

## City Council

### Notice of Motion

MM32.21	ACTION			Ward: All
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### **Strengthening Protections for Toronto's Tree Canopy - by Councillor Rachel Chernos Lin, seconded by Councillor Shelley Carroll**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Infrastructure and Environment Committee. A two-thirds vote is required to waive referral.*

### **Recommendations**

Councillor Rachel Chernos Lin, seconded by Councillor Shelley Carroll, recommends that:

1. City Council request the Chief Planner and Executive Director, City Planning, in consultation with the Executive Director, Environment, Climate and Forestry, to provide additional tools to ensure the protection of by-law protected trees in their update on Urban Forestry Committee of Adjustment conditions through the City's Growing Space for Trees initiative in their report to the Planning and Housing Committee scheduled for the fourth quarter of 2025.
2. City Council request the Minister of Municipal Affairs and Housing to include the City of Toronto's private tree by-law as an applicable law for the purposes of issuing a building permit under the Ontario Building Code.
3. City Council request the Executive Director, Environment, Climate and Forestry, in consultation with the Chief Building Official and Executive Director, Toronto Building, to include information about the City's tree by-laws and their relationship to the Ontario Building Code in the by-law review report anticipated in the fourth quarter of 2025.

### **Summary**

On June 25, 2025, a by-law-protected, mature honey locust tree was removed without permits on a residential infill development site in Leaside. After the initial minor variance application was submitted, City Planning worked collaboratively with the developer on revised plans requiring additional variances to ensure the protection of the tree while facilitating the construction of new housing on the site. The application was approved by the Committee of Adjustment. Following the removal of the tree, the applicant resubmitted their application to include a new parking pad.

This incident highlights a significant challenge the City faces in our efforts to protect and expand our tree canopy – a key part of Toronto's broader environmental initiatives, in support of our TransformTO emissions reduction targets. The most recent Tree Canopy Study (2018) identified that the greatest amount of potential space for canopy growth is found on private property throughout the City, highlighting the importance of strong tree protections.

The recourse available to the City to respond to tree by-law contraventions does not reflect the importance our tree canopy holds for the health and wellbeing of our communities. While investigations into contraventions may result in significant fines, they are often not enough of a deterrent to prevent illegal tree removals.

Establishing the City's tree by-law as "applicable law" under the Ontario Building Code would enable a wider range of responses to illegal tree removals, including potential building permit-related penalties, providing a stronger incentive for developers to respect the legal protections granted to Toronto's trees. Additionally, new Urban Forestry conditions at the Committee of Adjustment have the potential to strengthen the City's case if and when tree by-law violations result in prosecution.

By strengthening our response to these incidents, the City can ensure that its good faith negotiations with applicants are respected and result in better outcomes for our neighbourhoods and City as a whole.

### **Background Information (City Council)**

Member Motion MM32.21

(<https://www.toronto.ca/legdocs/mmis/2025/mm/bgrd/backgroundfile-257510.pdf>)