Planning and Housing Committee
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

January 20, 2026

Councillor Gord Perks and Members of the Planning & Housing Committee:

PH27.1 - Growing Space for Trees: Protecting and Enhancing the Tree Canopy While Supporting Infill Housing and Addressing Concerns with Iceberg Homes - Recommendation Report

The Cliffcrest Scarborough Village SW Residents Association is pleased that the City of Toronto is addressing the negative impacts that infill housing is having on our urban forest. CSVSWRA represents residents living in one of Toronto's suburbs built following the second World War. Our communities are characterized by lots larger than those found in older parts of the city. The majority of our community is well-treed. The mature trees within our community and beyond, could be described as the lungs of Toronto.

The CSVSWRA respectfully and strongly requests that the Planning and Housing Committee ignore attempts by any party, to remove permeable land which supports the habitat of mature trees and promotes and increases the viable avenues for a healthy and robust City Tree Canopy.

The CSVSWRA is supportive of the proposed changes to protect the tree canopy and preserve growing space for new trees and undergrowth, allowing them to reach maturity. Ample growing space must genuinely be set aside for tree and plant growth – something which the Department of Urban Forestry can quickly verify with each and every permit/application.

Enforcement of the tree protection by-law must be fortified and strengthened. The larger than average lots in our community have resulted in a great deal of speculative activity. Affordable starter homes which are snapped up by profit-driven developers and speculators, converted to unlicensed rooming houses and allowed to deteriorate. Typically, the next step is to apply through the Committee of Adjustment with plans for homes which surpass the generous zoning By-Laws. These extremely large, luxury houses require multiple variances including much reduced front, back and side yard setbacks and pushing hard-scaping to a maximum to accommodate huge driveways. In the new realm of EHON, we are now beginning to see multiplexes and garden suites, doing the same to single family dwelling lots.

A noticeable trend for developers is to submit applications to destroy or injure the matures trees on the site, as they are viewed as an obstacle and hinderance for a new home application. In many cases, the existing trees are not identified in the Tree Declaration Report, and the trees are subsequently destroyed without permits, penalty or due process with the City. Mature, by-law protected trees are routinely destroyed on weekends, leaving upset residents with no help or assistance from the City.

CSVSWRA Recommendations -Foster Growth and Further Protect the Health of our Urban Forest

1. **Provide tree inspections and enforcement, seven (7) days a week.** Municipal Licensing and Standards has mobile units available on weekends to respond to by-law violations. Given the environmental and health benefits provided by trees, by-law enforcement needs to extend beyond the current limits.

2. **Require Urban Forestry to report to City Council**: 1) on a monthly basis to record tree removals data and 2) report annually to Council with the overall number of by-law protected trees removed both by permit and illegally. Keep track of the builders/companies that remove trees illegally or legally. It is our understanding that Urban Forestry lacks a tool to adequately monitor the Urban Tree Canopy. As a result, the impact of infill development is unknown. How many mature trees have been lost to development? This data should be recorded to understand the full impact of tree removals within our City.

3. **Create mandatory standards** for minimum soil volumes, green space allowance and access to sun for mature trees. To promote growth and to realize the full potential of trees within the City, the environment where the tree is planted must be that which will allow the tree to grow to its full potential. Many applications for development do not provide the adequate growing environment for replacement trees, in order to satisfy maximum development opportunity.

4. **Mature trees are routinely destroyed in our community, without a permit**, by developers whose future plans include building a large oversized in-fill house. If discovered, the penalty may include planting replacement trees. In some cases, these replacement trees are then destroyed due to construction activities. There are few, to no consequences for these actions. There should be greater liaison between City Building Inspectors and Urban Forestry during the Construction phase to ensure newly planted and mature trees are not damaged and removed illegally, and replacement trees are protected properly. Building Inspectors routinely visit these sites, and should report any violations immediately to Urban Forestry.

5. Both City Planning and the Committees of Adjustment must be directed to **prioritize saving mature trees**. Developers are not asked to adjust their plans or even have their applications refused to prevent the destruction of mature trees. Newly planted trees will require approximately 20-30 years of growth before they achieve the comparable level of benefits as a mature tree.

