

February 24, 2026

Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Matthew Green

RE: IE27.8 Tree Bylaw Review Report

Dear Councillor Paula Fletcher, Chair, and Members of Infrastructure and Environment Committee,

Thank you for the exhaustive study and report regarding tree bylaws in Toronto. I'd like to touch upon the following points below;

2.3 Compliance and Enforcement Enhancements

Page 21 – Enhanced Public Access to Tree Bylaw Contravention Data

I am encouraged that you are working with Technology Services and Open Data staff to enable public disclosure of tree permit and contravention outcomes. The public has asked for this and look forward to your quarterly updates.

Page 22 – Update Foundation for Fine Recommendation Guidelines

You declared an interest in establishing revised evidentiary guidelines informed by contemporary arboricultural standards that will consider factors such as tree size, condition, ecological significance and any development benefit realized through unauthorized tree injury or removal. Once again, this truly shows the public you are on the right track. I encourage you to prioritize this initiative.

Page 22 – Updated Tree Replacement Planting Ratios for Contraventions

You have recognized that the current ratio of replacing a destroyed tree by planting 5 trees (5:1) does not account for the ecological value or canopy contribution of larger trees and limits the ability to accurately recover unauthorized canopy loss. The fact that you are prioritizing an update on tree replacement planting ratio procedures within 2026 is encouraging and shows you are willing to start giving trees a voice. I will look out for this change.

Page 24 – Assess Feasibility of Additional Enforcement Tools

You have recognized that Contravention Inspection Fees cannot be set at a deterrent level, so they provide little consequence for non-compliance. This prevents the use of timely, impactful penalties outside the court system, limiting flexibility and efficiency. I am looking forward to what options you are able to explore such as set fines under the Provincial Offences Act and an Administrative Penalty System. Please ensure you inform Residents Associations when you resolve this dilemma.

1.2 Tree Bylaw Review Approach

Relationship Between the Tree Bylaws and the Building Code Act

Because the tree bylaws are not included in the definition of “applicable law” in Sentence 1.4. 1.3 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. Making it harder for builders and developers to move forward with much needed housing starts, by requiring “tree permits” is a false way of protecting trees. Most of the time, the required tree protections are not enforced and a few years after a build is completed, the tree will die because roots were damaged or inadequate soil coverage has remained. Incorporating different attitudes towards trees is going to take decades, but it might be wise to start now, even for builders and developers. My opinion is not to make life harder for them, they have a job to do. Let’s give them the tools to create buildings that leave room for trees and allow for diverse architectural designs by adjusting building codes to make room for trees.

That being said, “lobbying” the Minister of Municipal Affairs and Housing to include the City’s Private Tree Bylaw as an applicable law under the Ontario Building Code, seems like a challenging job. Can we have an update as to what the province is saying and whether any other jurisdictions have managed to incorporate their tree bylaws into provincial law? Is Ontario the only province where this is a problem?

I would like to remind staff, that Councillors at the Planning and Housing Committee meetings remain confused about the process of approving trees for destruction, when the Committee of Adjustment has approved variances and permits that would need a tree to be destroyed. (See January 22, 2026 PH 27.1, Time stamp 32:48 and then the ensuing discussion at 32:48 and 1 hour & 11 minutes <https://secure.toronto.ca/council/#/committees/2565/27154>) This underscores how critical the resolution of this issue remains.

2.2 Lowering the Private Tree Bylaw Size Threshold (Future Study) p.18-19

Given the constraints you have communicated that lowering the private tree bylaw size threshold to 20 cm DBH would generate a 50% increase of applications over current volumes, it is understandable that you want to delay lowering the size threshold. I would ask, whether you can move the deadline forward from 2027 to December 2026. Since parameters for housing delivery are being consistently dictated on a provincial level, any *implications* of a change in size threshold will most likely *become outdated* due to the fast pace of changes in rules around building delivery. Until tree bylaws are included in the definition of “applicable law” when a building permit application is reviewed, there is not much to discuss regarding the implications of lowering the size threshold of trees. The only “consistent” we can rely on is climate change. Preserving trees 20cm DBH would at least contribute to mitigating the deleterious effects of climate change which impact us all.

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

Page 17 – Distinctive Tree Maintenance Incentive Program – Pilot

You present a pilot project for Distinctive Tree Maintenance Incentive Program. You talk of hiring a third-party trustee, and establishing partnerships to support implementation.

