

**EDMONTON**  
**COMMUNITY STANDARDS AND LICENCE APPEAL COMMITTEE**

Citation: Quantasphere Commercial Holding Ltd. v Community Standards and Neighbourhoods (City of Edmonton), 2026 ABECSLAC 10002

Date:	March 4, 2026
Order Number:	636883977-002
CSLAC File Number:	CSLAC-26-002

Between:

Quantasphere Commercial Holding Ltd.

and

The City of Edmonton, Community Standards and Neighbourhoods

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Committee Members

Kathy Cherniawsky, Chair  
Karen Munro  
Skye Vermulen

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DECISION

- [1] On February 24, 2026, the Community Standards and Licence Appeal Committee (the “Committee”) heard a request for review of three Orders that were filed on November 28, 2025. The request for review concerned the decision of Community Standards and Neighbourhoods to issue an Order pursuant to Section 545(1) of *Municipal Government Act*, RSA 2000, c M-26 (the “*Municipal Government Act*”). The Orders were dated November 14, 2025 and were mailed on November 17, 2025, and required the following action:

**Reference/File No. 636883977-001**

**YOU ARE THEREFORE ORDERED TO:**

Remove all furniture, clothing, bedding, garbage bags, metal frames, wood, wire, bike parts loose litter and debris from the entire property and take any actions or remove any other items that are contributing to the unsightly condition of the property.

**YOU MUST COMPLY WITH THIS ORDER BEFORE: December 09, 2025**

**Reference/File No. 636883977-002**

**YOU ARE THEREFORE ORDERED TO:**

Repair, Replace or Board all broken and damaged windows on the building.

**YOU MUST COMPLY WITH THIS ORDER BEFORE: December 09, 2025**

**Reference/File No. 636827534-001**

**YOU ARE THEREFORE ORDERED TO:**

Repair, Replace or Board all broken and damaged windows on the building.

**YOU MUST COMPLY WITH THIS ORDER BEFORE: December 09, 2025**

[2] The subject properties are located at 10856 - 98 Street NW (636883977-001 and 636883977-002), Edmonton and 10729 - 108 Street NW (636827534-001), Edmonton.

[3] The Committee made and passed the following motion on January 13, 2026:

“That the appeal hearings scheduled for January 13, 2026 be postponed and rescheduled on February 24, 2026.”

**February 24, 2026 Hearing:**

Motion:

“that CSLAC-26-001, CSLAC-26-002, and CSLAC-26-003 be raised from the table.”

[4] The hearing on February 24, 2026 was held through a combination of written submissions and video conference. The following documents were received prior to the hearing and form part of the record:

- Copy of the Order issued pursuant to the *Municipal Government Act*;
- The Applicant’s written request for review; and
- The Respondent’s written submissions.

**Preliminary Matters**

- [5] At the outset of the hearing, the Chair confirmed with the parties in attendance that there was no opposition to the composition of the panel.
- [6] The Chair outlined how the hearing would be conducted, including the order of appearance of parties, and no opposition was noted.
- [7] The appeal was filed on time, in accordance with Section 547 of the *Municipal Government Act*.

**Summary of Hearing:***i) Position of the Applicant*

- [7] The Applicant confirmed he is the owner of the properties in question and accepts full responsibility for meeting City standards.
- [8] He has formally hired a property management company as of February 2026 to handle day-to-day operations and compliance.
- [9] Work, such as window repairs and yard cleaning is already being coordinated and is ongoing rather than refused. Full compliance is impossible within February due to winter weather conditions and contractor scheduling constraints.
- [10] The properties house individuals through a housing program. This leads to higher turnover and maintenance demands than standard rentals, which should be considered when evaluating the pace of repairs.
- [11] He was not given proper written notice for the inspections that occurred on November 13, 2025. He missed the inspection due to a medical appointment and, despite requesting an accommodation or rescheduling, the City proceeded without him.
- [12] He is not challenging the City's authority to enforce rules, he is formally questioning whether the inspection and subsequent orders were procedurally fair.
- [13] He asked the Committee to clarify the scope of the Orders and confirm if the City followed proper protocols given his absence and the lack of notice.
- [14] The Applicant provided the following information in response to questions from the Committee:
  - a. The property management officially took over the management of the properties on February 1, 2026.
  - b. When asked why winter weather prevented the replacement of windows or general cleanup, the Applicant does not have technical knowledge of contractor work and was

