



February 24, 2026

Infrastructure and Environment Committee

Councillor Fletcher and Members of the Infrastructure & Environment Committee:

IE 27.8 Tree By-law Review Report

The Cliffcrest Scarborough Village SW Residents Association (CSVSWRA) supports changes to the Tree By-law that will protect more trees and will enhance protection of our existing tree canopy.

Lower the Private Tree Bylaw Size Threshold

Urban Forestry was directed to assess lowering the protected tree size in 2021.

- By 2007, Vaughan, Aurora and Richmond Hill had lowered the protected tree size to 20 cm and over;
- In 2020, Burlington lowered the protected tree size to 20 cm and over;
- In 2022, Mississauga extended protection to tree 15 cm and over and Newmarket lowered the threshold to 20 cm.

The City of Toronto is lagging behind neighbouring municipalities. The protected tree size needs to be lowered to at least 20 cm **immediately**. Protecting smaller trees now is key to protecting our tree canopy. We cannot afford to wait until 2027.

Compliance and Enforcement

Active removal of a bylaw protected tree is categorized as Priority 1, a severe contravention. However, response to this request can take up to 72 hours or more. There are incidences that have taken weeks for an inspection. This is inadequate. Municipal Licensing and Standards has mobile units to respond to other bylaw infractions. Forestry needs the ability to respond immediately to Priority 1 events.

- Most illegal removals of bylaw protected trees occur on weekends or evenings by unprofessional, unlicensed operators;
- These workers generally do not wear safety equipment, allow limbs to hit hydro lines, disregard the safety of passersby and cause damage to neighbouring properties;
- A city inspector catching scofflaws in the illegal activity can collect valuable evidence. It is

inappropriate to expect the public to police by-law violations;

During the period 2015- 21, 357 (60/year) charges were laid for Priority 1 contraventions. From 2021-24, 733 (183/year) charges were laid. This is an increase of 305 %. Responding immediately, not within 72, hours, needs to be a priority for Urban Forestry. A tree will be long gone after 72 hours. The tree bylaw report states the figures reported “demonstrate a significant increase in enforcement activity and financial penalties imposed since 2021, reflecting a strategic focus on higher-risk contraventions and improved compliance measurements” (p.20). This might be true but is not the most important conclusion to be drawn from these figures. These figures reflect that MORE trees are being lost, due to a lack of timely follow-up when the cuts are happening.

Replacement Trees

How will replacement trees be tracked and protected? New infill houses are generally sold to someone who is unaware that the tree in the backyard is a protected replacement tree. Or the tree is planted before construction of a new house commences and is destroyed due to building activities.

EHON Initiatives, Committee of Adjustment decisions and the Building Code Act

Councillors and Toronto residents were assured that mature trees would not be destroyed when garden suites, laneway suites and multiplexes were built as of right. There are examples throughout Toronto of the destruction of mature trees due to EHON and the Committee of Adjustment.

- Garden and laneway suites encroach into zoning setbacks and damage/destroy by-law protected trees. There are examples of the destruction of boundary trees without permission from the neighbour who shares the tree. At present, the City of Toronto advises the injured party to hire a lawyer. The tree bylaw needs to address illegal removal of boundary trees.
- Some multiplex applications include plans to injure or destroy boundary trees;
- Page 13 of the report states that tree protection is “considered by the Committee of Adjustment when determining whether or not to grant the proposed minor variances”. On the ground, this does not happen. The usual “consideration” is to ask applicants whether they have applied for a permit to destroy a bylaw protected tree.

- The loss of mature trees contributes to flooding and erosion in neighbourhoods with special geographic features. This is just one flaw in the “one size fits all” approach taken by planning bodies when approving development applications or making bylaw/zoning changes.

Toronto City Council has requested that the Minister of Municipal Affairs and Housing (MMAH) include the City's Private Tree Bylaw as an applicable law under the Ontario Building Code. So far, MMAH has not provided a response. This needs to be prioritized as it remains the biggest hiccup to enforcing tree bylaws when a building permit has been issued. This barrier to comprehensive tree protection has been discussed at City Council (July 2025) and Planning & Housing (January 2026).

Public consultations were held with a variety of groups, but comments from members of the First Nations Community Members deserve to be prioritized. Reciting a Land Acknowledgment before meetings is not enough.

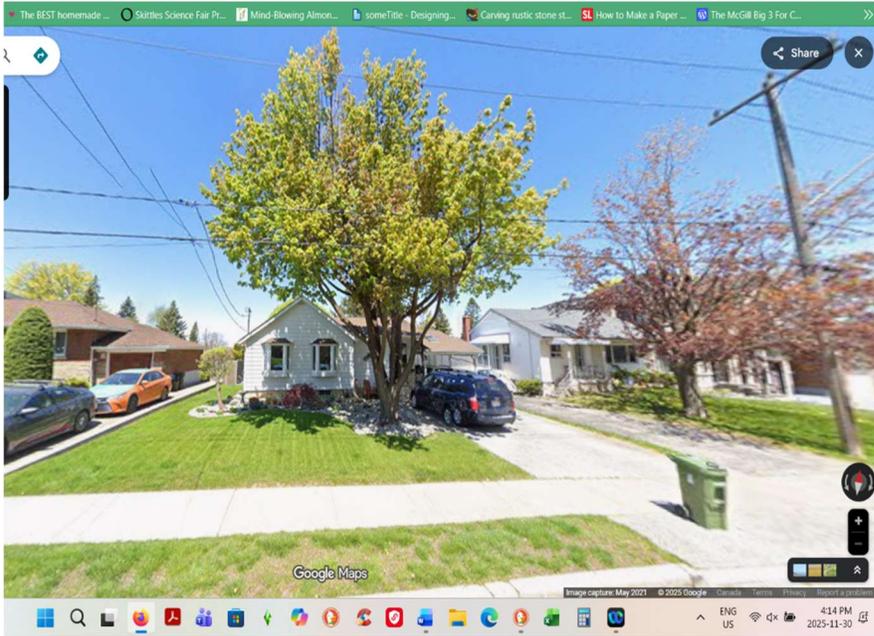
- 1) First Nations people have sacred wisdom which settlers have suppressed. This knowledge needs to be part of every educational program;
- 2) Participants from Indigenous communities all shared how important and significant trees are for them and the interconnected relationships that they have with trees.
- 3) One participant said: “I thought the City’s presentation was informative, but I think it’d be good to go through each of the changes to the bylaws and let us be part of the decision-making – or are these changes already done deals and you’re just presenting it to us for comment?”
- 4) Williams Treaty territories can provide a list of culturally significant trees and work with partners to address concerns.
- 5) Consider adding indigenous names to trees

CSVSWRA supports data collection to provide public information about the number of permits issued to destroy and damage bylaw protected trees, as well as contraventions of the tree bylaw. We know that staff at Urban Forestry are passionate about protecting Toronto’s Tree Canopy and we appreciate their work. In order to enhance protection of our tree canopy and enforce bylaw contraventions, CSVSWRA supports increasing the budget of Urban Forestry.

Yours truly,

Janet May
Director, Cliffcrest Scarborough Village SW Residents Association

See photos following of tree removal activity in our neighbourhood



Healthy maple tree before demolition of affordable house and construction of luxury house



Unprotected workers destroying a by-law protected Maple tree, without a permit, protective workwear or equipment. One worker is pulling a very large limb towards him.



Treed lot preconstruction



Goodbye trees.



Large luxury house without any trees on the lot