce the City of Burlington Loose Leaf Collection Program. The program requires property owners utilizing the loose leaf collection program to place leaves on or near the boulevard so that the City can pick them up based on a set schedule. There have been historical issues where leaves have been placed in a manner which blocked bike lanes, catch basins, ditches, sidewalks and walkways.

Analysis

The existing Lot Maintenance By-law 49-2022 allows for enforcement of leaf waste on private property but does not address when leaves are placed on public property (which is the case during the loose-leaf clean-up program). The proposed by-law amendment includes wording that allows the City to fine adjacent private property owners should leaves obstruct roads, bike lanes, sidewalks, walkways, catch basins and drainage ditches.

By-law Compliance staff will take over the enforcement of this program from Roads, Parks and Forestry in 2025. The focus will be on warning and education, but staff are requesting a set fine of \$150 from the Province of Ontario for a Part I Provincial Offences Act certificate. There is no guarantee they will approve this amount (could approve higher or lower fine), but further details will be communicated once determined.

Recommendation Details

The proposed by-law amendment allows for enforcement of leaves placed on public property and aligns with enforcement of leaf waste on private property.

Implications

Staff will work with Communications to include details of enforcement options as part of their regular communications regarding the program – including any potential fine amounts.

Strategic Alignment

(Select all that apply)

- Designing and delivering complete communities
 - Providing the best services and experiences
 - Protecting and improving the natural environment and taking action on climate change
 - Driving organizational performance
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Appendices:

A. Amendment to Lot Maintenance By-law 49-2022

Draft By-laws for Approval at Council:

- Amendment to Lot Maintenance By-law 49-2022 for Council approval on October 14, 2025

Notifications:

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905-335-7777

Report Approval:

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.