

Tree Bylaw Review Report

Date: February 11, 2026

To: Infrastructure and Environment Committee

From: Executive Director, Environment, Climate and Forestry

Wards: All

SUMMARY

Trees and urban forests are recognized globally as essential natural infrastructure, providing nature-based solutions for climate resilience and enhancing quality of life. Toronto has earned consistent global recognition by the United Nations as a Tree City of the World and is a Generation Restoration Role Model City for its leadership in urban forest management, biodiversity promotion and framework for tree protection. Notably, 98 per cent of respondents to the Tree Bylaw Review survey said trees are important to their quality of life, underscoring strong public support for urban forests, natural green space and tree protection.

Trees are referenced in the following Toronto Municipal Code chapters, which are collectively referred to as the "Tree Bylaws" throughout this report:

- Toronto Municipal Code Chapter 813, Trees, provides for the protection of City-owned street trees of all diameters and trees on private property with a diameter of 30 cm or greater at breast height (1.4 metres). In this report Municipal Code Chapter 813, Trees, Article II - Street Trees and Article III - Private Tree Protection are referred to as the "Street Tree Bylaw" and "Private Tree Bylaw" respectively.
- Toronto Municipal Code Chapter 658, Ravine and Natural Feature Protection, provides for the protection of all trees and natural features in designated ravine protected areas. Toronto Municipal Code Chapter 658, Ravine and Natural Feature Protection is referred to as the "Ravine Bylaw".

This report recommends a comprehensive set of bylaw amendments, operational updates, future studies and an incentive to strengthen protections for trees, improve compliance and enforcement, support climate resilience and housing objectives, promote equity, and enhance cost recovery and service delivery. This includes:

- Introducing a Distinctive Tree Category to strengthen protections for Toronto's largest healthy trees through amendments to the Private Tree and Ravine Bylaws, and establishing a complementary Distinctive Tree Maintenance Incentive Program – Pilot to support the care and long-term retention of mature healthy private trees;
- Improving the effectiveness of the City's Tree Bylaw compliance and enforcement through bylaw amendments and operational updates, including enhanced public

access to tree permit and contravention outcomes; introducing stump diameter as a secondary measurement tool for enforcement purposes under the Private Tree Bylaw; extending permit requirements to trees planted through enforcement actions and development approvals regardless of size under the Private Tree Bylaw; updating evidentiary guidelines used to support fine recommendations; revising tree replacement planting ratios for contraventions under the Street Tree Bylaw and the Private Tree Bylaw; and reviewing Contravention Inspection Fees to ensure alignment with cost recovery principles;

- Introducing permit application fees under the Ravine Bylaw for regulated activities, including tree injury and destruction, to align with the City's User Fee Policy and existing tree protection permit practices, support sustainable service delivery and cost recovery, and maintain exemptions for voluntary stewardship projects, low-income homeowners, and not-for-profit portions of eligible housing projects;
- Implementing administrative amendments to the Tree Bylaws and related Municipal Code chapters to modernize technical language, reflect current organizational roles, harmonize definitions, remove outdated references, clarify exemptions, and improve clarity, consistency, and enforceability across the City's tree protection framework;
- Advancing work to refine operational practices informed by community and Indigenous engagement, including biodiversity and native species considerations, ongoing engagement with Indigenous communities, improvements to user experience and permit navigation, and education and outreach related to the Tree Bylaws; and,
- Undertaking further analysis to inform potential refinements to the Tree Bylaws and their administration, including assessing whether the minimum diameter size threshold for Private Tree Bylaw protection should be reduced from 30 cm diameter at breast height (DBH) to 20 cm DBH; examining options to address non-compliance following a contravention where required replacement planting does not occur, including a Tree Replacement Fee; evaluating the feasibility of additional enforcement tools such as set fines under the Provincial Offences Act and an Administrative Penalty System; and exploring opportunities to improve coordination between Municipal Code Chapter 813, Trees and Municipal Code Chapter 629, Property Standards as they relate to private tree maintenance.

The proposed recommendations respond to direction received from Committee and City Council and reflect operational experience, public feedback, and best practices, and are intended to provide a balanced approach to strengthening the City's tree protection framework while advancing long-term city-building and urban forest goals. The recommendations recognize the need to ensure that any changes to the City's Tree Bylaws are considered in the context of any potential impacts on housing delivery, that tree protection and development are not competing objectives, and that development can proceed in accordance with planning and building permissions alongside appropriate tree protection and/or replacement measures.

RECOMMENDATIONS

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

1. City Council direct the Executive Director, Environment, Climate and Forestry, in consultation with the relevant divisions, to report back to the Infrastructure and Environment Committee in 2027 on the whether the City should reduce the minimum diameter at breast height (DBH) of trees protected on private property from 30 cm to 20 cm DBH, including any potential amendments to City of Toronto Municipal Code Chapter 813, Trees, and including an assessment of any potential impact on housing delivery.
2. City Council authorize the implementation of a Distinctive Tree Maintenance Incentive Program - Pilot by Environment, Climate and Forestry Division, substantially in accordance with Table 2: Framework for the Distinctive Tree Maintenance Incentive Program - Pilot outlined in this report (February 11, 2026) from the Executive Director, Environment, Climate and Forestry and report back to the Infrastructure and Environment Committee on the results of the Distinctive Tree Maintenance Incentive Program – Pilot in 2027, including findings and any recommendations.
3. City Council authorize the Executive Director, Environment, Climate and Forestry, or their designate, until December 31, 2026, to execute and enter into agreements with successful recipients to receive funds distributed under the Distinctive Tree Maintenance Incentive Program - Pilot outlined in this report (February 11, 2026) from the Executive Director, Environment, Climate and Forestry, each with terms and conditions acceptable to the Executive Director, Environment, Climate and Forestry and each in a form acceptable to the City Solicitor.
4. City Council amend the City of Toronto Municipal Code Chapter 813, Trees, substantially in accordance with Attachment 2 to the report (February 11, 2026) from the Executive Director, Environment, Climate and Forestry.
5. City Council amend the City of Toronto Municipal Code Chapter 658, Ravine and Natural Feature Protection, substantially in accordance with Attachment 2 to the report (February 11, 2026) from the Executive Director, Environment, Climate and Forestry.
6. City Council amend the City of Toronto Municipal Code Chapter 441, Fees and Charges, substantially in accordance with Attachment 2 to the report (February 11, 2026) from the Executive Director, Environment, Climate and Forestry.
7. City Council amend the City of Toronto Municipal Code Chapters 632, Property, Vacant or Hazardous, 743, Streets and Sidewalks, Use of, and 918, Parking on Residential Front Yards and Boulevards to grant only the Executive Director, Environment, Climate and Forestry the authority to implement and enforce the relevant bylaw provisions, instead of equal authority between the Executive Director, Environment, Climate and Forestry and the General Manager, Parks and Recreation.
8. City Council amend City of Toronto Municipal Code Chapter 608, Parks, as follows:
 - a. Add the following definition to §608-1.:

EXECUTIVE DIRECTOR – The Executive Director, Environment, Climate and Forestry or their successor or designate.

b. Delete all references to "General Manager" under Article VII – Trees and replace them with "Executive Director".

9. City Council direct that the amendments to the City of Toronto Municipal Code Chapter 813, Trees, City of Toronto Municipal Code Chapter 658, Ravine and Natural Feature Protection, City of Toronto Municipal Code Chapter 441, Fees and Charges, City of Toronto Municipal Code Chapters 632, Property, Vacant or Hazardous, City of Toronto Municipal Code Chapter 743, Streets and Sidewalks, Use of, City of Toronto Municipal Code Chapter 918, Parking on Residential Front Yards and Boulevards, and City of Toronto Municipal Code Chapter 608, Parks described in Parts 4, 5, 6, 7 and 8 respectively, come into force on September 1, 2026.

10. City Council authorize the City Solicitor, in consultation with the Executive Director, Environment, Climate and Forestry, to prepare the necessary bill required to give effect to City Council's decision and to make such clarification, minor modifications, technical or stylistic refinements as may be identified by the City Solicitor.

11. City Council direct the Executive Director, Environment, Climate and Forestry, to report back to the Infrastructure and Environment Committee in 2027 on the status of all initiatives identified in Table 5: Key Implementation Actions, Descriptions, and Target Timelines outlined in this report (February 11, 2026) from the Executive Director, Environment, Climate and Forestry.

12. City Council direct the Executive Director, Environment, Climate and Forestry to refuse, at the Executive Director's discretion, a permit to injure or destroy a tree protected under City of Toronto Municipal Code Chapters 658, Ravine and Natural Feature Protection or 813, Trees that is a Distinctive Tree, as defined in this report (February 11, 2026) from the Executive Director, Environment, Climate and Forestry, and advise the applicant to meet with Urban Forestry staff, as appropriate, to consider how the application can be amended to protect the tree in question.

FINANCIAL IMPACT

The recommendations outlined in this report have financial implications.

Currently, there are no fees associated with permit applications under Toronto Municipal Code Chapter 658, Ravine and Natural Feature Protection. The implementation of permit application fees will establish a new dedicated cost recovery stream for City services that are currently funded through the tax base. The full cost of providing these permit services is estimated at approximately \$0.51 million including direct, indirect and capital costs.

The proposed fee structure is designed to recover approximately 90 per cent of permit service costs as it primarily provides a direct and substantial benefit to the applicant. It is recommended that the remaining 10 per cent of the permit service costs be subsidized through the tax base due to the public benefits resulting from maintaining ravine protected areas.

To maintain support for ecological restoration and ensure that stewardship efforts are not discouraged, the Environment, Climate and Forestry Division (ECF) recommends permit application fee exemptions for the approximately 5 per cent of applications that are voluntary stewardship and eligible projects including those undertaken by the Toronto and Region Conservation Authority and City divisions.

Eligible exemptions proposed are consistent with existing provisions under Municipal Code Chapter 813, Trees, including:

- Exemptions for the not-for-profit portion of housing projects undertaken by Toronto Community Housing Corporation, Habitat for Humanity, and other recognized not-for-profit housing providers referenced in subsection 7(1), paragraphs 1–4 of the Residential Tenancies Act, 2006.
- Fee exemptions for owners living below the low-income cut-off before tax, as determined by Statistics Canada.

Based on a projected 2026 volume of 1,645 individual tree permit applications related to ravine protection that would be subject to fees, approximately \$0.43 million in annual revenue could have been generated, net of exemptions. If approved, the associated incremental revenue will be included in the future Operating Budget Submission for ECF.

