

Authority: Planning and Transportation Committee Report No. 8, Clause No. 4,  
as adopted by City of Toronto Council on August 1, 2, 3 and 4, 2000  
Enacted by Council: August 3, 2000

**CITY OF TORONTO**

**BY-LAW No. 568-2000**

**A by-law respecting the maintenance of land in a clean and clear condition,  
free of waste materials.**

WHEREAS under section 210 of the Municipal Act, R.S.O. 1990, c. M.45, as amended,  
Council may pass by-laws respecting the following matters:

80. For requiring and regulating the filling up, draining, cleaning, clearing of any grounds, yard and vacant lots and the altering, relaying or repairing of private drains.
82. For prohibiting the throwing, placing or depositing of refuse or debris on private property or on property of the municipality or any local board thereof without authority from the owner or occupant of such property.
135. For prohibiting or regulating and inspecting the use of any land or structures within the municipality or any defined area or areas thereof for dumping or disposing of garbage, refuse, or domestic or industrial waste of any kind;
  - (a) A by-law under this paragraph,
    - (i) may establish a schedule of fees chargeable upon inspection of such regulated land or structures;
    - (ii) may require the owners, lessees or occupants of such land or structures, at the expense of the owners, lessees or occupants, to cease using such land or structures for such purposes, or to cover over any garbage, refuse, or domestic or industrial waste in any prescribed manner, whether or not such land or structures were so used before the passing of the by-law; and
    - (iii) may define industrial or domestic waste.
  - (b) A by-law under this paragraph does not apply to the use of any land or structure by a municipality.

WHEREAS under section 320 of the Municipal Act Council may pass by-laws providing that any person who contravenes any by-law of Council passed under the Municipal Act is guilty of an offence; and

WHEREAS under section 326 of the Municipal Act where Council has authority to direct or require by by-law that any matter or thing be done, Council may by the same by-law direct that in default of it being done by the person directed or required to do it, the matter or thing

shall be done at the person's expense, and the City may recover the expense incurred in doing it by action, or the expense may be recovered in like manner as municipal taxes; and

The Council of the City of Toronto HEREBY ENACTS as follows:

**1. Definitions.**

As used in this By-law, the following terms shall have the meanings indicated:

CITY – The City of Toronto.

DOMESTIC WASTE – Includes:

- A. Refuse, debris, junk or effluent belonging to or associated with a house or household.
- B. Accumulations of leaves, grass cuttings or garden remains that are not in a compost container.
- C. Refrigerators, freezers, stoves or other appliances or any part of them, if the appliance is not being used for the purpose for which it was manufactured.
- D. Furnaces, furnace parts, pipes, unused metal, wire, fittings or tanks of any kind when not in use.
- E. Inoperative vehicles, vehicle parts or accessories.
- F. Old or decayed lumber, paper, glass, cardboard, plastics, sewage or unused furniture, clothing or fencing.
- G. Construction supplies or materials that are not being actively used in a construction project.

GROUNDINGS – Any grounds, yard or vacant lot.

INDUSTRIAL WASTE – Includes:

- A. Refuse, debris, junk or effluent belonging to, associated with or resulting from any industry, trade or business.
- B. The following materials or things, if they are not being actively used by the industry, trade or business:
  - (1) Agricultural, animal or vegetable products.
  - (2) Mineral, metal, or chemical products.

- (3) Inoperative vehicles, vehicle parts, appliances, mechanical equipment, mechanical parts or accessories to any of them.
  - (4) Lumber or wood products, piping, tubing, conduit, cable, fittings or accessories to any of them.
  - (5) Containers of any size or type.
  - (6) Bones, feathers, hides or sewage.
- C. Construction supplies or materials that are not being actively used in a construction project.

**INOPERATIVE VEHICLE** – A vehicle having missing, damaged or deteriorated parts or any condition that may prevent its mechanical function, and includes any vehicle that does not display a vehicle permit number plate with evidence of the current validation of the permit affixed to it, issued under Highway Traffic Act, R.S.O. 1990, c. H.8, as amended from time to time, or as issued by another provincial, state or national government.

**LOCAL BOARD** – A local board as defined in the Municipal Affairs Act, R.S.O. 1990, c. M.46, as amended from time to time.

**OFFICER** – A City employee whose duties include the enforcement of this By-law.

**OWNER** – Includes:

- A. The person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether on the person's own account or as agent or trustee of any other person, or who would receive the rent if the land and premises were let; and
- B. A lessee or occupant of the property who, under the terms of a lease, is required to maintain the property.

**WASTE MATERIAL** – Includes:

- A. Domestic waste;
- B. Industrial waste; and
- C. Any other unused or unusable material that by reason of its state, condition or excessive accumulation:
  - (1) Appears to have been cast aside, discarded or abandoned;
  - (2) Appears to be worthless, useless or of no particular value; or

- (3) Appears to be used up, expended or worn out in whole or in part.

**2. Exceptions.**

- A. Nothing in this By-law applies to prevent a lawfully licensed premises operating within the scope of a license that specifically permits that which is prohibited by the provisions of this By-law.
- B. Nothing in this By-law applies to prevent the lawful, outside storage of materials or things:
- (1) If this use is permitted under the applicable zoning by-law and the use is in compliance with the requirements of the zoning by-law; or
- (2) If this use is permitted as a legal non-conforming use under subsection 34(9) of the Planning Act, R.S.O. 1990, c. P.13, as amended from time to time.

