

NEW COURT RULING:

Changes to Rules Around Destruction of Privately Owned Trees

In a recent Superior Court of Justice (Ontario) ruling this past May, there is now clear protection to prevent the unilateral destruction of privately-owned trees by one owner when in fact the tree is owned jointly by one or more neighbours. This decision is being hailed as a landmark legal ruling that now gives more protection to privately-owned trees in Toronto.

In this case, one neighbour (A) wanted to cut down a mature maple tree without reference or permission from the adjacent neighbour (B). The tree's trunk grows across the property line and without notice to neighbour (B), she tried to cut it down. The respondent (B) won the decision and was declared a co-owner, without permission, (A) could not cut down the tree.

The Judge's decision may save tens of thousands of trees in our city, This case, law now, makes it illegal for one owner to arbitrarily cut down a shared tree. The decision also provides a clear definition of what constitutes a shared boundary tree.

[RULING - Legal Document](#)