The proposed fee structure shown in Attachment 2, has rates differentiated by tree type and application context. This is consistent with the approach for permit application fees used to recover costs under the Street Tree and Private Tree Bylaws, with per-tree rates applied based on application complexity to ensure fairness and transparency. Proposed rates are based on 2026 cost estimates.

Public consultation on the proposed fees was undertaken through community and key constituency group meetings held September 15 to 19, 2025 with approximately 150 attendees and an online survey available September 1 to 24, 2025 that received 6,430 responses. 67 per cent of survey respondents supported permit application fees for designated ravine areas and 55 per cent of survey respondents supported fee exemptions for voluntary stewardship activities.

Service levels will continue to be maintained through rigorous standards. Staff are trained on over 20 administrative policies and procedures, supported by regular internal audits and system-based performance measures to ensure accountability and high-quality service delivery. Oversight is maintained through regular internal data audits and system-based performance measures, including development, permit, and financial tracking.

While this report does not propose lowering the minimum diameter threshold for tree protection under the Private Tree Bylaw at this time, staff recommend that Council direct further analysis to develop an implementation plan for this potential change, including analysis of budget, staffing, and service level impacts. If the minimum diameter of private trees which are protected under the Private Tree Bylaw is reduced in the future, this reduction in diameter size would result in a significant increase in the number of trees that are regulated and therefore associated permit application volumes. This would require additional staffing resources to sustain current service levels. These costs

would be partially offset by a corresponding increase in the number of application fees collected under the Private Tree Bylaw and Ravine Bylaw.

The proposed Distinctive Tree Maintenance Incentive Program - Pilot is intended to support the long-term health and retention of privately owned Distinctive Trees by offsetting eligible maintenance costs. The pilot is currently under development by ECF with a preliminary estimated budget of up to \$50,000 subject to refinement as program details are finalized. The pilot can be implemented for a limited-term with the staff and budget resources available in the 2026 Council Adopted Operating Budget.

The Chief Financial Officer and Treasurer has reviewed this report and agree with the financial implications as identified in the Financial Impact section.

EQUITY STATEMENT

The proposed amendments to the Tree Bylaws, along with the associated incentives, and complementary operational updates, are designed to strengthen protections for Toronto's urban forest and ensure that the environmental, health, and climate resilience benefits of trees are equitably distributed across all communities. Together, these changes aim to advance equity by improving access to natural shade, cooling, and cleaner air, particularly in neighbourhoods that are more vulnerable to extreme heat and other climate impacts and have historically experienced underinvestment in natural infrastructure.

Toronto is the first Canadian municipality to adopt a tree equity approach, which prioritizes the growth of canopy cover at the neighbourhood level to address the unequal distribution of the urban forest. This approach aligns with the City's broader equity and sustainability objectives as outlined in the Resilience Strategy, TransformTO, and the HousingTO 2020–2030 Action Plan.

By enhancing tree protection and stewardship through this framework, the City aims to balance development with the preservation of natural assets, ensuring that all residents, in particular those in equity-deserving communities, benefit from a healthy and resilient tree canopy.

CLIMATE IMPACT

On October 2, 2019, City Council unanimously declared a climate emergency, committing to accelerate actions that mitigate and adapt to climate change. Building on this commitment, Council adopted the 2018 Tree Canopy Study on January 29, 2020, and reaffirmed Toronto's goal of achieving 40 per cent tree canopy cover by 2050 on December 15, 2021. This target aligns with the City's TransformTO Net Zero Strategy, which provides a framework for reducing emissions and strengthening climate resilience.

As a member of the C40 Cities network, Toronto is advancing equitable climate action by addressing the disproportionate impacts of climate change on vulnerable populations. The City has committed to reducing greenhouse gas emissions from

corporate food procurement by 25 per cent and ensuring access to a planetary healthy diet for all residents by 2030. It is also implementing a health-based maximum indoor temperature standard to protect low-income tenants and other vulnerable groups from the growing threat of extreme heat. These global commitments, combined with local strategies such as TransformTO, create a strong policy foundation for enhancing carbon accountability, building resilience, and fostering an inclusive, climate-ready city.

Protecting and expanding Toronto's urban tree canopy is central to this effort. As part of the City's natural infrastructure, the canopy delivers multiple benefits, including reducing stormwater runoff, improving air quality, and increasing carbon sequestration. The 2018 Tree Canopy Study estimated the value of these ecosystem services at \$55 million annually, encompassing carbon storage, energy savings, pollution removal, and avoided runoff.

DECISION HISTORY

At its meeting on July 23 and 24, 2025, City Council requested 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 Bylaws and their relationship to the Ontario Building Code in the bylaw review report anticipated in the fourth quarter of 2025.

[Agenda Item History - 2025.MM32.21](#)

At its meeting on July 23 and 24, 2025, City Council directed the Executive Director, Environment, Climate and Forestry to report back on the feasibility of making information about the outcomes of contraventions to the City's tree bylaws publicly available as part of its report back on the City's Tree Bylaws in the fourth quarter of 2025.

[Agenda Item History - 2025.MM32.21](#)

At its meeting on July 23 and 24, 2025, City Council requested that the Minister of Municipal Affairs and Housing include the City of Toronto's Private Tree Bylaw as an applicable law for the purposes of issuing a building permit under the Ontario Building Code.

[Agenda Item History - 2025.MM32.21](#)

At its meeting on June 11, 2025, the Infrastructure and Environment Committee adopted the report entitled "Annual Report on Tree By-law Removal Permit Appeals and Requests", which included a summary of the Tree Bylaw appeals to Community Council under Municipal Code, Chapter 27, Council Procedures, Chapter 813, Trees and Chapter 658, Ravine and Natural Feature Protection, as well as the total number and outcomes of tree removal permits considered between January 2024 and December 2024.

[Agenda Item History - 2025.IEC22.8](#)

At its meeting on May 21 and 22, 2025, City Council authorized the Executive Director, Environment, Climate and Forestry (or designate) to collect the necessary personal information from participants to enable improved administration of the Grants and Incentives Program, including promotion, programming, and monitoring.

[Agenda Item History - 2025.IE21.5](#)

At its meeting on February 27, 2025, the Infrastructure and Environment Committee directed the Executive Director, Environment, Climate and Forestry to examine increasing fees and fines to address compliance with the City's Tree Bylaws through the current review of tree bylaws in progress and report back as part of the tree bylaw review.

[Agenda Item History - 2025.IE19.9](#)

At its meeting on December 17 and 18, 2024, City Council amended Municipal Code Chapters 813, 658, 608, 632, 743, 918, and 441 to grant the Executive Director, Environment and Climate equal authority as the General Manager, Parks, Forestry and Recreation which would allow either Division head to implement and enforce the relevant provisions.

[Agenda Item History – 2024.IE18.6](#)

At its meeting on December 15, 16 and 17, 2021, City Council directed the General Manager, Parks, Forestry and Recreation to review and report back in the second quarter of 2022 on the diameter required for a tree to be protected under the Private Tree Bylaw.

[Agenda Item History - 2021.IE26.6](#)

At its meeting on July 23, 24, 25, 26, 27 and 30, 2018, City Council adopted the Auditor General's report entitled "Review of Urban Forestry – Permit Issuance and Tree By-law Enforcement Require Significant Improvement", which included recommendations to strengthen enforcement and improve oversight of tree bylaw contraventions.

[Agenda Item History - 2018.AU13.10](#)

At its meeting on February 27, 2017, the Parks and Environment Committee adopted the report outlining the implications if the City decided to exempt black walnut trees from protection under the City's Tree Bylaws.

[Agenda Item History - 2017.PE17.2](#)

COMMENTS

This report is presented in three sections. The first section provides background and the Tree Bylaw Review approach; the second section presents proposed bylaw amendments, future studies, operational updates and an incentive as a result of community and constituency group input and City Council direction; the third section details the implementation plan.

1. Background and Tree Bylaw Review Approach

1.1 Background

Toronto's urban forest includes trees located along streets, in parks, ravines, natural areas, green spaces, private properties, and landscaped open spaces throughout the city. These trees provide a range of environmental and community benefits, including shade, energy savings, wildlife habitat, and improved air quality through the removal of carbon dioxide and airborne pollutants. As a key component of Toronto's natural

infrastructure, the urban forest plays an essential role in supporting climate resilience and enhancing the overall quality of life for residents.

To advance these objectives, City Council reaffirmed Toronto's urban canopy cover target of 40 per cent by 2050, to align with the TransformTO Net Zero Strategy. In support of this goal, the City enforces several bylaws that regulate the injury, destruction, and removal of trees:

Toronto Municipal Code Chapter [813](#), Trees

Regulates the injury, destruction, and removal of trees through two key articles:

- Article II - Trees on City Streets: Applies to all sizes of trees located on City streets
- Article III - Private Tree Protection: Applies to trees on private property with a trunk diameter of 30 cm or greater, measured at 1.4 metres above ground level.

Toronto Municipal Code Chapter [658](#), Ravine and Natural Feature Protection:

Regulates the injury, destruction, and removal of trees in designated ravine protected areas:

- Applies to all sizes of trees including those on private property. It also governs grade changes, and the dumping of fill or refuse within these areas.

Toronto Municipal Code Chapter [608](#), Parks

Regulates the injury, destruction, and removal of trees in City-owned parks through:

- Article VII - Trees: Applies to all sizes of trees located in City-owned parks.
- This report includes an administrative amendment to Chapter 608 to update terminology in Article VII – Trees to reflect organizational roles. No substantive policy changes to Chapter 608 are proposed. ECF will collaborate with Parks and Recreation staff on any tree-related updates to Chapter 608 when future bylaw revisions are undertaken.

Toronto Municipal Code Chapters 813 and 658, collectively referred to as the City's Tree Bylaws, are enacted pursuant to the City's authority under sections 6, 8, and 12 of the *City of Toronto Act, 2006*. Section 104 of the *Act* establishes limitations on the City's bylaws that prohibit or regulate the destruction or injury of trees, including not applying where a condition is imposed on the approval of a site plan, a plan of subdivision or a consent for the injuring or destruction of trees.

The purpose of the above noted bylaws are to prevent unnecessary harm to trees, promote maximum protection and retention, and assess fees to recover costs for services rendered by the City such as permits and contravention inspections. Additionally, these bylaws include enforcement provisions which allow the City to order compliance, take remedial action, and charge people with offences, and outlines the minimum and maximum fine the courts can impose on a person if they are found guilty of contravening a bylaw, such as destroying or injuring a tree without the appropriate approval. Tree replacement planting is required when trees are destroyed (e.g. removal) or injury is permitted and when trees are destroyed (e.g. removed) or injured without authorization (i.e. a contravention).