- simply relaying what his contractors told him regarding the difficulty of working in winter conditions.
- c. For the first two Orders (10856 - 98 Street NW), he expects the work to be finished by mid-March 2026. For the second property (10729 - 108 Street NW), he requested an extension until April 10, 2026 due to an ongoing tenant eviction and the need for warmer weather for window installation.
  - d. The Applicant initially expressed confusion and objection regarding the lack of notice for inspections. After the Chair explained that the City does not require notice to take photos from public property (the sidewalk), he said he likely mixed up the procedures with those of another City's RISC team.
  - e. The Applicant did not know where to access the evidence and materials the City had submitted to the Committee, though it was later confirmed this information had been emailed to him.
  - f. The Applicant stated that he was not challenging the validity of the Orders or the City's authority. He agreed that the windows needed to be fixed.
  - g. While he agreed with the Order to clean the property up, he expressed dislike for the term "nuisance." The properties are in high-traffic areas subject to frequent illegal dumping by non-tenants. Prior to hiring management, he had the property cleaned two to three times per week. He currently pays a tenant with a truck to move the dumped items.
  - h. The windows at the apartment building (10729 - 108 Street NW) are broken frequently due to management issues with certain tenants. He has been replacing them as often as every two weeks, but said that new breakages occur almost immediately after repairs. He did not know which specific windows were broken.
  - i. The garbage observed in the November 2025 photos has been removed from the property, though maintenance is ongoing due to continuous illegal dumping.
  - j. Broken windows have been boarded up in the interim while waiting for the permanent replacements to be installed in the spring.

### **Decision**

[15] **CSLAC-26-002** - The request for review is **ALLOWED IN PART**. The Order is **AMENDED** to change the compliance date:

**YOU ARE THEREFORE ORDERED TO:**

Repair, Replace or Board all broken and damaged windows on the building.

**YOU MUST COMPLY WITH THIS ORDER BEFORE: March 15, 2026.**

**Reasons for Decision**

**CSLAC-26-002**

- [16] The Applicant asked the Committee to review three orders pertaining to two of their properties and all issued on the same day.
- [17] All three reviews were held contemporaneously. These are the reasons for Order 636883977-002.
- [18] The Applicant asked the Committee to review of an Order dated November 14, 2025 issued by the City of Edmonton's Community Standards & Neighbourhoods Branch (Investigations and Complaints Branch) under authority of section 545 of the *MGA* ("the 002 Order")
- [19] Section 545 of the *MGA* states:
- (1) If a designated officer finds that a person is contravening this or any other enactment that the municipality is authorized to enforce or a bylaw, the designated officer may, by written order, require the person responsible for the contravention to remedy it if the circumstances so require.
- [20] The 002 Order asserts that the recipient is in contravention of section 9(1) of the *Community Standards Bylaw 14600* which prohibits Nuisance in respect of any building or structure on land they own or occupy.
- [21] Nuisance in respect of a building or structure is prohibited and defined in section 9 of the *Community Standards Bylaw 14600*:
- 9(1) A person shall not cause or permit a nuisance to exist in respect of any building or structure on land they own or occupy.
  - (2) For the purpose of greater certainty a nuisance, in respect of a building or structure, means a building or structure, or any portion thereof, showing signs of a serious disregard for general maintenance and upkeep, whether or not it is detrimental to the surrounding area, some examples of which include:
    - (a) any damage to the building or structure;
    - (a.1) any graffiti displayed on the building or structure that is visible from any surrounding property;

(b) any rot or other deterioration within the building; and

(c) any inappropriate infiltration of air, moisture or water into the building due to peeling, unpainted or untreated surfaces, missing shingles or other roofing materials, broken or missing windows or doors, or any other hole or opening in the building.

