



! THIS INFORMATION IS NOT LEGAL ADVICE. CONSULT WITH A LEGAL PROFESSIONAL FOR MORE SPECIFIC GUIDANCE.

Forests and trees are important nature-based solutions. They have long been supplying people in Canada with food and heat, controlling soil erosion, improving water quality, providing habitat for many species, and supporting biodiversity. Forests and trees stop floodwaters from reaching homes, provide shade and cooler air in the summer months, and act as snow fences in the winter to protect fields and roads. Trees make the most of nature's ability to combat climate change by absorbing and storing greenhouse gases, regulating water levels and protecting shorelines from erosion.

When planting and maintaining trees the following should be considered:



Overhanging Tree Branches

The responsibility for trimming overhanging branches typically falls onto the owner of the property over which the branches hang. Consult with the owner of the tree before cutting branches, as any action or activity causing damage to the tree or leading to its destruction could lead to legal ramifications.



Boundary Trees

A boundary tree, as defined by the Ontario [Forestry Act](#), is a tree whose trunk straddles a property line. These trees are considered joint property by both property owners and cannot be injured or destroyed without the consent of both owners. The *Forestry Act* indicates that it is a prosecutable offense for one co-owner to injure or cut down a boundary tree without the other co-owner's permission.



Planting Trees

When planting trees it is important to consider how the tree may grow over time and potentially affect your or neighbouring properties.

Consideration should be given to overhead lines (i.e., hydro, telephone), root systems that may affect septic systems, following [FireSmart](#) guidelines, etc. It is always good practice to leave adequate space in order avoid disputes in the future. See [LRCA's Tree Planting Guide](#) for more information.



Dead and Dying Trees

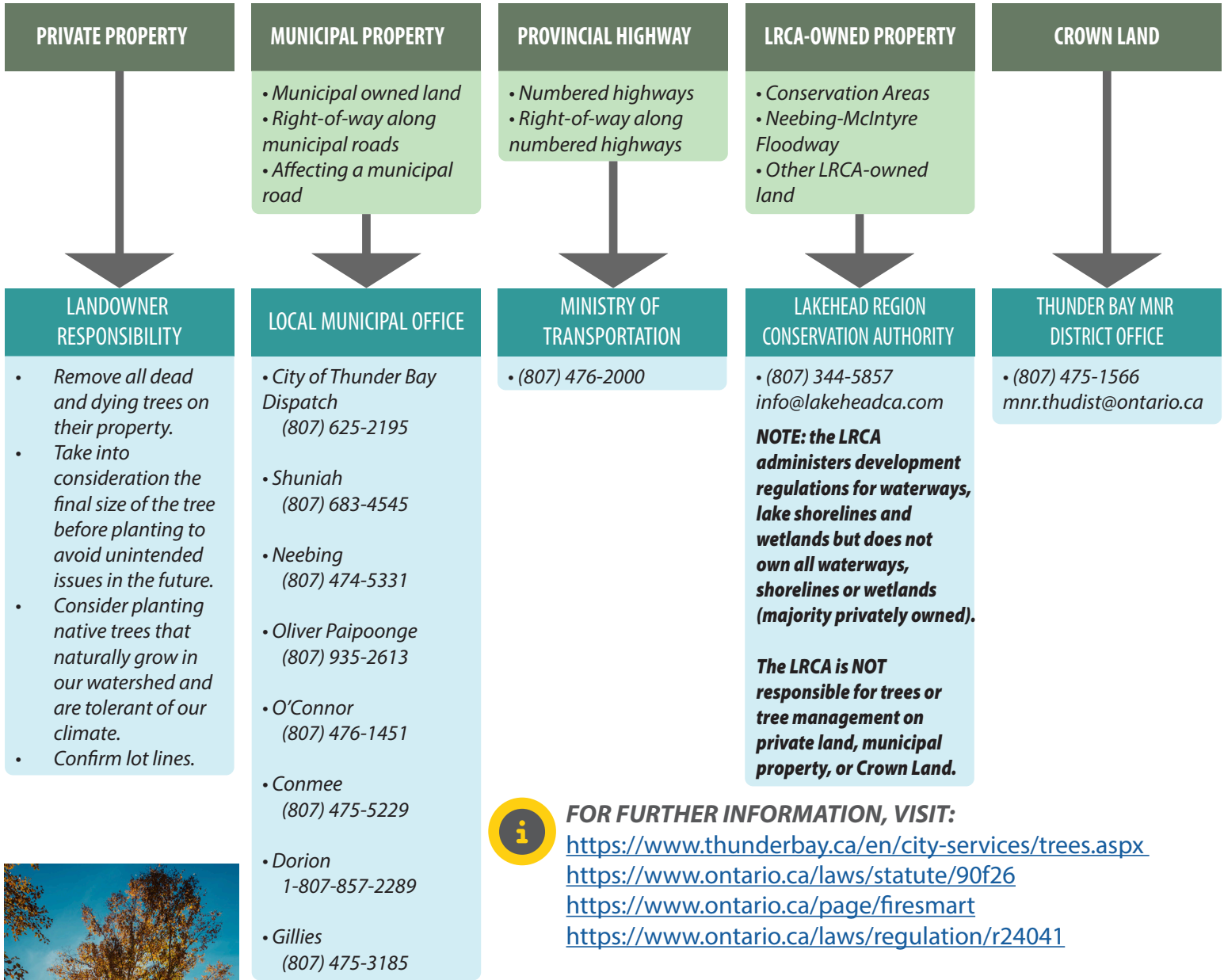
The owner of the land upon which the stump resides is responsible for the removal of dead and dying trees. Failure to do so could lead to liability issues associated with the tree.

A tree removal professional should be consulted and/or hired to remove all hazardous trees. No LRCA permits are required to cut down a tree; however, if the tree is in an area regulated by the LRCA and stump removal or site grading will occur, a permit under [O. Reg. 41/24](#) may be required from the LRCA. Visit the LRCA's [Map Your Property page](#) for more information.

On steep banks, banks of watercourses and lake shorelines, consideration should be given to leaving the stump in place to reduce the risk of erosion.

TREES AND TREE MANAGEMENT IS TYPICALLY THE RESPONSIBILITY OF THE OWNER OF THE LAND UPON WHICH THE STUMP/TRUNK OF THE TREE RESIDES.

TREE MANAGEMENT RESPONSIBILITIES



FOR FURTHER INFORMATION, VISIT:

- <https://www.thunderbay.ca/en/city-services/trees.aspx>
- <https://www.ontario.ca/laws/statute/90f26>
- <https://www.ontario.ca/page/firesmart>
- <https://www.ontario.ca/laws/regulation/r24041>