The Tree Bylaws implement the Official Plan policy 3.4.1 to support city-building by b) sustaining, restoring and enhancing the health and integrity of the natural ecosystem

and d) preserving and enhancing the urban forest by ii. increasing tree canopy coverage; iii. regulating the injury and destruction of trees and protecting mature and native trees; and iv) supporting the health of street trees to grow to maturity. They continue to support new development, including new housing, and do not create a need to make choices between preserving trees and allowing development. Rather, when adhered to, the Tree Bylaws support both objectives: enabling property owners to build in accordance with planning and building permissions while ensuring that tree protection and tree replacement planting measures are in place. The Tree Bylaws help maintain Toronto's urban forest while supporting growth and development, including new housing.

As noted in the 2025 [Annual Report on Tree Bylaw Removal Permit Appeals and Requests](#) to the Infrastructure and Environment Committee, data from 2024 show that approximately 90 per cent of all trees considered for removal were granted tree removal permits. The total required replacement planting associated with approved permits during this period was 20,481 replacement plantings, of which 16,955 (83 per cent) were secured as on-site planting and 3,526 (17 per cent) were secured as cash in lieu. Additionally, 69,251 square metres of land was secured for stewardship work under the Ravine Bylaw. These outcomes demonstrate that the Tree Bylaws effectively support necessary development while ensuring appropriate tree protection and replacement measures.

Property owners may apply for permits to remove or injure protected trees under Municipal Code Chapter 813, Trees and Municipal Code Chapter 658, Ravine and Natural Feature Protection. If a permit is denied, applicants may appeal the decision to the appropriate Community Council.

1.2 Tree Bylaw Review Approach

Jurisdictional Review

To support updates to the Tree Bylaws and related programs, ECF conducted a jurisdictional review of eight Canadian municipalities in April 2025: Windsor, Burlington, Cornwall, Richmond Hill, Hamilton, Vaughan, York Region, and Edmonton. The review examined private tree protection thresholds, tree replacement planting requirements, natural area protections, urban forest planning practices, resource allocation, and emerging trends.

Findings indicate that most municipalities maintain private tree bylaws with size thresholds lower than Toronto's (where such bylaws exist), apply varied tree replacement planting ratios, and have limited replacement planting requirements for natural areas. Urban forest planning is common, though inventories and canopy targets differ, and enforcement resources remain modest. Emerging trends include efforts to align tree protection frameworks with climate resilience objectives and address development pressures, particularly infill housing and zoning reform. These findings provide useful reference points for the City's ongoing work to update the Tree Bylaws, improve service delivery, and align with industry best practices regarding broader environmental, housing, and equity objectives.

Table 1: Key Findings from Jurisdictional Review

Category	Key Finding	Municipalities
Private Tree Protection	Four municipalities have private tree bylaws with size thresholds starting at between 15–30 cm diameter-at breast height (DBH); some include significant tree provisions.	Burlington, Vaughan, Richmond Hill, Hamilton; Significant trees - Burlington ≥75 DBH - Vaughan ≥80 cm DBH
Tree Replacement Planting Requirements	Tree replacement ratios vary widely, often based on DBH or fixed numbers of replacement trees.	Burlington (2:1–4:1 with securities); Richmond Hill (1:1–7:1 based on DBH); Vaughan (1–4 trees).
Natural Area Protections	Three municipalities have dedicated bylaws for natural areas; none include replacement planting requirements.	Edmonton, Hamilton, York Region.
Tree Inventories	Most maintain inventories, though some are incomplete or outdated. Tree counts range from under 100,000 to over 5 million. Age structure is skewed toward younger trees (0–15 cm DBH).	Burlington, Hamilton, Richmond Hill, Vaughan, York Region, Edmonton, Windsor (age structure trend noted by Burlington, Hamilton, Richmond Hill, Vaughan); Cornwall (ongoing but not complete)
Canopy Targets	Municipalities with urban forest management plans have canopy targets ranging from 20 per cent to 40 per cent.	Burlington (35 per cent by 2060); Hamilton (40 per cent); Richmond Hill (35 per cent); Cornwall (30 per cent); Vaughan (25 per cent); York Region (40 per cent by 2051); Edmonton (20 per cent).
Tree Equity	None of the responding municipalities reported using a formal tree equity tool to guide planting in equity-deserving areas.	Not reported by any municipality.
Resource Allocation	Budgets for tree bylaw enforcement are generally under \$5M (except Hamilton); staffing levels range from 1–15 full time employees. Application fees vary widely; some municipalities do not charge fees, others apply flat or tiered rates.	Windsor, Burlington, Vaughan, York Region, Edmonton, Hamilton.
Emerging Trends	Municipalities are considering updates to tree protection frameworks in response to development pressures and climate objectives, including infill housing and zoning reform.	Burlington, Vaughan, Richmond Hill, Hamilton.

Community Engagement Approach

As part of the Tree Bylaw Review, ECF implemented a comprehensive engagement strategy to ensure that resident, community, industry, and Indigenous perspectives

informed the development of recommended revisions. The approach was designed to be inclusive, accessible, and transparent. Detailed analysis and recommendations are available in the consultant's report, Tree Bylaw Amendment Community Engagement Summary Report, included in Attachment 3.

Engagement Tools and Activities Summary

- Dedicated Project [Webpage](#) (launched August 2025): Provides background information, consultation details, registration links, a public survey, and resources to support informed participation.
- Public Survey: Conducted September 1–24, 2025, generating 6,430 total responses and 1,400 additional long-form comments via the survey and email.
- Direct Email Outreach: Over 400 invitations sent to constituency groups.
- Social Media Outreach: Paid advertisements and organic posts to broaden participation.
- Public Consultation Sessions: Four sessions (two virtual, two in-person) held at varied times and locations to maximize accessibility. Sessions were led by ECF staff and included presentations, facilitated discussions, and feedback collection.
- Targeted Virtual Engagement Sessions: Conducted with arborists, the Building Industry and Land Development Association (BILD), Residents' Associations, and urban Indigenous community members. These sessions were facilitated by Evenings & Weekends Consulting, retained to support dialogue and gather feedback on proposed amendments and potential incentive programs.

Across public and targeted sessions, approximately 150 participants attended, contributing valuable feedback and perspectives. This comprehensive approach facilitated broad participation and ensured meaningful input from a diverse range of constituency groups and residents.

Indigenous Engagement

Recognizing the enduring relationships Indigenous communities have with the land, ECF initiated engagement with Indigenous communities as part of the Tree Bylaw Review. Initial outreach included the Mississaugas of the Credit First Nation, Williams Treaties First Nations, Wendat Nation, Six Nations of the Grand River, and Mississaugas of Scugog Island First Nation (MSFIN). Follow-up meetings were held with MSFIN and Six Nations during the week of September 22, 2025.

This engagement is an initial step in a longer-term process to engage and learn. Dialogue between Indigenous community members and ECF staff will continue through the review of the Tree Bylaws and beyond, with the intent of supporting relationship-building, traditional land stewardship, and integrating Indigenous knowledge into the administration of the Tree Bylaws.

Online Survey Quantitative Key Findings

- Importance of Trees: 98 per cent of respondents consider trees important to their quality of life; 93 per cent say “very important.”
- Top Benefits of Trees: Shade and cooling (30 per cent), cleaner air (24 per cent), and wildlife habitat (20 per cent) were the most frequently cited benefits.
- Concern About Tree Loss: 85 per cent expressed concern about tree loss, with 64 per cent “very concerned.”

- Support for City Action: 85 per cent agree the City should do more to protect healthy trees on private property.
- Private Tree Bylaw Size Threshold: 60 per cent favor lowering the current 30 cm DBH threshold, with most support for 20 cm (31 per cent).
- Compliance and Enforcement: Support for increased financial penalties (67 per cent) and increased tree replacement planting (70 per cent).
- Protecting Toronto's Largest Trees: 75 per cent support creating a Distinctive Tree Category for healthy trees over 61 cm DBH.
- Private Tree Maintenance Incentives: 65 per cent support a maintenance fund, with 69 per cent supporting prioritizing equity-deserving communities.
- Planning-Based Incentives: 75 per cent support updating the Official Plan to encourage tree preservation.
- Ravine Application Fees: 67 per cent support fees for designated ravine-protected areas, with 55 per cent supporting exemptions for voluntary stewardship.

Of 6,430 total online survey entries, 65 per cent (4,159) included postal codes linked to Toronto wards. Feedback across wards reflected similar priorities: improving bylaw enforcement, respect for property rights, and addressing costs of managing large trees on private property.

Relationship Between the Tree Bylaws and the Building Code Act

At its meeting on July 23 and 24, 2025, City Council directed the Executive Director, ECF, in consultation with the Chief Building Official and Executive Director, Toronto Building, to review the relationship between the City's Tree Bylaws and the Ontario Building Code as part of the bylaw report ([MM32.21](#), item 2).

Because the Tree Bylaws are not included in the definition of "applicable law" in Sentence 1.4.1.3 of Division A of the Ontario Building Code, they are not considered when a building permit application is reviewed and cannot prevent the issuance of a building permit. Under the Building Code Act, the Chief Building Official must issue a building permit where the proposed plans comply with the Act, the Ontario Building Code and applicable law as defined in the Ontario Building Code.

Despite this, the issuance of a building permit under the Building Code Act does not remove the onus and obligation on an owner to obtain tree permits and/or other related permissions as required under the Tree Bylaws. The Tree Bylaws apply in parallel to building permit processes, with Toronto Building administering and enforcing the Ontario Building Code and ECF administering and enforcing the Tree Bylaws.

Building permit applicants are required to submit a Tree Declaration Form when a building permit is applied for, which is provided to ECF. The purpose of the Tree Declaration Form is to educate applicants about the provisions of the Tree Bylaws, including general and tree permit-related information, to have applicants declare their understanding of these requirements, and to provide notice to ECF of proposed work that may impact bylaw regulated trees. A key purpose of the form is to inform individuals of the requirement to apply for a permit to injure or destroy a tree. Additionally, the Tree Declaration Form must be submitted with every application submitted to the Committee of Adjustment for minor variances to the applicable zoning bylaw which ensures that tree protection is considered by the Committee when determining whether or not to

grant the proposed minor variances. Where variances are granted with conditions related to tree protection, a building permit may not be issued unless the applicant can establish compliance with these conditions as there is otherwise no zoning compliance (and compliance with zoning is applicable law to the issuance of a building permit).

