

Annual Report on Tree By-law Removal Permit Appeals and Requests

Date: May 28, 2025

To: Infrastructure and Environment Committee

From: Executive Director, Environment, Climate and Forestry

Wards: All

SUMMARY

This report provides a summary of the tree by-law appeal volumes, outcomes and rationale considered by Environment, Climate and Forestry following the delegation of final decision-making on all tree removal permit application appeals to Community Council under Municipal Code, Chapter 27, Council Procedures, Chapter 813 Trees and Chapter 658 Ravine and Natural Feature Protection. It also includes the total number and outcomes of tree removal permits considered between January 2024 and December 2024.

RECOMMENDATIONS

The Executive Director, Environment, Climate and Forestry recommends that:

1. Infrastructure and Environment Committee receive this report for information.

FINANCIAL IMPACT

There are no financial impacts resulting from the adoption of the recommendations in this report. No additional funding associated with this initiative in current and future years is required.

DECISION HISTORY

At its meeting on May 10, 2024, Infrastructure and Environment Committee received the first Annual Report on Tree By-law Removal Permit Appeals and Requests for the period of May 2022 to end of 2023.

<https://secure.toronto.ca/council/agenda-item.do?item=2024.IE14.12>

At its meeting on May 11, 2022, City Council delegated authority on the final decisions of Tree Removal Permit Appeals to respective district Community Councils to improve local decision-making. City Council also requested the General Manager, Parks, Forestry and Recreation, in consultation with the City Clerk, to report to the Infrastructure and Environment Committee annually on:

- a. the tree by-law appeal volume and outcomes at Community Councils acting under delegation, along with the rationale for permits awarded by Community Council; and
- b. the total number of tree removal permits considered by Parks, Forestry and Recreation and with the outcome: granted, refused and appealed to Community Council.

<https://secure.toronto.ca/council/agenda-item.do?item=2022.EX32.15>

At its meeting on February 5, 6, 7, and 8, 2007, City Council considered Item 2007.EX2.5 and delegated final decision making to Community Councils on some routine local matters, subject to the necessary statutory powers being in effect, to improve local decision-making. Exemptions issued under Chapter 813 Trees were not recommended for delegation to Community Council at that time.

<https://www.toronto.ca/legdocs/mmis/2007/cc/minutes/2007-02-05-cc02-mn.pdf>

<https://www.toronto.ca/legdocs/mmis/2007/ex/bgrd/backgroundfile-586.pdf>

COMMENTS

The urban forest is comprised of trees along streets, in parks, ravines and natural areas, on private property and in landscaped open spaces, throughout Toronto. Trees, provide shade, energy savings, wildlife habitat, and improve air quality through removal of carbon dioxide and airborne pollutants. Trees are a critical component of the city's network of green infrastructure and are key to the city's climate resiliency. The City of Toronto has long recognized the importance of trees and urban forests and the benefits they provide. In 2021, City Council reaffirmed Toronto's canopy cover target of 40 per cent by 2050 to align with the City's TransformTO Net Zero Strategy.

The intent of the City's tree by-laws is to regulate tree injury and removal, protecting trees from unnecessary harm, while promoting maximum tree protection and compensation, including replacement planting. Municipal Code Chapter 813, Trees Article II protects trees of all sizes on public property. Municipal Code Chapter 813, Trees Article III protects privately owned trees with 30 cm diameter-at-breast-height (DBH) or greater. Municipal Code Chapter 658, Ravine and Natural Feature Protection protects trees of all sizes within the regulated area, including private property.

Application of the by-laws are equitably applied across the city to protect and enhance the urban forest regardless of administrative boundaries, such as wards.

Property owners can apply for a permit to remove or injure (e.g. construction within the tree protection zone of a by-law protected tree) protected trees under the provisions of the tree by-laws. Property owners can appeal to the appropriate Community Council following a decision by City staff to deny a permit for removal or injury.