Attachment 1: Summary of Proposed Bylaw Amendments, Operational Updates, Future Studies, and Incentives Page 36 – Education and Outreach (operational Update)

Have you considered partnering with Neighbourwoods, a program managed by the Uof T Forestry Department, Danijela Puric-Mladenovic? They hire students from their forestry program to inventory trees and are a ready made solution for many of the initiatives your department has planned. You intend to hire a third party trustee and establish partnerships. I would hope you intend to reach out to Neighbourwoods to see what synergies you might develop. Many resident associations have already started using the Neighbourwoods program to inventory/preserve their trees. Besides consultation with your Communications Department, please look into this option.

2.5 Additional Actions Related to Community Feedback Page 25 -

(Recognizing and Integrating Indigenous Knowledge and Biodiversity Goals)

Suggestions included promoting and protecting native trees, facilitating easier removal of invasive trees or nuisance trees and incorporating Indigenous knowledge into tree management practices.

How are the concerns about non native trees being addressed? Since they cover a large part of Toronto's urban canopy, (many very mature, large diameter trees), - is there a trend, since the ice storm, to simply neglect these trees in the hope they die? What percentage of invasive species trees make up Toronto's urban tree canopy?

We would hope there is a concrete plan in place, if you are going to remove a healthy, mature, invasive tree – will a replant of a non invasive species occur on the same site? By whom? Will invasive species be granted tree injury permits much easier, to make way for a sixplex or a garden suite, simply because it is an easy way to get rid of them?

I would like to amplify some of the public feedback received from our First Nations Community Members:

They have been stewards of our land and trees for centuries and have a wisdom that we are no longer able to perceive. A comment in the feedback was

- “ Trees don't need us to survive; we need them. They provide us with shelter, ceremony, food. We live off the land. Trees are spiritual beings and our relatives, and before we cut them down, we talk to them. The spirit of trees and animals watch us in the bush – a validation that they're there, and doing well, and protecting us.”

Statements like these desperately need to merge into mainstream consciousness about trees, even amongst builders and developers. It is only if we amplify Indigenous wisdom, through education in our schools and public education, that we will shift our attitudes around what route to take to protect trees. Fines and contraventions will not shift our

consciousness. Let's listen to the people who took care of this beautiful country for centuries.

- Another comment from our First Nations peoples was "Create an inventory and accounting for the number of culturally significant trees because they are impacted so there is an accurate record for enforcement." Again, using the Neighbourhoods program would address this issue. (At 147 Parkmount Road, a developer illegally cut down a ring of 3 mature cedar trees, which are sacred trees to the First Nations Community.)
- Name trees with their Indigenous names. There are currently very southern/colonial perspectives embedded in preservation frameworks.
- Concern about the definition of "healthy" and that being used to remove trees, rather than consulting with Indigenous leaders who approach trees in a wholly different way (talk to them, don't hurt them, acknowledge them spiritually, see them as alive, protectors). Many Indigenous peoples have cultural and spiritual practices attached to trees and ecosystems. Cultural knowledge is attached to place, so you cannot just cut trees down.
- There should be prior Indigenous consultation before any trees are cut down, before a permit is granted. The five points ; land based practices, individual connection to trees, your communities connection to trees, cultural practices, and land stewardship could be built into the bylaws.

In our neighbourhood two large mulberry bushes, the size of medium trees, home to many wildlife species, were removed. There is little or not thought given to harvest the fruit. The challenge is when home owners see certain trees as nuisance. City dwellers have differing relationships to nature - example is one where entire gardens are ripped up, stones poured into the ground and pavers laid down under artificial turf. This does not allow for water run off, tree roots are impacted and nobody knows about it because although this is illegal, there are no controls to prevent it. Once a home is in private hands, owners basically do with it what they want, nobody controls how much greenspace and soil depth they have in their yard.

I consider this report a good start but would really like to see some of the deadlines being kept and hope that we can make a shift in the area of integrating wisdom from our Indigenous elders, who have left us an untapped legacy that remains to be recognized on a larger scale.

Thank you
Claudia Aenishanslin
Member of Craven Road Residents Association

Cc: James Nowlan, Executive Director, Environment, Climate and Forestry
Kim Statham, Director, Urban Forestry, Environment, Climate and Forestry
Nicholas Trevisan, Manager, Tree Protection Strategic Projects; Environment, Climate & Forestry
Jason Thorne, Chief Planner and Executive Director, City Planning

Examples of healthy trees being cut down near Craven Road, to make room for development:

