

City of Mississauga  
**Corporate Report**



<p>Date: March 31, 2026</p> <p>To: Chair and Members of General Committee</p>	<p>Originator's files:</p>
<p>From: Geoff Wright, P.Eng, MBA, City Manager and Chief Administrative Officer</p>	<p>Meeting date: April 22, 2026</p>

## Subject

**Amendments to Open Air Burning By-law 0140-2018**

## Recommendation

1. That the report dated March 31, 2026, from the City Manager and Chief Administrative Officer entitled "*Amendments to Open Air Burning By-law 0140-2018*" be approved.
2. That the Open-Air Burning By-law 0140-2018 be amended to:
  - a) Define 'Ceremonial Fire' and permit Ceremonial Fires without the requirement for a permit issued by the Fire Chief.
  - b) Revise open air burning prohibitions to align with current provincial air quality advisory indexes; and
  - c) Define 'City-wide Open Air Burning Restriction' and authorize the Fire Chief or their designate to issue a City-wide Open Air Burning Restriction, with exceptions for ceremonial and cooking fire, for periods when there is an elevated risk condition, as determined by the Fire Chief or their designate.

## Executive Summary

The Fire Protection and Prevention Act, 1997 authorizes municipalities to regulate fire prevention, including the setting of open-air fires. The City's existing Open Air Burning By-law 0140-2018 establishes conditions under which open air burning may occur and requires permits for most forms of burning.

The proposed amendments are intended to modernize and clarify the regulatory framework for open air burning by:

- Allowing ceremonial fires to occur without the requirement for a permit, recognizing traditional and cultural practices when such fires are conducted in accordance with established protocols;

- Authorizing the Fire Chief or designate to issue City-wide open air burning restrictions when elevated risk conditions exist, while maintaining exemptions for ceremonial and cooking fires;
- Aligning open air burning prohibitions with provincial air quality advisories; and
- Updating terminology and provisions to improve clarity, enforceability, and public understanding.

These amendments balance public safety, environmental and health considerations, and cultural recognition, while providing the Fire Service with clear authority to respond to changing risk conditions.

## Background

Council enacted Open Air Burning By-law 0140-2018 on July 4, 2018, to regulate open air burning activities within the City of Mississauga. The by-law was established under the authority of the *Fire Protection and Prevention Act, 1997* and the *Municipal Act, 2001*, which enable municipalities to regulate fire prevention, public safety, environmental well-being, and public nuisances.

Since enactment, operational experience and evolving best practices have identified the need to clarify certain provisions of the by-law. In particular, requests related to ceremonial fires, increasing concerns related to air quality and smoke impacts, and the need for a clear mechanism to impose City-wide restrictions during elevated risk conditions have highlighted opportunities for improvement.

Excessive smoke, airborne embers, and uncontrolled open-air burning can create negative health effects for residents, increase the risk of fire spread, and generate false fire alarms. The proposed amendments respond to these concerns while maintaining flexibility for low-risk and culturally significant activities.

## Comments

### Ceremonial Fires

The proposed amendments introduce a definition for Ceremonial Fire, recognizing fires conducted in accordance with traditional and cultural protocols and supervised by a sanctioned fire keeper or equivalent conductor. These fires would be permitted without the requirement to obtain a permit, reducing administrative burden while acknowledging their cultural significance.

### **City-wide Open Air Burning Restrictions**

The amendments introduce a definition for City-wide Open Air Burning Restriction and authorize the Fire Chief or designate to issue City-wide open air burning restrictions when elevated risk conditions exist, such as periods of heightened fire danger or environmental concern. During such restrictions, open air burning would be prohibited, except for ceremonial and cooking fires, for the duration of the restriction.

This authority provides a clear and timely mechanism to mitigate risk across the City while allowing for necessary and low-risk activities to continue where appropriate.

### **Aligning Open Air Burning Prohibitions with Provincial Air Quality Advisories**

The amendments reflect changes to how the province monitors and reports on air quality including smoke from wildfires. To ensure the by-law remains current and enforceable, the proposed prohibitions reference the province's existing AQHI and air quality alert approach rather than legacy terminology. Ontario adopted an additional PM2.5 trigger within AQHI public reporting to better reflect elevated particulate matter levels during wildfire smoke events.

## **Financial Impact**

There is no financial impact associated with the proposed amendments.

## **Conclusion**

The proposed amendments to Open Air Burning By-law 0140-2018 provide an updated, balanced, and responsive regulatory framework for open air burning within the City of Mississauga. By recognizing ceremonial fires, strengthening authority to impose City-wide restrictions during elevated risk conditions, and aligning with air quality advisories, the amendments enhance public safety, environmental protection, and regulatory clarity.

Approval of the by-law amendments will support the City's commitment to fire prevention, public safety, and community well-being.



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