6. Create a system of **Enforcement through Deterrents and Deterrents through Enforcement**. Give more bite to the bark! Allowing Enforcement Officers to impose greater and substantial fines will deter the actions leading to damage and removals of healthy trees. Fines and penalties should be significant to ensure careful consideration, by all parties involved, BEFORE the damage is done and irreversible.

7. **Increase the budget of Urban Forestry** to provide resources for vigorous enforcement of the Tree By-law and to enable the division to provide accurate data to City Council.

8. **Maximize opportunity to plant**, not just with in City owned property but through out the City and through out private properties. A truly uniform and thorough Tree Canopy throughout the City, in all available planting spaces will provide so many benefits, including reduced energy consumption, better surface water management, reduced stress on the City storm water management system, reduced effects of pollution, **reduced stress on City Population** due to the heat island effect, (https://en.wikipedia.org/wiki/Urban_heat_island) job creation and economic benefits through planting and green space care,...and the list goes on. Remember, everyone likes to breathe!

9. The City should consider a **tree planting benefit or tree planting Tax break** to incentivize planting on commercial or private property. Much the same as a "rain tax", there can be a "tree benefit". Properties with trees have lasting and beneficial contributions to the City and this should be recognized. This can also be a program which extends into Commercial properties. Parking lot spaces can be converted to "green spaces". These planting spaces can also be used to collect surface water runoff and also be used to create shade for large parking lots, further contributing to reducing heat island effect within large paved expanses (Paved space retains heat and prolongs and increases heat stress during hot summer months on residents and the population). Incentivizing tree planting and promoting green space within commercial lands can also create social areas around shopping and retail locations. Having walkable communities will bolster this concept and will promote community and socializing within neighbourhoods. This can lead into the next item…..

10. **All mature and existing trees should be recorded throughout the City of Toronto to create a central data base for the entire City of Toronto.** This data base will provide a central, measurable and irrefutable source of information related to the benefits which the Tree Canopy provides to the City. Combined with item number 2 on this list, this data base will provide measurable effects which will be revealed with changes made on every site developed. The measurable data includes Carbon Sequestration, oxygen production, carbon capture, water uptake and water diversion from City systems, to name a few. This all can be done through this system, already used by Toronto Urban Forestry. https://mytree.itreetools.org/#/ When understanding the overall BIG picture, the benefits of the Tree Canopy and the associated data will speak for itself.

On January 6, 2026, the Chief Planner, provided a supplementary report regarding information on variances to the City-wide Zoning By-law 569-2013 for landscaping, and specifically soft landscaping variances that permit permeable pavement as a condition of approval by the Committee of Adjustment, associated with multiplexes. According to this report:

Although the Committee of Adjustment has issued conditions of approval to provide permeable pavers, permeable pavement is not defined in the City-wide Zoning By-law, as the By-law does not regulate the materiality of construction products. Permeable pavers are often designed intentionally to look like non-permeable pavers, and technical testing or documentation would be needed to confirm compliance with

a minor variance condition. Zoning examiners cannot verify if permeable pavements are used versus a different material, nor whether they are properly installed and providing for infiltration. Building inspectors and by-law enforcement officers have no practical way to verify that the pavers have been installed in accordance with the product specifications. For example, if an installer uses a product like polymeric sand, which does not allow water infiltration, between the precast pavers, the paving will not be permeable. (p.3)

CSVSWRA Comments Related to Permitting Permeable Paving for Front and Backyard Parking for Multiplex Applications

1. Multiplexes were already approved by City Council. **Time is required for the evaluation of their impacts** on mature trees and flooding impacts due to a reduction of permeable land, before providing additional zoning permissions.

2. City Planning does not have the expertise or **data** to evaluate the impacts of permeable paving on mature trees situated on infill sites.

3. **Evaluating impacts** of permeable paving on by-law protected trees is the purview of Urban Forestry - not planners or developers.

