

EDMONTON
COMMUNITY STANDARDS AND LICENCE APPEAL COMMITTEE

Citation: v Community Standards and Neighbourhoods (City of Edmonton), 2026
ABECSLAC 10028

Date: July 28, 2026
Order Number: 660932210-001
CSLAC File Number: CSLAC-26-028

Between:

and

The City of Edmonton, Community Standards and Neighbourhoods

Committee Members

Joel McDonald, Presiding Officer
Karen Munro
Steven Diachuk

DECISION

- [1] On July 21, 2026, the Community Standards and Licence Appeal Committee (the “Committee”) heard a request for review of an Order that was filed on June 25, 2026. 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 Order was dated June 10, 2026 and was mailed on June 12, 2026 and required the following action:

Cut all long grass and weeds to below 10 cm in height on the entire property, which includes the boulevard adjacent to the property and the alleyway before July 9, 2026.

- [2] The subject property is located at 12006 - 65 Street NW, Edmonton.
- [3] The hearing on July 21, 2026 proceeded entirely on the basis of written submissions. Both the Applicant and the Respondent had emailed the Committee prior to the hearing,

to inform the Committee that they did not intend to attend the hearing in person. 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 (MGA)*;
- The Applicant's written request for review and written submission, including photographs; and
- The Respondent's written submission, including investigation notes and photographs.

Preliminary Matters

- [4] Both the Applicant and the Respondent advised that they would not attend the hearing in person. The Committee therefore decided the request for review solely on the filed written record, without oral evidence or an opportunity to question either party. No adverse inference was drawn from either party's non-attendance.
- [5] No written objection to the composition of the panel was received.
- [6] 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 did not attend the hearing and the Committee relied on their written submission.
- [8] The Applicant provided written submissions through e-mail that included photographs depicting other nearby properties entitled "Request for Review Submission".
- [9] The Applicant argued that an address is incorrect in some of the submissions of the Respondent and that error subverts the accuracy and reliability of the Respondent's written submission.
- [10] The Applicant argued that the original complaint was for noxious weeds and that because the Respondent's own records found that complaint unsubstantiated, that no further action should have been taken by the Respondent.
- [11] The Applicant argued that the Respondent must explain why certain enforcement actions were taken over others and that the Respondent bears the burden to prove that actions it took are reasonable.
- [12] The Applicant argued that the Respondent has been unfairly targeting properties the Applicant owns with enforcement actions that are excessive and unnecessary to achieve compliance.

- [13] The Applicant argued that at the time the Order was issued there was a large amount of rainfall in the region and that the Respondent made a statement that grass cutting by the Respondent had been postponed due to that rainfall. The Applicant argued that the Respondent cannot then Order property owners to cut grass if they are not also cutting grass in public owned property.
- [14] The Applicant argued that progressive enforcement should have been used and that the use of formal enforcement mechanisms with consequences should have been only used after other enforcement methods are used.
- [15] The Applicant argued that the subsequent compliance does not validate the Order issued.
- [16] The Applicant argued that the Respondent was not reasonable and that the evidence does not support such serious enforcement action.
- [17] The Applicant argued that the Committee must determine whether the Respondent exercised its statutory authority in contravention of the Canadian Bill of Rights and Alberta Bill of Rights, and whether the Respondent violated the Applicant's right to equality under the bylaw.

ii) Position of the Respondent Community Services:

- [18] No one from Community Standards attended the hearing and the Committee relied on their written submission.
- [19] The Respondent provided several documents and photographs to be considered in the Review including "Bylaw Investigation Summary - 12006 - 65 Street NW" and photos taken on June 4, 9, and 26, 2026 of the subject property along with a copy of the Order mailed to the Applicant on June 12, 2026.
- [20] The Respondent had a weed inspector attend the property on June 4, 2026. The inspector did not observe any prohibited weeds but found that the property may be in violation of the *Community Standards Bylaw 14600* and forwarded the file on to the appropriate department.
- [21] On June 9, 2026, a bylaw officer attended the property and found that grass and weeds in the front, side, and rear yards, boulevard and alleyway. The recorded measurements were 17+ centimetres in the front yard, 27+ centimetres in the alleyway and 30+ centimetres along the boulevard. The bylaw officer took photos of the address.
- [22] On June 10, 2026, a bylaw officer prepared an Order to be sent to the Applicant to cut the grass and weeds on the entire property via regular mail which was sent on June 12, 2026.
- [23] On June 11, 2026, a bylaw officer attended the property and observed that the grass and weeds on the property were cut and the file was closed as in compliance.

- [24] On June 25, 2026, the Respondent was notified of this appeal and on July 6, 2026 the Respondent provided all documentation and photographs to this Committee for this Review.

Decision

- [25] **The Order is Confirmed.**

Reasons for Decision

- [26] This Committee carefully considered all of the submission provided by the Respondent and Applicant that was before it on July 21, 2026.
- [27] 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.
- [28] The Committee's authority in this matter comes from section 547(2) of the *MGA* which enables City Council to first review orders issued under section 545 of the *MGA* and then to confirm, vary, substitute or cancel them. This Committee was delegated authority to hear such applications, by section 8 of the *Community Standards Appeal Committee Bylaw*.
- [29] Section 6(1) of the *Community Standards Bylaw*, No. 14600 provides that a “person shall not cause or permit a nuisance to exist on land they own or occupy”. This is referred to as a “nuisance on land”. The section 545 Order asserted that the state of the Applicant’s property was, on the date in question, a nuisance on land.
- [30] Section 6(2)(d) of the *Community Standards Bylaw* further defines “nuisance on land” as it relates to “unkempt grass or weeds higher than 10 centimetres”. This section states:
- (2) For the purpose of greater certainty a nuisance, in respect of land, means land, or any portion thereof, that shows 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: ...
- (d) unkempt grass or weeds higher than 10 centimetres
- [31] The Committee, in hearing an application under the *Community Standards Appeal Committee Bylaw*, must interpret the *Bylaw* provisions enacted by City Council.
- [32] In this case, City Council provided the public and the Committee with a clear and objective measure of what City Council viewed as a “serious regard for general maintenance and upkeep”, and therefore constitutes a “nuisance on land”. This is “unkempt grass or weeds higher than 10 centimetres”.