Delegation of final decision-making on tree by-law appeals to Community Council was adopted on May 11, 2022, to amend Municipal Code Chapter 27, Council Procedures. Amendments to the City's tree by-laws, Municipal Code Chapter 813, Trees, and Municipal Code Chapter 658, Ravine and Natural Features, were also required. These amendments were solely related to where final decision-making on appeals occur and did not impact the current protections afforded to trees protected by the by-laws, nor in Environment, Climate and Forestry's administration of the tree by-laws.

Since the adoption of item [2022.EX32.15](#), final decisions on Tree Permit Appeals have been considered by Community Councils. When an appeal is registered, Environment, Climate and Forestry prepares a staff report with recommendations to Community Council. At the Community Council meeting, members of the public, including the applicant, have an opportunity to depute and provide information in addition to the permit request. Community Council can make a recommendation to either deny the request for permit (adopt staff recommendations) or approve the request for permit (amend staff recommendations).

Tree Permit Application Volume and Outcomes

Application review and decisions to refuse or approve the removal of a tree are made in accordance with the provisions of the applicable tree by-law; Municipal Code Chapter 813, Trees and Municipal Code Chapter 658, Ravine and Natural Feature Protection. Permit outcome data is provided based on the best tracked information available and represents non-construction, construction, and development application types. In April 2024, Urban Forestry transitioned to a new work management system. As a result, 2024 tree permit outcomes discussed in this report represent a combination of data from a previous manual tracking system and the new work management system. Urban Forestry is in the process of improving tree permit outcome tracking in its new work management system.

From January 2024 to the end of 2024, a total of 2,018 tree removal permit applications that were considered by Urban Forestry had recorded a final outcome. This includes trees regulated under Municipal Code Chapter 813, Trees as well as under Municipal Code Chapter 658, Ravine and Natural Feature Protection.

Of the 2,018 tree removal permit applications reviewed, the following outcomes were determined:

- 1,898 applications were granted permits by City staff,
- 94 applications were denied permits by City staff.

Of the 94 denied tree permit applications denied by City staff, 32 were appealed by the permit applicant to Community Council.

Tree Appeal Volume and Outcomes

The 32 tree by-law appeals represent 1.6 per cent of all tree removal permit applications reviewed by Environment, Climate and Forestry during this time period. The ownership of the trees subject to appeal were 64 per cent privately-owned and 36 per cent City-owned.

Table 1 provides a summary of outcomes of the 32 tree by-law appeal applications by Community Councils acting under Delegation from January 2024 to the end of 2024.

The key findings include:

- Community Council adopted the staff recommendations to deny tree removal in 17 tree by-law appeal staff reports (53 per cent).
- Community Council amended the staff recommendations in 11 tree by-law appeal staff reports (34 per cent) to allow tree removal.
- Community Council did not adopt or amend the staff recommendations in two tree by-law appeal staff reports (6 per cent). As a result, they rejected the decision to deny a permit, and no permit for tree removal was issued.
- Community Council deferred the decision until 2025 in two tree by-law appeal staff reports (6 per cent).

Table 1: Summary of Appeal Outcomes by Community Council January - December 2024

Community Council	Total Staff Reports Appealed	Adopted Staff Recommendations	Amended Staff Recommendations	Without Recommendations	Deferred until 2025
North York	12	6 (50%)	4 (33%)	1 (8%)	1 (8%)
Toronto & East York	3	3 (100%)	0 (0%)	0 (0%)	0 (0%)
Etobicoke York	11	3 (27%)	7 (64%)	0 (0%)	1 (9%)
Scarborough	6	5 (83%)	0 (0%)	1 (17%)	0 (0%)
Total	32	17 (53%)	11 (34%)	2 (6%)	2 (6%)

Of the 32 reports, 30 reports had final decisions made by Community Council in 2024. 19 (63 per cent) resulted in tree removal being denied and 11 applications (37 per cent) resulted in tree removal being approved.

