

EDMONTON
COMMUNITY STANDARDS AND LICENCE APPEAL COMMITTEE

Citation: v Community Standards and Neighbourhoods (City of Edmonton), 2023
ABECSLAC 10007

Date:	June 21, 2023
Order Number:	391817321-003
CSLAC File Number:	CSLAC-23-007

Between:

and

The City of Edmonton, Community Standards and Neighbourhoods

Committee Members

Kathy Cherniawsky, Chair
Chris Samuel
Don Fleming

DECISION

- [1] On June 20, 2023, the Community Standards and Licence Appeal Committee (the “Committee”) heard a request for a postponement of the main hearing concerning a written request received by the Committee from _____ for review of an Order dated May 11, 2023 pursuant to Section 546(1) of *Municipal Government Act*, RSA 2000, c M-26 (the “*Municipal Government Act*”).
- [2] Prior to the hearing, the Committee received a postponement request from _____ asking to reschedule the hearing to next week due to medical reasons.
- [3] Representatives of the City objected to the postponement request and submitted a detailed submission to support this objection, a copy of which is on file.
- [4] Neither party attended the Committee meeting to provide in person submissions and the Committee proceeded on the basis of the written materials.

Decision

[5] The hearing of the review of the Order is postponed to July 4, 2023.

Reasons for Decision

The postponement is granted for the following reasons:

- [6] The Committee has considered the factors listed in the City's written submission which are also found at Section 6.II of the Community Standards and Licence Appeal Committee Procedures and Guidelines Manual ("*CSLAC Manual*").
- [7] In particular, the Committee recognizes the Order dated May 11, 2023 involves a serious matter and its decision will affect both the Appellant and the surrounding properties.
- [8] The Committee considered that City's submission opposing the adjournment references its arguments in the main concerning safety, particularly egress issues for the Appellant, as well as the impacts of unsightly property on surrounding properties. The Committee also took note that the Appellant does not agree with the City's assertions respecting safety and eyesores.
- [9] The Committee considered that the Appellant and the City have made written submissions on the issues in the main and that the *CSLAC Manual* provides the parties with the opportunity to attend in person and provide oral representations and evidence. In the Committee's view, while the City may wish to proceed by written submission alone, this does not impact the Appellant's choices with respect to the presentation of her case.
- [10] This is the Appellant's first request for an adjournment to the next week due to medical reasons.
- [11] Balancing the interests of fairness, potential prejudice and safety, the Committee concludes in these circumstances it is appropriate to adjourn this matter for 14 days to the next earliest possible date: July 4, 2023.



Kathy Cherniawsky, Chair

Important Information for the Appellant

1. A person affected by this decision may appeal to the Alberta Court of King's Bench under Section 548 of the *Municipal Government Act*, RSA 2000, c M-26 if the procedure required to be followed by this Act is not followed, or the decision is patently unreasonable.