Submitted Tree Declaration Forms are electronically circulated to ECF for every building permit application which has the potential to impact a bylaw regulated tree. Applicants and property owners are advised of the tree permit process on the Tree Declaration Form and are directed to contact ECF for further tree related permit requirements.

Where development applications require a rezoning or minor variances to the applicable zoning bylaw, ECF works with applicants to support protection of bylaw protected trees impacted by the development. For projects under the Expanding Housing Options in Neighbourhoods (EHON) initiative, including garden suites, laneway suites, multiplexes and major streets City Council granted specific and restrictive direction enabling ECF to deny tree removal applications where healthy, mature trees conflict with these development types. This direction reflects a more proactive approach to tree preservation within the EHON policy framework.

Request to Include Private Tree Bylaw as Applicable Law

Council requested that the Minister of Municipal Affairs and Housing include the City's Private Tree Bylaw as an applicable law under the Ontario Building Code ([MM32.21](#), item 4). In response, City staff met with representatives from the Ministry of Municipal Affairs and Housing (MMAH) regarding Council's request to include the City of Toronto's Private Tree Bylaw as an applicable law for the purposes of issuing a building permit under the Ontario Building Code. MMAH staff are currently reviewing this request.

1.3 Ontario Heritage Tree Program

Between 2009 and 2023, the Ontario Heritage Tree Program provided recognition for trees of cultural, historical, or biological significance. The Tree Bylaws include provisions for Heritage Trees, defined as trees designated under Part IV of the Ontario Heritage Act or recognized through the Ontario Heritage Tree Program administered by Trees Ontario (now known as Forests Canada). Under the Heritage Tree provisions of the Tree Bylaws, a permit for injury or removal cannot be issued without City Council approval.

In Toronto, the Heritage Tree list includes 42 individual trees, three groves, and three arboreal remnants that have been either designated or recognized. In 2023, Forests Canada closed the Ontario Heritage Tree Program, resulting in the loss of a formal mechanism for recognizing new Heritage Trees. While the existing Heritage Tree list and associated provisions in the Tree Bylaws remain in effect, no new nominations can be accepted, and the recognized Heritage Tree inventory will decline over time.

2. Proposed Tree Bylaw Amendments, Operational Updates and Incentives

This section outlines proposed bylaw amendments, operational updates that can be implemented administratively, future studies and an incentive program proposal. Collectively, these actions aim to strengthen implementation, improve service delivery, and support the long-term health, resilience, and growth of Toronto's urban forest.

Attachment 1 provides a consolidated summary of the current approach and the recommended changes associated with the proposed bylaw amendments, operational updates, future studies, and incentive outlined in this section.

The proposed bylaw amendments to the Tree Bylaws are outlined in Attachment 2.

2.1 Distinctive Tree Category: Strengthening Protections and Incentives for Toronto's Largest Healthy Trees

Toronto's largest healthy trees are among the City's most valuable urban forest assets, delivering ecological, social, cultural, and public health benefits at a scale unmatched by smaller trees. These trees contribute disproportionately to canopy cover, climate resilience, stormwater management, and neighbourhood character. Protecting them is critical to achieving the City's canopy targets and sustaining ecosystem services over the long term.

According to the City's most recent Tree Canopy Study, approximately 2 per cent of Toronto's urban forest exceeds 61 centimetres diameter at breast height (DBH), compared to an ideal distribution of 10 per cent in this size class. This underrepresentation highlights the ongoing loss of large, mature trees and the need for enhanced protection mechanisms.

Distinctive Tree Category (Bylaw Amendment)

To strengthen protections for Toronto's largest healthy trees, this report recommends amending the Private Tree Bylaw and Ravine Bylaw to introduce a Distinctive Tree category and to integrate consideration of such trees into the permit review process.

The Distinctive Tree category identifies large, healthy trees that contribute to canopy objectives and broader environmental outcomes, while remaining separate from Heritage Trees. Recognizing these trees within the bylaws supports consistent consideration of their value when applications are submitted to injure or remove trees.

Under the proposed amendments, a Distinctive Tree is defined as a healthy tree, as determined by the Executive Director, which (a) is not designated a Heritage Tree and (b) has at least one stem with a diameter measurement greater than 61 centimetres. When a permit application is reviewed, ECF staff will determine whether a tree meets the Distinctive Tree definition and consider this as part of the existing review criteria.

To support implementation of this new category, a new review-criteria section is also proposed for the Ravine Bylaw. While the Private Tree Bylaw already includes established review criteria, into which consideration of Distinctive Trees is proposed to be incorporated, the Ravine Bylaw does not currently contain formalized review criteria. Although Ravine staff already consider factors such as tree condition and location, as part of application review, these considerations have not previously been formalized in the Ravine Bylaw. The proposed amendments introduce a new section to the Ravine Bylaw that explicitly sets out these criteria and adds consideration of whether a tree meets the definition of a Distinctive Tree.

Where ECF staff determine that a tree subject to a permit application meets the definition of a Distinctive Tree, staff may refuse a permit to injure or destroy the tree.

Where a permit refusal is appealed, the matter would be addressed through the existing appeal process, with Community Council serving as the final decision-maker. This enables consideration of broader community interests, neighbourhood character, planning objectives, and relevant policy context in addition to ECF's technical review.

In addition, this report recommends that City Council direct the Executive Director, Environment, Climate and Forestry to have discretionary authority to refuse a permit to injure or destroy a tree protected under the Tree Bylaws that meets the Distinctive Tree definition. Where appropriate, applicants would be advised to meet with Urban Forestry staff to consider how an application could be amended to support retention of the bylaw-protected tree.

The Distinctive Tree category will not apply to the Street Tree Bylaw, as ECF generally does not allow removal of City-owned street tree assets. Further, ECF is currently undertaking a comprehensive study on city-owned tree maintenance including a review of mature tree retention practices in parks and on streets. Findings from this study will inform recommendations related to the maintenance and preservation of mature City owned trees, and staff will report back in 2027 with recommendations.

Distinctive Tree Maintenance Incentive Program - Pilot (Incentive)

Introducing the Distinctive Tree category strengthens regulatory protections for Toronto's largest healthy trees. However, regulation alone cannot address barriers to retention. High maintenance costs and limited access to professional care often lead to unnecessary removals, even when trees are protected, and can discourage net new tree planting.

To complement these measures, ECF proposes a Distinctive Tree Maintenance Incentive Program - Pilot to provide financial support for the care of mature private trees. This incentive removes cost barriers, promotes proactive stewardship, and supports equity by helping residents maintain trees that deliver significant climate resilience and public health benefits. Pairing regulation with incentives addresses compliance challenges and strengthens long-term canopy protection.

Currently, the City offers planting incentives through programs such as LEAF's Backyard Tree Planting Program, but there are no City-led initiatives for maintaining mature private trees. The Tree Bylaw Review survey found that 65 per cent of respondents supported creating a fund for private tree maintenance. The Stormwater Management Incentives Public Consultation Report ([EX20.12](#)) also highlighted public support for long-term tree maintenance assistance and demonstrated strong uptake of existing Forestry incentive programs, indicating a foundation for expanding support.

Feedback also pointed to the value of including related upkeep activities, such as seasonal clean-up or eaves maintenance, where feasible, to reduce barriers and promote proactive care. Providing clear, easy-to-use information alongside the incentive program would further support shared responsibility for Toronto's urban forest. The pilot would build on these insights and explore working with community groups to expand access to resources. Maintenance activities funded under the incentive program would be required to be completed by qualified arborists and would focus on essential care,

such as pruning, informed by best practices identified through a jurisdictional scan of similar municipal programs across Ontario.

The proposed pilot is informed by this scan of municipal tree maintenance incentive programs, which demonstrates both the feasibility and public demand for incentives that support the maintenance of large or significant trees on private property. Comparable programs typically provide partial cost coverage for professional arborist services and emphasize targeted, preventative care, reinforcing the proposed pilot’s focus on reducing barriers while promoting long-term tree health.

Through the addition of the Distinctive Tree category in the Private Tree Bylaw and Ravine Bylaw, ECF staff would confirm a Distinctive Tree through the Distinctive Tree Maintenance Incentive Program - Pilot application process. In 2026, staff will finalize the program design, including eligibility criteria, application process, funding administration, and compliance protocols. Staff will also develop outreach materials, hire a third-party trustee, and establish partnerships to support implementation. The proposed pilot would commence in 2026 with a \$50,000 budget allocation. Staff will report back in 2027 with findings and recommendations. If successful, staff will seek authority to establish a permanent program at that time.

The following table summarizes the framework of the proposed Distinctive Tree Maintenance Incentive Program - Pilot, including guiding principles, administration, funding, implementation steps, and success measures.

Table 2: Framework for the Distinctive Tree Maintenance Incentive Program - Pilot

Component	Details
Guiding Principles	Equity, transparency, and alignment with Toronto’s urban forest goals; prioritize Neighbourhood Improvement Areas (NIA), Emerging Neighbourhoods (EN), and areas with low tree equity scores ; reinforce Tree Bylaw framework through incentives that reduce financial barriers.
Administration	Aligns with existing environmental grants and incentive models run by ECF; delivered as a grant, under the City’s UF Grants and Incentives Program; oversight by ECF and a third-party Trustee. Supports equitable access to funds.
Budget and Funding	Estimated \$50,000 (including Trustee fees) budget allocation to support 20–25 sites; funded through reallocation of existing resources. Funding mechanism: grant covering 50 per cent of eligible costs, up to \$1,500 per property owner. One grant per property owner, regardless of multiple properties.
Eligibility	Private residential property owners; one tree per property; tree must meet Distinctive Tree criteria (healthy, diameter >61 cm); eligible work must be pre-approved by City staff and completed by qualified arborists.
Distribution	First-come, first-served basis. Applications from NIAs, ENs, and neighbourhoods with low tree equity scores will be prioritized. If funding remains after these applications are processed, grants will be offered citywide outside these priority areas.