4. Permeable paving is a benefit only when new trees are planted after the base for the paving is installed. When paving is expanded and installed around existing or mature trees, the damage is instantly irreversible. Tree roots are almost always within 24" of the existing grade and excavation will damage these roots, leading to irreversible damage to the tree(s) affected. Please see this incredible resource for more information: https://images.wur.nl/digital/collection/coll13/search/page/1

5. Permeable paving requires an **extensive gravel base/drainage layer**(s)/system for structural support and to facilitate water volume management and subsequent infiltration below the surface of the pavers, especially if the end purpose is parking. In most cases, this excavation will harm or kill existing trees – depending on the extent of excavation with in rootzones. The damage to trees due to this installation does not reveal itself immediately, but over time (between 1-5 years). It is for this reason we mentioned items 1 and 2.

6. Installation is designed according to **soil conditions and permeability sampling**. The less permeable the soil, the greater the need for deeper excavation, deeper gravel and a larger infiltration medium. Specifications for base excavation is typically finalized upon permeability and infiltration sampling. Soil which is less permeable will require larger and deeper excavations to all for more water management because of slower infiltration rates.

7. There are different design requirements for areas where there are **frost influences**. If the ground is frozen, the system does not work - Or is less effective, during the winter months. This

will affect the data supplied by development applications which site runoff calculations during optimal conditions.

8. Over the course of time, systems will lose their efficiency as **contaminants/particulates** enter the system. This will affect the rate of efficiency from the surface entry points and the rate of infiltration, below grade.

9. The areas where water enters the permeable paving, from the grade to below grade needs to be kept clean of **debris and sediments**. If a regiment of maintenance is not upheld on a regular basis, the system cannot be regarded as a long-term viable solution to surface water management.

10. Application data for Multiplex development will cite data which is based on these systems operating at 100 % efficiency. These systems require regular and consistent **maintenance** to keep them 100 % efficient. Without 100% effective maintenance, these drainage systems/water collection and infiltration systems will become redundant and inefficient (approx. 2-5 years). The surcharge due to lack of maintenance will inevitably burden the City Storm Water management system (and neighbouring properties) and thus, the taxpayer and community will bear the burden of poorly planned design and poor maintenance.

11. **Soil permeability** will also be a large determinant on effective drainage capacity. The existing soil conditions may present limitations with respect to efficiency and the requirement for larger water management capacity. Precipitation volume, rate of infiltration, existing capacity will all be very unpredictable and thus, these systems cannot be relied upon, outside of balancing green space with developed space.

12. **A healthy balance of developed space, to permeable and healthy green space** is the most effective solution to managing surface water runoff, mitigation of flooding and reduction of burden to the City Storm water management system. Green space includes substantial space for a healthy tree canopy, comprised of long term and viable growth medium.

13. **Site restoration** is also a critical need to manage surface water runoff. Post construction site restoration is not currently required, but is a key element in the restoration of permeable space and green space. Soil compaction due to construction activity affects tree canopy preservation and future growth potential for green space installed at post construction.

14. **Balance!** of green space and developed space is critical to ensuring long term viability of surface water management. All the tools to manage stormwater runoff should be utilized to maximize the potential to reduce runoff and reduce the burden to City systems and to adjoining properties. A healthy balance of subgrade drainage, green space, tree canopy, and reduction of over development will facilitate a better outcome for all.

These are examples of guidance or requirements that, if implemented, would significantly reduce the negative impacts of infill development and support the existing and future urban forest in Toronto. **We**

encourage further thorough discussion between Planning and Urban Forestry related to these matters.

In conclusion, no one can deny the contribution trees provide in mitigating the impacts of climate change and the endless benefits they provide to our City and its populations health. The importance in stormwater control, erosion control, migratory bird routes preservation and wildlife habitat, cannot be understated or ignored. Preserving mature trees and ensuring there is space for newly planted trees to grow to maturity should be a top priority in the city, especially in areas near and/or adjacent to ANSI's, ESA's and Natural Heritage Systems.

The Planning and Housing Committee should focus and direct the development industry towards balanced design principles, using the aforementioned lists of recommendations, in the promotion and augmentation of viable avenues for a healthy and robust City and Tree Canopy. The benefits to the Residents of Toronto will be endless!

Yours sincerely,

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Owner and Operator of Dr. Landscape Inc, Since 1992, Award winning Landscape Design, Build and Garden Care.

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