**3. Littering prohibited.**

No person shall throw, place or deposit any refuse or debris on private property or on the property of the City or any local board of the City without authority from the owner or occupant of the property.

**4. Disposal of waste.**

- A. No person shall dump or deposit or permit to be dumped or deposited any waste material on any highway within the City, other than waste material lawfully placed on a highway for collection in accordance with City by-laws respecting waste collection.
- B. No person shall dump or deposit or permit to be dumped or deposited any waste material on any other land or structure within the City.

**5. Cleaning, clearing and waste removal.**

The owner of land on which waste material has been thrown, placed, dumped or deposited shall immediately clean and clear the waste material from any grounds.

**6. Draining and filling of depression or hole.**

- A. Every owner of land on which water or other liquid has collected on the grounds shall immediately drain the area of the water or other liquid and cause the area to be filled with clean earth or levelled so as to prevent ponding.
- B. Every owner of land shall keep the grounds free of any depression or hole.

- C. Subsection B does not apply to a depression or hole that is required in connection with a valid and subsisting building permit issued under the Building Code Act, 1992, S.O. 1992, c. 23, as amended from time to time, but the depression or hole shall be filled up by the owner when no longer needed for its intended purpose.

**7. Failure to comply; recovery of expenses.**

Subject to Section 8, wherever this By-law directs or requires any matter or thing to be done, in default of its being done by the person directed or required to do it, the matter or thing may be done under the direction of an Officer at the person's expense and the City may recover the expense incurred in doing it by action or the expense may be recovered in like manner as municipal taxes.

**8. Notice of intent.**

- A. At least five (5) days before proceeding under Section 7, an officer shall issue a written notice to the owner of the land or structure informing the owner of the intention to proceed under Section 7.
- B. The notice may be served personally on the owner or sent by registered mail to the address of the owner shown on the last revised assessment roll.
- C. If a notice is served by registered mail, the service shall be deemed to have been made on the fifth day after the day of mailing.
- D. If the officer is unable to effect service of the notice by personal service or registered mail, notice may be given by placing a placard containing the terms of the notice in a conspicuous place on the land described in the notice, and the placing of the placard shall be deemed to be sufficient service of the notice on the owner.

**9. Offence.**

Any person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine or other penalty under the Provincial Offences Act, R.S.O. 1990, c. P. 33, as amended from time to time.

**10. Severability.**

Each section of this By-law is an independent section, and the holding of any section or part of it to be void or ineffective for any cause shall not be deemed to affect the validity of any other sections or parts of it.

**11. Transition.**

- A. A by-law listed in Section 12 continues to apply for purposes of any notice given under the by-law until the work required by the notice is completed or any enforcement proceedings in respect of the notice have been concluded.
- B. Where a person is alleged to have contravened a by-law listed in Section 12 before the date this by-law comes into force, the by-law continues to apply for purposes of any enforcement proceedings brought against the person until the proceedings have been concluded.

**12. Repeal.**

Except for the purposes set out in Section 11, the following are repealed:

- A. Former Borough of East York By-law No. 58-91, “Being a By-law to provide for maintaining land in a clean and clear condition, free of waste materials, to require the repair and prohibit obstruction of private drains.”, as amended, except for the following provisions:
  - (1) Clauses 1a), b), c), g), h), i), j), k), l), m), n) and o);
  - (2) Clauses 2d), e) and f);
  - (3) Clause 5a), b) and c); and
  - (4) Sections 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15.
- B. Former City of Etobicoke Municipal Code Chapter 168, Lot Maintenance.
- C. Former City of North York By-law No. 30921, “A by-law to regulate the filling up, draining, cleaning and clearing of any grounds, yards and vacant lots and to prohibit the throwing, placing or depositing of debris on private property without authority from the owner of such property, or upon any highway or public property within the City of North York.”, as amended.
- D. Former City of Scarborough By-law No. 24222, “being a by-law for prohibiting, regulating and inspecting lands or buildings within the City of Scarborough as to the removal, disposing and storage of domestic and industrial waste” as amended.
- E. Former City of Toronto Municipal Code Chapter 222, Littering, and Article III, Filling Cleaning and Junk Removal and Article VI, Disposal of Waste, of Chapter 264, Property Maintenance.

- F. Former City of York By-law No. 17010, “TO PROHIBIT the use of land within the Township of York for the disposal of garbage, refuse or domestic or industrial waste of any kind.”, as amended, and as codified in Former City of York Municipal Code Property Maintenance Chapter 785, DUMPING – PROHIBITION.
- G. Former City of York By-law No. 1179-87, “TO REQUIRE AND REGULATE the filling up, draining, cleaning and clearing of any grounds, yard and vacant lots.”, as amended, and as codified in Former City of York Municipal Code Property Maintenance Chapter 850, YARD -LOT-DRAINING, FILLING – CLEANING.

**13. Commencement.**

This by-law comes into force on August 8, 2000.

ENACTED AND PASSED this 3rd day of August, A.D. 2000.

CASE OOTES,  
Deputy Mayor

NOVINA WONG,  
City Clerk

(Corporate Seal)