Component	Details
Geographic Scope and Timeline	Pilot focuses on NIAs, ENs, and areas with low tree equity scores. Work must be completed within a defined timeframe after funds are received. Oak tree maintenance deferred to November–March due to Oak Wilt concerns.
Implementation Steps	Develop eligibility criteria; define eligible arboricultural work (e.g., pruning); create application process, Template Grant Agreement, reporting model, Trustee application and agreement; hire Trustee; develop web content; creation of public feedback survey; establish data stewardship and Council reporting protocol.
Application Process	Residents submit formal application with required documentation: personal information, owner authorization (if applicable), tree details and photo, valid quote from qualified arborist. Applications must outline terms of the fund, timeline expectations, and consent for property inspection.
Approval & Fund Administration	City staff review and approve applications; approved applications sent to Trustee for fund administration.
Verification & Disbursement	Funds may be disbursed in advance of work completion. The Trustee administers payments and confirms funds are used only for approved purposes. City staff conduct site visits to verify work completion and quality. Where work is incomplete or non-compliant, the Trustee is responsible for recovering funds.
Compliance	City staff inspect 100 per cent of sites to confirm work completion and compliance with program terms. Up to 2 site visits per approved application.
Success Indicators	Number of applications received and approved; geographic distribution of participants; total grant dollars disbursed; number of Distinctive Trees maintained; compliance rate; applicant and public survey feedback.

2.2 Lowering the Private Tree Bylaw Size Threshold (Future Study)

The Private Tree Bylaw currently protects trees on private property that are 30 cm or greater DBH. This threshold was established in 2004 when the bylaws were amalgamated to balance tree protection with city-building objectives, focusing regulatory efforts on trees that provided significant ecosystem services such as shade, carbon sequestration, stormwater management, and habitat, while aligning with operational capacity and supporting canopy expansion through replacement planting. City Council directed staff to review and report back on the diameter required for a tree to be protected under the Private Tree Bylaw ([IE26.6](#), item 5).

Sixty percent of the Tree Bylaw review survey respondents favored reducing Toronto's current 30 cm DBH requirement. Several neighboring municipalities, including Mississauga, Burlington, Newmarket, and Vaughan, regulate private trees at thresholds of 20 cm DBH or lower, reflecting a regional trend toward protection of smaller trees.

The City's most recent Tree Canopy Study found a decline in trees across most size classes, except for the smallest category (less than 15.2 cm DBH), highlighting the importance of protecting younger trees before they reach larger, more ecologically

valuable sizes. Protecting trees in lower DBH ranges ensures future canopy contributors are retained, supporting Toronto's climate resilience and Council's goal of achieving 40 per cent canopy cover by 2050.

ECF receives an average of 6,118 individual private tree applications annually under the existing 30 cm DBH size threshold. Initial quantitative analysis shows that lowering the Private Tree Bylaw size threshold to 20 cm DBH would generate an estimated 3,059 additional applications per year, a 50 per cent increase over current volumes. This increase would impact staffing, resources and service standards, and further study is needed to understand the full implications on operational capacity.

To respond to public interest and regional trends while managing operational impacts, this report recommends that City Council endorse in principle reducing the minimum diameter threshold for private tree protection from 30 cm to 20 cm DBH, and direct the Executive Director, ECF, to undertake a detailed analysis of the implications of this change, including an assessment of any potential impacts on housing delivery, and report back in 2027. This plan will include technical analysis, budget and staffing requirements, service level updates, fee exemption considerations, a communications and engagement approach, and any proposed bylaw amendments.

2.3 Compliance and Enforcement Enhancements

The City of Toronto's Tree Bylaws include a number of provisions that, if not adhered to correctly, could result in a contravention. Some examples of a contravention are the unauthorized injury, destruction, or removal of a regulated tree. Since Urban Forestry's Compliance and Enforcement team's establishment in 2017, it has led the Tree Bylaws' enforcement efforts by conducting site inspections, issuing orders, and initiating charges. Enforcement is one method the City has used to encourage compliance and to ensure restoration and tree replacement planting occurs for impacted regulated trees.

Service requests resulting from reported potential contraventions of the Tree Bylaws have remained relatively constant at approximately 2,500 annually since 2015. Compliance and Enforcement is delivered through a framework based on the severity and context of the contravention:

- Action 1 – Education and Outreach: Applied to minor contraventions focusing on education, outreach, and issuance of an official notice.
- Action 2 – Compliance Orders and Contravention Inspection Fees: Applied to moderate contraventions requiring Stop Work Orders, Orders to Comply, and associated contravention inspections to mandate site restoration and mitigate tree damage. Contravention Inspection Fees are user fees established under Chapter 441 of the Municipal Code and are strictly cost-recovery in nature, intended to recover City costs incurred to investigate, inspect, monitor, and enforce compliance.
- Action 3 – Prosecution: Reserved for severe contraventions of the Tree Bylaws, pursued as charges through the Provincial Offences System, for which fines are assessed by the court upon being found guilty of an offence.

Prosecutions remain essential for severe contraventions where corrective action is not possible. These cases require strong evidence, such as clear documentation, tree assessments, and reliable witness accounts, and require significant staff time for investigation, coordination, and court attendance. Charges laid through prosecution may

result in fines or penalties, with amounts determined by a justice of the peace based on case-specific facts and sentencing principles.

The City’s Tree Bylaws outlines that a person convicted of an offence by the court could be found liable to a fine ranging between \$500 to \$100,000 per tree and an additional special fine of \$100,000. The court imposes and administers the fine when a person is found guilty of an offence.

Since 2021, Urban Forestry's Compliance and Enforcement Unit has prioritized moderate and severe contraventions (Actions 2 and 3), resulting in increased enforcement activity which has resulted in an increase in Contravention Inspection Fees being charged to cover the cost of investigating bylaw contraventions and an increase in charges being laid under the Tree Bylaws, satisfying a recommendation of the Auditor General's 2018 report Review of Urban Forestry - Permit Issuance and Tree By-law Enforcement Require Significant Improvement. The following tables summarize recent enforcement activity under Actions 2 and 3 of the City's compliance framework, highlighting trends in Contravention Inspection Fees and prosecution outcomes.

Table 3: Action 2, Moderate Contraventions – Contravention Inspection Fees

Time Period	Annual Average Fees Collected
2016–2020	\$427,963.58
2021–2024	\$870,358.86

Table 4: Action 3, Severe Contraventions – Prosecution & Fines

Time Period	Sites Prosecuted (Annual Average)	Total Charges Laid (Annual Average)	Total Fines Imposed (Annual Average)
2015–2020	41 (7/year)	357 (60/year)	\$294,000 (\$49,000/year)
2021–2024	118 (30/year)	733 (183/year)	\$594,900 (\$148,725/year)

These figures demonstrate a significant increase in enforcement activity and financial penalties imposed since 2021, reflecting a strategic focus on higher-risk contraventions and improved compliance measures.

The Compliance and Enforcement team functions with a staffing complement that, as of 2026, includes two Support Assistants, two Arborist Inspectors, 11 Standards Officers, and two Supervisors. The program responds to contravention service requests in accordance with established divisional service standards: Priority 1 requests, reported as in-progress (e.g., active removal of a bylaw regulated tree), have a service standard of 72 hours and Priority 2 requests, reported as having already occurred (e.g., storage of material within a tree protection zone), have a service standard of 21 days. Urban Forestry also has a standby program during non-business hours during which management staff may be available to respond to Priority 1 requests. All service requests are triaged upon receipt based on risk and urgency.

Enhanced Public Access to Tree Bylaw Contravention Data (Operational Update)

In July, 2025, City Council directed staff to examine the feasibility of publicly disclosing contravention outcomes ([MM32.21](#), item 3). Currently, contravention outcomes are not published, and implementing disclosure requires addressing privacy concerns, clarifying case statuses, and designing a process that ensures accurate, responsible reporting.

ECF is working with Technology Services and Open Data staff to enable public disclosure of tree permit and contravention outcomes. The goal is to improve transparency and public access to enforcement data while safeguarding personal and sensitive information. Work to date has focused on identifying appropriate data fields such as file types, significant dates, typical forms issued, tree data, and outcome descriptions, as well as assessing privacy implications. Later in 2026, the initiative is planned to include quarterly publishing through the City's Open Data portal of reported contraventions under the Tree Bylaws by property address where investigations have been completed, along with publishing information on sites where tree permits have been issued.

Improving Evidence Collection for Diameter Assessment (Bylaw Amendment)

Determining whether a destroyed tree was protected under the Private Tree Bylaw (i.e. a tree 30 cm DBH or larger) is a key challenge when the tree has been completely removed and no documentation exists regarding its size. This frequently results in insufficient evidence to confirm protected status, limiting the ability to proceed with prosecution.

This report recommends amending the Private Tree Bylaw to introduce stump diameter as a secondary measurement tool for enforcement purposes. This change will allow staff to confirm regulated status when the tree is removed but a stump less than breast height remains (i.e. less than 1.4 metres above ground level). Based on a literature and jurisdictional review, Urban Forestry proposes a clear and practical threshold of 40 cm for stump diameter, closely aligned with the existing 30 cm DBH standard to ensure consistency and fairness. Similar approaches have been adopted in other municipalities.

This amendment strengthens bylaw application without altering the DBH standard and applies only to the Private Tree Bylaw. No amendments are required to the Street Tree Bylaw or Ravine Bylaw, as trees of all sizes are already protected under these bylaws. The proposed bylaw amendment would come into force September 1, 2026.

Extend Protection to Newly Planted Trees (Bylaw Amendment)

Trees planted as a result of enforcement actions under the Private Tree Bylaw, such as Orders to Comply, or as part of development approvals, including Site Plan Agreements and Committee of Adjustment decisions, contribute to meeting canopy and site restoration objectives. Under the current Private Tree Bylaw, permit requirements apply to these trees where planting is required as a permit condition or once a tree has reached a diameter at breast height (DBH) of 30 centimetres or greater.

This report recommends amending the Private Tree Bylaw to require a permit to injure or destroy a tree planted pursuant to an Order to Comply issued by an Officer or as a condition of development approval, regardless of DBH. This amendment would align the

treatment of these trees with the regulatory context under which they were planted, provide for their consideration during the permit review process, and support broader urban forest management and climate resilience objectives.

No amendments are proposed to the Street Tree Bylaw or Ravine Bylaw, as trees of all sizes are already regulated under those bylaws. The proposed amendment would come into force on September 1, 2026

Update Foundation for Fine Recommendation Guidelines (Operational Update)

Existing ECF Action 3 prosecution guidelines on evidentiary foundation do not fully reflect the ecological value of trees or development benefits gained through unauthorized removals. In some cases, fine outcomes following convictions have not reflected the scale of harm or economic benefit associated with the offence, which may reduce the effectiveness of enforcement as part of the overall compliance framework. Revising these evidentiary guidelines aligns with the Infrastructure and Environment Committee's February 2025 direction ([IE19.9](#), item 1) to review financial measures as part of the ongoing of the Tree Bylaws and report back to City Council.