- [22] The 002 Order indicates it was based on observations made during an inspection of the property on November 13, 2025 and requires the recipient to: “Repair, Replace or Board all broken and damaged windows on the building” before December 09, 2025.
- [23] The Committee's authority in this matter comes from section 547(2) of the *MGA* which enables it to first review the 002 Order and then to confirm, vary, substitute or cancel it.
- [24] The Committee considered both parties’ submissions.
- [25] The Applicant gave the following information:
- a. The Applicant questioned the process followed by the City inspectors and specifically why the subject property was inspected without a prior written notification.
  - b. He disagreed with the use of the word “nuisance”. However, he acknowledged that he was not challenging the validity of the Orders or the City's authority.
  - c. The Applicant did not contest the accuracy of the submitted photos, nor that they were taken from public property. He agreed that broken windows shown in the photos of the subject property needed to be properly repaired and replaced.
  - d. He has not yet complied with the 002 Order, but has hired a professional property management team who are in the process of dealing with repairs at his property including the broken windows.
- [26] The Bylaw Officer did not attend but submitted a written report. The report indicated:
- a. The state of the property was observed when they were in the process of dealing with a separate investigation.
  - b. The other investigation involved another type of inspection on an adjacent property. That property was also owned by the Applicant. It involved a RISC inspection where City and provincial officers enter private property for inspection. Notice of that inspection was provided to the Applicant and a late request to reschedule that inspection was refused for several reasons.
  - c. The Bylaw Officer did not enter the subject property. The submitted photos were taken from public property and accordingly no notification was necessary with respect to the 002 Order.
- [27] The Committee first considered the Applicant’s objection that the City failed to provide him with adequate notice before inspecting the subject property and issuing the 002 Order.

- [28] The 002 Order was issued under section 545 of the *MGA*. This section does not include prior notification requirements.
- [29] Section 542 of the *MGA* deals with prior notice for inspections, it states in part:
- (1) If this or any other enactment or a bylaw authorizes or requires anything to be inspected, remedied, enforced or done by a municipality, a designated officer of the municipality may, after giving reasonable notice to the owner or occupier of land or the structure to be entered to carry out the inspection, remedy, enforcement or action,
- (a) enter on that land or structure at any reasonable time, and carry out the inspection, enforcement or action authorized or required by the enactment or bylaw,
- [30] Under the *MGA* the requirement to give reasonable notice arises when municipal officers seek to **enter upon private property**. The section was not triggered in this case as it is undisputed that the Bylaw Officer did not enter upon the Applicant's property at any point during the investigation that led to the issuance of the 002 Order.
- [31] The *Community Standards Bylaw 14600* does not include a notification requirement. Section 48 states:
- 48 (1) If the City Manager believes, on reasonable grounds, that a person is contravening any provision of this bylaw, the City Manager may, by written order, require any person responsible for the contravention to remedy it.
- [32] In this case, the reasonable grounds were observations made from public property and documented in photos. The Bylaw Officer did not enter the subject premises to conduct their inspection and therefore were not required to provide reasonable notice for entry.
- [33] The Committee finds that the submitted photos from November 13, 2025 show broken and damaged windows amounting to nuisance in respect of a building or structure occurring at the time the Order was issued contrary to section 9 of the *Community Standards Bylaw 14600*.
- [34] As noted above, the Applicant acknowledged that he was not challenging the validity of the three issued Orders, nor the City's authority.
- [35] The Committee finds that the 002 Order was validly issued.
- [36] In the Committee's view, the Applicant has had more than ample time and opportunity to have replaced the windows. He has not done so as demonstrated by the reinspection photos from January 7, 2026. However, the Applicant indicated that as of February 1, 2026 he has hired professional property managers to ensure compliance with City Bylaws going forward. He asked for the date of compliance to be extended to March 15, 2026 to enable the new property managers to carry out the necessary repairs.

[37] The Committee has agreed to this extension in these circumstances.

[38] For these reasons, the request is allowed in part, the Committee varies the 002 Order by extending the date for compliance to March 15, 2026. The remainder of the 002 Order is confirmed as issued.

Kathy Cherniawsky, Chair  
Community Standards and Licence Appeal Committee

**Important Information for the Applicant**

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.