- [33] There can be no reasonable doubt that, on July 9, 2026, the grass and weeds on the Applicant's property were "higher than 10 centimetres". The Committee has examined photographs of the property. These photographs include grass beside a ruler, demonstrating that the grass over the whole of the property ranged from 17 centimetres to over 30 centimetres. The Committee finds that this is well within the definition provided in the *Community Standards Bylaw 14600*.
- [34] The Committee considered whether the Order was validly issued, and whether confirmed that the Respondent was not unreasonable and the Respondent acted within its authority when it issued the Order to the Respondent.
- [35] The Committee was not persuaded by the Applicant's argument that the Respondent is not entitled to continue enforcement action if a complaint is unsubstantiated but other bylaw offences are observed at a property. In this case, the weed inspector forwarded an observed offence to the appropriate department for further inspection.
- [36] Neither section 545 of the *MGA* nor section 48 of the *Community Standards Bylaw 14600* requires the Respondent to issue an informal warning or Notice to Comply before making an order. The record shows that the observed condition was referred to the department authorized to enforce the *Bylaw*.
- [37] The Committee was not persuaded by the argument that due to excessive rainfall that grass cutting could not have occurred at the property because based on the evidence the grass was cut only two days after the initial inspection. In addition, the Applicant did not provide any specific examples as to how or why they could not maintain the property during the relevant period, and compliance was achieved by June 11, 2026 before the July 9 deadline.
- [38] The Applicant argued that the Respondent stated that rainfall was affecting their ability to cut grass on public property, however the Applicant provided no source or substantiation to that statement for the Committee and therefore the Committee puts little weight on that evidence.
- [39] The Committee determined that the timeline provided by the Order was reasonable (being 27 days to cut grass and weeds) which is supported by the evidence that compliance was achieved within days of the initial inspection.
- [40] The Committee placed little weight upon the photographic evidence of alternative sites. These images lacked the requisite specificity regarding location, ownership, maintenance standards, or dates necessary to demonstrate similar conditions or support an allegation of biased enforcement.
- [41] The Committee observed that photographs taken of the property by the Respondent clearly indicate that grass and weeds exceed 10 cm throughout the entire property.
- [42] Section 6(1) of the *Community Standards Bylaw 14600* prohibits a person from causing or permitting a nuisance on land they own or occupy. Section 6(2) defines a nuisance as

land showing signs of a serious disregard for general maintenance and upkeep, and section 6(2)(d) identifies unkept grass and weeds higher than 10 cm as an example. This is what was observed at the property and indicates a serious disregard for general maintenance of property.

- [43] The Committee finds that subsequent compliance does not negate an individual's right to seek a review, nor does it provide a retroactive basis for an Order's validity.
- [44] Furthermore, the Committee did not view the property's later state of compliance as evidence regarding its condition on June 9. However, the Committee finds that the fact that the property was in compliance by June 11, 2026, illustrates that the required remediation was feasible prior to the July 9, 2026 deadline.
- [45] The Committee reviewed the argument that the address in some of the Respondent's written submissions are incorrect and are of the opinion that this error is clerical in nature and does not materially affect the other evidence provided by the Respondent. This is because the Applicant did not argue or provide evidence that any of the photographs were not of the property or that the Order under review indicated an incorrect address. The Committee reviewed the photographs of the property on the various dates the Respondent attended it, and concluded that the Respondent attended the same property each time. On the whole of the evidence from the Respondent, the Committee was satisfied that they could rely on those submissions.
- [46] The Committee has no authority to determine Constitutional violations and/or provide any remedies. That said, the Committee reviewed the submissions from the Applicant and did not find that the Respondent was egregiously unfair to the Applicant. The Respondent issued an Order for an observed violation of their *Community Standards Bylaw 14600*, provided factual information on possible repercussions and how to have the Order reviewed.
- [47] The Committee does not agree that issuing an Order which explains available appeal processes and the possible punishments for failing to comply establish that the Respondent was being egregiously unfair. Instead, it is the Respondent fulfilling its obligation to property owners to advise them of all possible outcomes from the issuance of an Order.

Conclusion

- [48] Considering all of the above, the Committee was not persuaded by any of the arguments and evidence provided by the Applicant.
- [49] Based on the factual record submitted to the Committee, we find that the Order was validly issued as on June 9, 2026 during an inspection by the Respondent, the grass and weeds at the property exceeded 10 cm in height throughout the entire property and the relevant bylaw considers that to be a nuisance condition considered in Section 6(1) and that there was serious disregard for general maintenance and upkeep as defined by Section 6(2) of the *Bylaw*.

[50] Based on the findings above, the Committee confirms the Order issued to the Applicant.

Joel McDonald, Presiding Officer
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.