Fines for offences under the Tree Bylaws are imposed solely by the courts following a finding of guilt. The City does not set fines, and the court retains full discretion within the minimum and maximum penalties established in the bylaws. Updated fine recommendation guidelines are an internal, operational tool used by ECF, in consultation with Legal Services, to support consistent, transparent, and evidence-based submissions to the court regarding the circumstances of an offence.

The revised evidentiary guidelines will be informed by contemporary arboricultural standards and will consider factors such as tree size, condition, ecological significance, and, where applicable, any development benefit realized through unauthorized tree injury or removal (for example, the creation or expansion of driveways or parking areas). These considerations are intended to assist the court in understanding the nature and impact of the offence, rather than to limit or direct judicial decision-making.

The objective of updating the evidentiary guidelines is not to influence judicial discretion, but to address situations where unauthorized tree removal may be perceived as a manageable or predictable cost associated with development. By improving the consistency and clarity of the underlying support for fine recommendations, the City aims to better align enforcement outcomes with the ecological value of trees and the intent of the Tree Bylaws, while respecting the independent role of the courts. Implementation of the updated guidelines is planned for 2026.

Updated Tree Replacement Planting Ratios for Contraventions (Operational Update)

The City's tree replacement planting ratios are not defined within the Tree Bylaws; instead, they are established through established procedure and applied consistently by staff, providing predictable expectations for applicants and offenders.

In the event a tree is destroyed in contravention of Municipal Code Chapter, 813, Trees (e.g. cut down without a permit) ECF's current procedure is to order a property owner to replace the destroyed tree by replanting 5 trees (i.e. a flat 5:1 standard tree replacement

ratio). This standard does not account for the ecological value or canopy contribution of larger trees and limits the ability to accurately recover unauthorized canopy loss..

To better reflect ecological impacts of tree removal and injury, this report recommends replacing the current flat 5:1 tree replacement ratio order when a tree is destroyed in contravention to Municipal Code Chapter 813, Trees with a diameter-based tree replacement planting ratio which would reflect and replace the tree canopy that was lost. Ratios would start at a minimum of 5:1 and increase for larger trees, recognizing their greater canopy contribution and ecological value.

Tree replacement planting ratio procedures will be updated in 2026.

Review Contravention Inspection Fees (Operational Update)

The Tree Bylaws allow the City to impose a Contravention Inspection Fee on a person in the event it undertakes an inspection to determine compliance with the bylaws. The purpose of the Contravention Inspection Fees is for the City to recover the cost of inspecting a potential bylaw or permit contravention. Contravention Inspection Fees, set out under Municipal Code Chapter 441, Fees and Charges, are intended to reflect the City's cost incurred to inspect a possible contravention under the Tree Bylaws. A review is required to confirm cost recovery and integrate adjustments into the annual fee review and budget process, consistent with the Infrastructure and Environment Committee's recent direction ([IE19.9](#), item 1).

A review of Contravention Inspection Fees will take place as part of the City's annual fee review process to ensure alignment with service delivery costs and the User Fee Policy. Any proposed adjustments will be brought forward through the annual operating budget process for implementation in 2027.

Introduce Tree Replacement Fee for Non-Compliance (Future Study)

In the event a person who has destroyed a tree in contravention to the Tree Bylaws fail to plant the replacement trees as outlined in an Order to Comply by the City or is unable to plant the replacement trees on their property, the City then has the authority to take remedial actions under the Tree Bylaws and replace the tree canopy lost and charge back the cost of doing so to the non-compliant person.

This report proposes studying the possibility of adding a Tree Replacement Fee to the Tree Bylaws which will be imposed by the City, in an Action 2 contravention scenario involving an Order to Comply, when the person who is ordered to replace the injured or destroyed tree and associated tree canopy fails to do so or is unable to do so on their property. This review would align with the Infrastructure and Environment Committee's direction to ECF ([IE19.9](#), item 1). Funds collected through this fee would be used by the City to recover the tree canopy lost due to the bylaw contravention by planting trees on public property, ensuring canopy restoration when a property owner does not replace the tree as ordered or on-site planting of replacement trees is not feasible.

ECF will report back to Council in 2027 with any proposed amendments to the Tree Bylaws to include a Tree Replacement Fee and the amendments required to add a Tree Replacement Fee to Municipal Code Chapter 441, Fees and Charges. ECF will determine the new Tree Replacement Fee in accordance with the City's User Fee

Policy to ensure the fee recovers the City's costs associated with the purchase, planting, and maintaining of the of the replacement trees (replacement tree canopy) for a period of two years.

Assess Feasibility of Additional Enforcement Tools (Future Study)

Current enforcement tools rely on prosecutions, which are slow and resource-intensive, and Contravention Inspection Fees, which are restricted to cost recovery. Because Contravention Inspection Fees cannot be set at a deterrent level, they provide little consequence for non-compliance. This prevents the use of timely, impactful penalties outside the court system, limiting flexibility and efficiency.

Exploring options such as set fines under the Provincial Offences Act and an Administrative Penalty System may provide a more efficient solution for addressing contraventions, in line with Infrastructure and Environment Committee's recent direction ([IE19.9](#), item 1).

ECF will assess whether to establish set fines under the Provincial Offences Act (POA) and/or administrative penalties as permitted under the City of Toronto Act (COTA) in order to assist the City in enhancing enforcement efforts under the Tree Bylaws. Set fines under the POA are fixed monetary penalties established for specific bylaw offences. They are authorized through the provincial court system and require approval from the Ministry of the Attorney General.

Administrative penalties can be established by the City under COTA which requires a person to pay an administrative penalty if the City is satisfied that a person has failed to comply with a City bylaw, without relying on the court system. The Administrative Penalty System (APS) may potentially streamline dispute resolution by providing timely and efficient consequences for non-compliance, but it requires a dedicated administrative framework and resources to manage screenings, review hearings and ensure procedural fairness.

ECF, with advice from Legal Services, will review these options and report back to Council in 2027.

2.4 Ravine Bylaw Permit Application Fees (Bylaw Amendment)

The Ravine Bylaw regulates activities within designated ravine areas, including tree injury, and destruction, grade alteration, and placement or dumping of fill. Since its adoption in 2002, permit applications under this bylaw have not been subject to permit application fees. This fee-exempt approach was originally intended to encourage voluntary stewardship and ecological restoration projects, which often involve invasive species removal.

To align with the City's User Fee Policy and ensure sustainable service delivery, this report recommends amending the Ravine Bylaw to introduce the requirement of a non-refundable permit application fee for regulated activities including tree injury and destruction.

The City already applies a cost-recovery model to comparable tree protection services delivered under Municipal Code Chapter 813, Trees. ECF currently processes

approximately 10,000 individual tree permit applications annually under Chapter 813. The 2026 Council Adopted Operating Budget includes \$5.1 million in cost recovery through user fees to fund the delivery of these tree permit application services. Introducing permit application fees under the Ravine Bylaw aligns this program with established City practices for tree protection permits and supports consistent and sustainable service delivery across related regulatory frameworks.

Consistent with this established approach, the proposed permit application fee structure mirrors existing practices under the Street Tree and Private Tree Bylaws. In addition to amending the Ravine Bylaw to include a permit application fee, the new fee will be incorporated into Toronto Municipal Code Chapter 441, Fees and Charges. Fees will be applied on a per-tree basis and differentiated by application complexity to ensure fairness and transparency to ensure that it appropriately recovers the City's costs. A flat fee is proposed for standalone grade alteration applications that do not involve tree injury or destruction but still require Ravine Bylaw review. These applications are infrequent and submitted independently of tree-related permits.

The recommended Ravine Bylaw permit application fees are outlined in Attachment 2.

Permit exemptions will remain in place for voluntary stewardship projects and related projects, including those led by the Toronto and Region Conservation Authority and City divisions. Eligible permit application fee exemptions will align with existing provisions under Municipal Code Chapter 813, Trees, including:

- Not-for-profit portions of housing projects, such as those undertaken by Toronto Community Housing Corporation, Habitat for Humanity, and other recognized providers referenced in subsection 7(1), paragraphs 1–4 of the Residential Tenancies Act, 2006.
- Low-income homeowners, defined as those living below the low-income cut-off before tax as determined by Statistics Canada

Based on 2024 data, an estimated 1,645 trees were reviewed under Ravine Bylaw permit applications, which could have generated approximately \$0.43 million in cost recovery annually. This estimate excludes permit services associated with the proposed exemptions. The proposed bylaw amendment would come into force September 1, 2026.

2.5 Additional Actions Related to Community Feedback

Recognizing and Integrating Indigenous Knowledge and Biodiversity Goals (Operational Update)

Community feedback indicated interest in aligning tree protection with biodiversity objectives, including recognition of the ecological significance of native species and the cultural significance of trees to Indigenous communities. Suggestions included promoting and protecting native trees, facilitating easier removal of invasive species or "nuisance" trees, and incorporating Indigenous knowledge into tree management practices.

ECF will continue its practice to balance biodiversity and canopy protection and expansion and will adopt new processes to enhance positive outcomes. A [2017](#), staff report concluded that exempting nuisance species from tree bylaws, such as black

walnut, would undermine urban forest protection objectives. Nuisance concerns are typically addressed through property maintenance or arborist-led interventions. ECF staff are working with local not-for-profits to explore coordinated practices, such as fruit harvesting, as an alternative to tree removal. ECF will also review operational practices to ensure invasive species management and nuisance tree concerns are addressed in a way that balances customer expectations with biodiversity and urban forest protection goals. Ongoing engagement with Indigenous communities will continue to inform the City's urban forestry framework including the administration of the Tree Bylaws.

User Experience and Permit Navigation (Operational Update)

Feedback identified concerns about the permit process, including financial and administrative burdens related to application requirements and arborist costs, which can result in non-compliance. Respondents noted variability in third-party arborist report quality, and frustration when opinions conflicted with Urban Forestry staff reviews. Suggestions included clearer standards and potential for arboricultural certification requirements for third-party arborists to improve consistency and reduce unnecessary costs and delays. Confusion and frustration were also noted regarding Compliance and Enforcement actions, response times and coordination across departments.

To improve outreach, user experience and understanding of the City's Tree Bylaws permit application requirements, ECF will conduct a review of all existing guidance documents and online resources to ensure information is clear, accessible and supports permit navigation and compliance. ECF will also assess internal and cross-divisional workflows to identify areas for communication and coordination efficiencies to reduce administrative complexity.

