



February 24, 2026

Chair Fletcher and Members of the Infrastructure and Environment Committee
City of Toronto
100 Queen Street West
Toronto ON
M5H 2N2

Sent via email to: iec@toronto.ca

RE: IE27.8 - Tree Bylaw Review Report

Dear Chair Fletcher and Members of the Committee,

On behalf of the BILD Toronto Forum members, thank you for the opportunity to provide written feedback on the proposed changes to the City of Toronto's Tree Bylaws.

We acknowledge that Item IE27.8, Tree Bylaw Review Report, recommends city-wide Zoning By-law amendments, operational updates, and new incentives intended to strengthen tree protections, improve compliance, support housing objectives, and enhance cost recovery and service delivery. We also support the City's sentiments that trees and urban forests are globally recognized as essential natural infrastructure. They provide nature-based solutions for climate resilience and contribute meaningfully to quality of life.

General Sentiments

While the intent of these initiatives is understood and appreciated, practical challenges arise in the absence of complementary incentives or regulatory offsets—particularly at a time when development costs are escalating across all components of project delivery. If the City is seeking increased mature tree preservation and the planting of larger-caliper tree stock, it would be beneficial to align these expectations with corresponding flexibility in built form to help maintain overall project viability. Certain updates to the Tree Bylaws may unintentionally hinder the development industry's ability to deliver housing efficiently and affordably, particularly in infill and redevelopment contexts.

Potential to Reduce the Minimum Diameter of Protected Trees

We acknowledge that staff are seeking direction from Council to report back in 2027 on whether the City should reduce the minimum diameter at breast height (DBH) of protected trees on private property from 30 centimetres to 20 centimetres, including potential amendments to Chapter 813 (Trees) of the Toronto Municipal Code and an assessment of impacts on housing delivery.

We strongly encourage the City not to proceed with this recommendation to investigate lowering the DBH threshold. Such a change may significantly constrain the industry's ability to meet tree protection and safety requirements and could create additional barriers to housing delivery in an unstable and diminished market.

Development projects commonly involve extended negotiations with City staff to achieve reasonable, context-sensitive solutions. These processes require considerable time and resources from both staff and applicants and can meaningfully delay housing delivery. In the context of a national housing crisis, additional regulatory burden related to tree protection

may further impact the industry's ability to increase supply efficiently. A careful balance is required—one that cannot be determined solely by the diameter of a tree. Any consideration of lowering the Private Tree By-law size threshold should fully account for site-specific conditions and the practical realities of development.

Permit Application Fees

Staff are also seeking direction from Council to report back on the introduction of permit application fees under the Ravine and Natural Feature Protection By-law and on revisions to tree planting ratios for contraventions under the Street Tree and Private Tree By-laws, including potential amendments to Chapter 813.

We strongly encourage the City not to proceed with these recommendations as proposed, as they may increase costs associated with development applications and project delivery—particularly in infill and redevelopment scenarios. In the current housing market, it is critical to identify flexible, collaborative approaches that support both environmental and housing objectives.

Builders and developers consistently make genuine efforts to meet the City's expectations for tree protection and planting. However, many projects encounter significant challenges in meeting permit and approval requirements. In numerous cases, compliance can only be achieved through costly and time-intensive mitigation measures, such as soil cell systems, which represent substantial financial burdens that are increasingly difficult to absorb. We therefore have significant concerns regarding proposals to expand permit requirements or increase associated fees.

As noted in the Tree Bylaw Amendment Community Engagement Summary Report, escalating fees present real challenges for builders and developers—particularly those working to deliver more affordable housing. Developers also face multiple time-sensitive obligations related to housing delivery. Higher fees and fines may hinder their ability to meet these obligations. Rather than increasing non-compliance penalties, we encourage a more collaborative approach with industry.

Closing Sentiments

In summary, if the City seeks to preserve mature trees, promote high-quality tree planting, and achieve strong built-form outcomes, the Tree Bylaws would benefit from additional tools that support practical implementation and economic feasibility. A balanced approach—one that recognizes both environmental priorities and the operational realities of development—will help ensure these objectives can be effectively achieved.

As the City advances housing supply initiatives, we recommend that it should consider introducing complementary flexibility—such as permitting additional storeys, enabling greater setback flexibility, or revisiting certain built-form configuration requirements. These measures could support both the retention of mature trees and the planting of substantial new trees, while advancing housing goals without compromising environmental performance.

Thank you for your consideration of these comments and for your continued leadership on these important matters. We would welcome the opportunity to discuss these recommendations further at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to be 'KB', followed by a horizontal line.

Katherine Berton, MUP
Manager, Policy and Advocacy
BILD

Cc: *Danielle Binder, Vice-President, Policy and Advocacy, BILD*
BILD Toronto Forum Members