

Statement of the Greenspace Alliance on the loss of a distinctive tree at 41 Concord

A few years ago, we received a request for assistance through our website from a resident regarding the loss of a tree. This is a common occurrence for us as we are a not-for-profit advocacy group dedicated to protecting and preserving trees and greenspace. We followed our usual protocol of educating ourselves on the specifics of the tree loss, the policy and bylaws that prevail and providing advice and assistance to the resident. The unique nature of this particular request was that the homeowner had sued the developer responsible for the tree loss for damages.

This case demonstrates that municipal policies and ordinances sometimes fail to preserve and protect a tree. Establishing that residents could as a last resort obtain relief through the courts in such situations would be a welcome addition to the layers of protection available for trees. This to us was clearly a matter of public interest and we continued to keep informed of the progress of the case and provide what small assistance we could.

The Superior Court ruling denying a motion for summary judgment published online in this case further reinforced our opinion that this was a viable approach, worthy of our support, and in the public interest.

[2021 ONSC 1896 \(CanLII\) | Li v. Michaud |
CanLII](#)

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