Education and Outreach (Operational Update)

Education and public awareness were identified as important for not only improving compliance, but also to support a broad understanding that urban forests are essential for climate resilience, quality of life and improved health outcomes. Feedback indicated that limited understanding of the Tree Bylaws and the need to protect the urban canopy contributes to misconceptions about the value of natural infrastructure and the City's permit process. Clearer communication on enforcement and permit decisions was also recommended.

ECF will consult with the Communications Division to develop a communication strategy to increase awareness about the Tree Bylaw. Staff will also ensure that the existing education and outreach programs delivered to schools, communities and the general public include information about the Tree Bylaws are relevant. There are also opportunities to enhance online resources to promote biodiversity and connection to various community groups to support property and tree maintenance and stewardship practices.

2.6 Administrative Bylaw Amendments (Bylaw Amendment)

To maintain clarity, consistency, and enforceability, staff recommend a series of administrative updates to the various Toronto Municipal Codes that regulate trees within the city, including the Tree Bylaws and Toronto Municipal Code Chapters 608 - Parks, 632 - Property, Vacant or Hazardous, 743 - Streets and Sidewalks, Use of, and 918 - Parking on Residential Front Yards and Boulevards. These amendments modernize

technical language, reflect current organizational roles, and harmonize definitions across related bylaws. They also remove outdated references, clarify exemptions, and ensure alignment with best practices. Collectively, these changes support effective implementation and compliance while improving transparency and adaptability. The proposed bylaw amendments would come into force September 1, 2026.

2.7 Property Standards Coordination (Future Study)

ECF will work with Municipal Licensing and Standards to assess opportunities to improve coordination and efficiency related to private tree maintenance under Toronto Municipal Code Chapter 629, Property Standards, in conjunction with any future amendments to Toronto Municipal Code Chapter 813, Trees. This collaborative review is underway, and a coordinated report back to Council is planned for 2027.

3. Implementation Plan Summary

Subject to City Council's adoption of the proposed bylaw amendments which ECF is recommending will come into force on September 1, 2026, staff will proceed with a phased implementation strategy to strengthen the City's tree protection framework. This strategy includes bylaw amendments, operational improvements, an incentive-based initiative, and future studies to support enforcement, equity, climate resilience, and effective service delivery.

Table 5 outlines the key implementation actions, descriptions and target timelines.

Table 5: Key Implementation Actions, Descriptions, and Target Timelines

Key Actions	Description	Target Year(s)
Distinctive Tree Category (Bylaw Amendment)	Amend the Private Tree and Ravine Bylaw to introduce a Distinctive Tree category for healthy trees over 61 cm DBH and require consideration of this status during permit review. Authorize discretionary authority to refuse permits to injure or remove Distinctive Trees, with appeals addressed through the existing process and Community Council as final decision maker.	September 1, 2026
Distinctive Tree Maintenance Incentive Program - Pilot (Incentive)	Launch the Distinctive Tree Maintenance Incentive Program - Pilot to encourage proactive maintenance of large, healthy trees. Monitor outcomes and report back with recommendations for future program direction.	Launch 2026; Report back 2027
Lowering the Private Tree Size Threshold (Future Study)	Assess the feasibility of lowering the private tree protection threshold from 30 cm to 20 cm DBH, including service delivery, resource, and enforcement implications.	Report back 2027
Enhanced Public Access to Tree Bylaw Contravention Data (Operational Update)	Enable quarterly public reporting of tree permit and contravention outcomes through the City's Open Data portal, with appropriate privacy safeguards.	2026

Key Actions	Description	Target Year(s)
Improving Evidence Collection for Diameter Assessment (Bylaw Amendment)	Amend the Private Tree Bylaw to allow stump diameter as a secondary measurement tool, with a 40 cm threshold, to confirm regulated status following trunk removal and support enforcement.	September 1, 2026
Extend Protection to Newly Planted Trees (Bylaw Amendment)	Amend the Private Tree Bylaw to require a permit for the injury or destruction of trees planted through enforcement actions or development approvals, regardless of size, to support their retention and ongoing contribution to canopy and restoration goals.	September 1, 2026
Update Foundation for Fine Recommendation Guidelines (Operational Update)	Revise the evidentiary guidelines in consultation with Legal Services to align with arboricultural standards. The revised fine recommendation guideline will consider tree size, condition, significance, and development benefits gained through unauthorized removals.	2026
Updated Tree Replacement Planting Ratios for Contraventions (Operational Update)	Revise ECF's tree replacement ratios the City uses for contraventions of Municipal Code Chapter 813, Trees to a diameter-based system in order to replace the lost tree canopy, starting at 5:1 and increasing for larger trees.	2026
Review Contravention Inspection Fees (Operational Update)	Review Contravention Inspection Fees as part of the City's annual fee review process to ensure alignment with service delivery costs and the User Fee Policy. Any adjustments will be considered through the annual operating budget process.	Report back 2027
Introduce Tree Replacement Fee for Non-Compliance (Future Study)	Assess the possibility of establishing a Tree Replacement Fee under the Tree Bylaws for cases where replanting does not occur on-site after a person has been ordered to replace the tree canopy they have destroyed as a result of contravening the Tree Bylaws.	Report back 2027
Assess Feasibility of Additional Enforcement Tools (Future Study)	Assess the feasibility and appropriateness of introducing set fines under the Provincial Offences Act and/or implementing the Administrative Penalty System (APS) to strengthen enforcement.	Report back 2027
Ravine Bylaw Permit Application Fees (Bylaw Amendment)	Amend the Ravine Bylaw and the Fees and Charges Bylaw to introduce non-refundable permit application fees for regulated activities, including tree injury and destruction and grade alteration, with exemptions for voluntary stewardship and eligible projects.	September 1, 2026

Key Actions	Description	Target Year(s)
Recognizing and Integrating Indigenous Knowledge and Biodiversity Goals (Operational Update)	Review operational practices to consider opportunities to better reflect biodiversity objectives, including native species considerations, invasive species management, and alternatives to tree removal, while continuing engagement with Indigenous communities to inform Tree Bylaw administration.	Report back 2027
User Experience and Permit Navigation (Operational Update)	Improve the user experience of the tree permit process by clarifying guidance and public-facing materials, enhancing online resources, reviewing internal and cross-divisional workflows, and exploring clearer and more consistent standards for third-party arborist submissions to reduce administrative burden, delays, and compliance barriers.	Report back 2027
Education and Outreach (Operational Update)	Strengthen education and outreach to address gaps in understanding of the Tree Bylaws, the value of the urban forest, and permit and enforcement processes, through a coordinated communications strategy, enhanced online resources, and integration of Tree Bylaw information into existing education and outreach programs to support awareness and compliance.	Report back 2027
Administrative Bylaw Amendments (Bylaw Amendment)	Update Tree Bylaws (and other applicable bylaws) to modernize technical language, harmonize definitions, clarify exemptions, and remove outdated references to improve clarity, consistency, and enforceability.	September 1, 2026
Property Standards Coordination (Future Study)	Assess opportunities to improve coordination and efficiency related to private tree maintenance under Chapter 629, Property Standards, in conjunction with any future amendments to Chapter 813, Trees.	Report back 2027

CONCLUSION

The City of Toronto’s Tree Bylaws are a cornerstone of our response to the climate emergency and a vital tool for safeguarding the urban forest, an asset essential for climate resilience, biodiversity, and equitable access to natural infrastructure. Strengthening tree protection is a critical pillar, along with tree planting and maintenance, in achieving the City’s 40 per cent canopy cover target and ensuring that every community benefits from the cooling, health, and livability advantages trees provide.

This report recommends a comprehensive suite of bylaw amendments, operational updates, and an incentive informed by jurisdictional best practices, community and Indigenous engagement and arboricultural sector trends. These proposals will enhance

enforcement, close protection gaps, and accelerate long-term canopy growth, while applying an equity lens to prioritize areas most vulnerable to climate impacts.

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ATTACHMENTS

Attachment 1: Summary of Proposed Bylaw Amendments, Operational Updates, Future Studies, and Incentives

Attachment 2: Proposed Bylaw Amendments

Attachment 3: Tree Bylaw Amendment Community Engagement Summary Report from Evenings & Weekends Consulting

Attachment 1: Summary of Proposed Bylaw Amendments, Operational Updates, Future Studies, and Incentives

Table 1: Summary of Proposed Bylaw Amendments, Operational Updates, Future Studies, and Incentives

Area (Type of Update)	Current Approach	Recommended Change
<p>Distinctive Tree Category (Bylaw Amendment)</p>	<ul style="list-style-type: none"> - The Private Tree Bylaw and Ravine Bylaw do not include a specific category for large healthy trees, and these trees do not receive additional consideration during the permit review process. - Under the current process, as-of-right development can cause the removal of large healthy trees. 	<ul style="list-style-type: none"> - Amend both bylaws to introduce a new “Distinctive Tree” category for healthy private trees with at least one stem over 61 cm diameter at breast height (DBH), not designated as Heritage Trees. - Add this new definition to the bylaws and require staff to determine whether a tree meets the Distinctive Tree definition as part of the permit review criteria outlined in the bylaws. - This ensures the ecological and canopy value of Toronto’s largest healthy trees is explicitly considered during permit review, strengthening protection on private property, including ravine property. - Proposed bylaw amendment to come into force September 1, 2026.
<p>Distinctive Tree Maintenance Incentive Program - Pilot (Incentive)</p>	<ul style="list-style-type: none"> - There is no City-led incentive to support maintenance of mature private trees. - Existing incentive programs focus on tree planting. 	<ul style="list-style-type: none"> - Launch a one-year pilot in 2026 to provide financial assistance for maintenance of mature trees on private residential property. - Supports the health and longevity of mature trees, reduces financial barriers for homeowners, and encourages retention of large canopy trees. - Finalization of design and implementation of pilot scheduled for 2026. - Report back in 2027.