When accounting for the final decisions made by Community Council on the 2,018 tree removal permit applications:

- 1,909 applications were granted permits,
- 83 applications were denied permits.

Rationale for Permits Awarded by Community Council

Environment, Climate and Forestry tracked the rationale associated with Community Council decisions that amended a staff recommendation and resulted in the permitting of a tree for removal. The following is based on Environment, Climate and Forestry's interpretation of rationale as provided by Councillors during a Community Council meeting. Rationale for tree removal permits awarded by Community Council was associated with:

- circumstances where a tree was perceived as a nuisance such as for onerous property maintenance, animals, or undesirable species (36 per cent),
- circumstances where a tree was perceived to prevent development such as the construction of a new home and right-of-way improvements (18 per cent),
- perceived poor tree condition (18 per cent),
- allergies (9 per cent),
- tree in close proximity to a dwelling (9 per cent), or
- no rationale provided (9 per cent).

Changes to Permit Appeal Outcomes Resulting from Community Councils Acting under Delegation

[Item EX.32.15](#) provided permit appeal volume and outcomes during the period of 2017-2021, when appeal reports progressed to City Council for final consideration.

Attachment 1 provides a summary of appeal outcomes by Community Council between 2017 and 2021. The comparison of appeal outcomes following delegation in May 2022 is summarized in Table 2.

Table 2: Comparison of Appeal Outcomes by Community Council Pre- and Post-Delegation

Time Period	Total Staff Reports	Community Council Adopted Staff Recommendations	Community Council Amended Staff Recommendations	Without Recommendations	Deferred or Referred back to Staff
Before delegation of tree permit appeals to Community Council					
2017-2021	129	91 (71%)	17 (15%)	3 (2%)	18 (14%)
After delegation of tree permit appeals to Community Council					
May 2022- Dec 2023	60	44 (73%)	16 (27%)	N/A	N/A
Jan 2024- Dec 2024	32	17 (53%)	11 (34%)	2 (6%)	2 (6%)
May 2022- Dec. 2024 (totals)	92	61 (66%)	27 (29%)	2 (2%)	2 (2%)

This data is a comparison of a five-year period to a 32-month period of monitoring data. As per City Council's direction, Environment, Climate and Forestry will continue to report back annually on tree appeal data.

Compensation - Replacement Tree Planting

The 2,018 tree removal permit applications received during the period of January 2024 to December 2024 were associated with a total of 6,263 trees that were considered for removal. A total of 5,608 trees were granted tree removal permits, which includes 14 tree removals approved by Community Council. The total required compensation associated with approved permits during this time period was 20,481 in replacement plantings. Of the 20,481 in replacements, 16,955 were secured as on-site planting (83 per cent) and 3,526 were secured as cash in lieu (17 per cent). Additionally, 69,251 square metres of land was secured for stewardship work as compensation under the Ravine and Natural Feature Protection By-law. The requirement for replacement tree planting with regard to permitted tree removal is a critical component of Toronto's Strategic Forest Management Plan and target to increase canopy cover to 40 per cent by 2050.

CONTACT

Kim Statham
Director, Urban Forestry, Environment, Climate and Forestry
Telephone: 416-392-6478, Email: Kim.Statham@toronto.ca

SIGNATURE

James Nowlan
Executive Director, Environment, Climate and Forestry

ATTACHMENTS

Attachment 1: Summary of Appeal Outcomes by Community Council between 2017 and 2021

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Community Council	Total Staff Reports 2017-2021	Adopted	Amended	Without recommendation	Deferred or referred back to staff
North York	54	38 (70%)	7 (13%)	2 (4%)	7 (13%)
Toronto & East York	34	29 (85%)	0%	0%	5 (15%)
Etobicoke York	25	10 (40%)	10 (40%)	1 (4%)	4 (16%)
Scarborough	16	14 (87%)	0%	0%	2 (13%)
Total Staff Reports	129	91	17	3	18