Area (Type of Update)	Current Approach	Recommended Change
<p>Lowering the Private Tree Bylaw Size Threshold (Future Study)</p>	<ul style="list-style-type: none"> - Trees on private property are protected at 30 cm DBH or greater. - Public feedback and comparisons with other municipalities suggest interest in lowering the size threshold to protect smaller trees. 	<ul style="list-style-type: none"> - Council endorse in principle reducing the minimum diameter threshold for private tree protection from 30 cm to 20 cm DBH and direct staff to undertake a detailed analysis of the implications of this change, including any potential impacts on housing delivery, as well as technical requirements, budget and staffing needs, service level updates, fee exemption considerations, a communications and engagement approach, and any required bylaw amendments. - The study will also examine how protecting trees at a lower DBH threshold can help retain younger trees that contribute to future canopy growth and support Toronto’s long-term urban forest expansion objectives. - Report back in 2027.
<p>Enhanced Public Access to Tree Bylaw Contravention Data (Operational Update)</p>	<ul style="list-style-type: none"> - Tree Bylaw contraventions and locations where tree permits have been issued are not publicly reported. 	<ul style="list-style-type: none"> - Publish quarterly summaries of closed Tree Bylaw contravention investigations and issued permits through the City’s Open Data portal, with privacy safeguards. - Increases transparency and public trust by making contravention and permitting outcomes accessible, which may also promote compliance with the Tree Bylaws. - Implementation scheduled for 2026.
<p>Improving Evidence Collection for Diameter Assessment (Bylaw Amendment)</p>	<ul style="list-style-type: none"> - Determining whether a tree was protected under the Private Bylaw can be difficult when a contravention involves full removal of the tree and the tree’s diameter at breast height (DBH) cannot be measured. 	<ul style="list-style-type: none"> - Amend the Private Tree Bylaw to permit the use of stump diameter, with a 40 cm threshold, as a secondary method to confirm regulated status when diameter at 1.4m above grade (i.e. DBH) cannot be measured because a tree has been injured or destroyed. - Improves evidence collection in contravention cases, ensuring bylaw protection can be confirmed even when a tree has been destroyed and its diameter cannot be measured at DBH. - Proposed bylaw amendment to come into force September 1, 2026.

Area (Type of Update)	Current Approach	Recommended Change
<p>Extend Protection to Newly Planted Trees (Bylaw Amendment)</p>	<p>- Under the current Private Tree Bylaw, permit requirements apply to trees planted as a result of bylaw compliance or development approvals once they reach 30 cm DBH.</p>	<ul style="list-style-type: none"> - Amend the Private Tree Bylaw to require a property owner to obtain a permit to prohibit the injury or destroy any tree under 30 cm DBH that was planted as a result of a bylaw contravention or development approval (e.g. Site Plan Agreements, Committee of Adjustment decisions). - Provides protection for newly planted trees, reducing vulnerability to removal and ensuring long-term canopy growth. - Proposed bylaw amendment to come into force September 1, 2026.
<p>Update Foundation for Fine Recommendation Guidelines (Operational Update)</p>	<ul style="list-style-type: none"> - Fines are imposed by the court upon conviction under the Provincial Offences Act. - Between 2021–2024, the average fine amount was \$3,741.51 per tree. - Fines are determined by the courts and the remittance is deposited into the general City revenue fund. 	<ul style="list-style-type: none"> - Update ECF's evidence collection guidelines for fine, recommendation to better reflect ecological value and development benefit. - Continue pursuing prosecution for severe contraventions. - Improves consistency and proportionality of fine recommendations by better reflecting ecological value and development benefit, supporting fair and effective enforcement. - Implementation scheduled for 2026.
<p>Updated Tree Replacement Planting Ratios for Contraventions (Operational Update)</p>	<p>- Under the Private Tree Bylaw and Street Tree Bylaw, a fixed 5:1 replacement ratio is applied for unauthorized tree removals, regardless of tree size. This does not reflect the ecological value of larger trees.</p>	<ul style="list-style-type: none"> - Replace the current flat 5:1 ratio with a diameter-based tree replacement replanting ratio for contraventions under MCC 813, aligning with the current practice used when addressing contraventions under the Ravine Bylaw. - Ratios will start at a minimum of 5:1 and scale with tree size, up to approximately 23:1 for the largest trees. - These ratios are not specified in the Tree Bylaws, but are applied operationally. - Aligns compensation with ecological value, ensuring larger trees receive higher replacement ratios and promote compliance with the Private Tree and Street Tree Bylaws. - Implementation scheduled for 2026.

Area (Type of Update)	Current Approach	Recommended Change
<p>Review Contravention Inspection Fees (Operational Update)</p>	<ul style="list-style-type: none"> - Contravention Inspection Fees set out in the Tree Bylaws and MC 441, Fees and Charges are charged when the City inspects a possible contravention under the Tree Bylaws to recover costs associated with site inspections. - Under MC 441, Fee and Charges, the City charges a Contravention Inspection Fee between \$304.51 to \$913.58 per tree depending on the nature of the contravention (i.e. construction related vs. non-construction) (2026 amount). 	<ul style="list-style-type: none"> - Review fees to ensure full cost recovery in alignment with the City's User Fee Policy. - Amend Chapter 441, Fees and Charges. Continue applying Contravention Inspection Fees through Orders to Comply. - Ensures inspection fees fully recover the cost the City incurs to investigate a bylaw contravention, supporting sustainable compliance operations. - Implementation scheduled for 2027.
<p>Introduce Tree Replacement Fee for Non-Compliance (Future Study)</p>	<ul style="list-style-type: none"> - When a tree is destroyed in contravention of the Tree Bylaws and required replacement planting does not occur, the City may issue an Order to Comply directing the property owner to replace the lost tree canopy. - If the ordered replacement trees are not planted or cannot be planted on-site, the City does not currently undertake remedial planting and recover the associated costs, as this approach is administratively complex and resource-intensive. - Existing fee authorities are limited to cost-recovery and do not provide a means to offset tree loss in these circumstances. 	<ul style="list-style-type: none"> - Establish a Tree Replacement Fee to the Tree Bylaws and adding the fee under Chapter 441 to replace tree canopy lost due to a contravention when required on-site replacement planting is not completed or feasible. Fees would be imposed through Orders to Comply, recoverable through the property tax roll, and used to fund City-led tree planting on public property. - Ensures the tree canopy which is lost due to a contravention is replaced when on-site planting does not occur or is not feasible by establishing a fund to plant trees on public property to restore the lost tree canopy. - Implementation would be subject to the 2027 budget process and accompanying amendments to the Tree Bylaws to implement the fee.

Area (Type of Update)	Current Approach	Recommended Change
<p>Assess Feasibility of Additional Enforcement Tools (Future Study)</p>	<ul style="list-style-type: none"> - Enforcement under the Tree Bylaws currently relies on existing tools such as prosecution and tree replacement planting requirements. - No use of set fines under the Provincial Offences Act or the Administrative Penalty System (APS) for tree-related contraventions. 	<p>Study feasibility of:</p> <ul style="list-style-type: none"> - Set fines under the Provincial Offences Act (fixed penalties approved by provincial courts). - Administrative Penalty System (APS) (municipal authority to impose penalties without court involvement). - Review will consider potential penalties, resource needs, and compliance impacts. - Explores additional enforcement options that could provide more timely, flexible, and effective compliance tools beyond court-based prosecutions. - Report back in 2027.
<p>Ravine Bylaw Permit Application Fees (Bylaw Amendment)</p>	<ul style="list-style-type: none"> - Permit applications under the Ravine Bylaw have not been subject to fees since 2002, originally to encourage voluntary stewardship. - Most applications are now construction-related, and the program is funded through the tax base. 	<ul style="list-style-type: none"> - Amend the Ravine Bylaw and the Fees and Charges Bylaw to require the payment of a permit application fee. - Exemptions would apply to voluntary stewardship projects, low-income residents, and not-for-profit portions of applicable housing projects. - This aligns with the User Fee Policy and supports cost recovery. - Estimated annual revenue is approximately \$0.43 million. - Proposed bylaw amendment to come into force September 1, 2026.
<p>Recognizing and Integrating Indigenous Knowledge and Biodiversity Goals (Operational Update)</p>	<ul style="list-style-type: none"> - Community feedback indicated interest in aligning tree protection with biodiversity objectives, including greater recognition of native species, Indigenous cultural values, and improved management of invasive or nuisance trees. 	<ul style="list-style-type: none"> - Review operational practices to better address invasive species and nuisance concerns while maintaining canopy protection. - Explore alternatives to removal (e.g., partnerships for fruit harvesting) and continue engagement with Indigenous communities to inform administration of the Tree Bylaws. - This work may improve alignment between tree protection, biodiversity objectives, and community expectations while supporting canopy retention. - Report back in 2027.

Area (Type of Update)	Current Approach	Recommended Change
<p>User Experience and Permit Navigation (Operational Update)</p>	<p>- Community feedback indicated that permit processes and guidance materials are perceived as complex, with inconsistent third-party arborist reporting and limited clarity regarding compliance and enforcement processes.</p>	<ul style="list-style-type: none"> - Update and streamline guidance materials and online resources, clarify standards and expectations, and review internal and cross-divisional workflows to improve coordination and reduce administrative complexity. - These actions may improve clarity, consistency, and ease of navigation for applicants, supporting compliance and more efficient service delivery - Report back in 2027.
<p>Education and Outreach (Operational Update)</p>	<p>- Community feedback indicated that public awareness of the Tree Bylaws and their role in protecting the urban forest is limited, contributing to misconceptions about permitting, enforcement, and the value of trees as natural infrastructure.</p>	<ul style="list-style-type: none"> - Develop a coordinated education and communication approach, including consultation with the Communications Division, to increase awareness of the Tree Bylaws and their role in protecting the urban forest. - Enhance online and educational resources and integrate Tree Bylaw information into existing education and outreach programs to improve public understanding and support voluntary compliance. - Report back in 2027.
<p>Administrative Bylaw Amendments (Bylaw Amendment)</p>	<p>- The Tree Bylaws (and related bylaws) include outdated references (e.g., General Manager, City Surveyor, Ontario Municipal Board) and inconsistent or unclear definitions.</p>	<ul style="list-style-type: none"> - Update bylaws to reflect current organizational roles and practices. - Key changes include transferring authority to the Executive Director, ECF; revising definitions; clarifying exemptions; correcting technical references; and updating the names of specialized provincial bodies. - Improves clarity and consistency in the bylaws, improving bylaw interpretation and application. - Proposed bylaw amendment to come into force September 1, 2026.

Area (Type of Update)	Current Approach	Recommended Change
<p>Property Standards (Future Study)</p>	<p>- Private tree maintenance matters are addressed under Municipal Code Chapter 629 (Property Standards).</p>	<ul style="list-style-type: none"> - Continue a coordinated, cross-divisional review with Municipal Licensing and Standards to identify potential improvements and efficiencies related to private tree maintenance under Chapter 629, in conjunction with any future amendments to Chapter 813. - This review may improve coordination, clarity of roles, and efficiency in addressing private tree maintenance issues. - Report back in 2027.

Attachment 2: Proposed Bylaw Amendments

Attachment 3: Tree Bylaw Amendment Community Engagement Summary Report from Evenings & Weekends Consulting