EDMONTON
COMMUNITY STANDARDS AND LICENCE APPEAL COMMITTEE

Citation: v Community Standards and Neighbourhoods (City of Edmonton), 2026 ABECSLAC 10034

Date:	September 24, 2026
Order Number:	666764023-001
CSLAC File Number:	CSLAC-26-034

Between:

and

The City of Edmonton, Community Standards and Neighbourhoods

Committee Members

Kathy Cherniawsky, Chair
Skye Vermeulen
Steven Diachuk

DECISION

[1] On September 15, 2026, the Community Standards and Licence Appeal Committee (the "Committee") heard a request for review of an Order that was filed on August 11, 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 July 21, 2026 and was mailed on July 23, 2026 and required the following action:

> **YOU ARE THEREFORE ORDERED TO:**
>
> Remove furniture, other loose litter and debris from the entire property.
>
> AND
>
> Cut all long grass and weeds to below 10 cm in height. This includes the City boulevard and alley flankage (if applicable).

YOU MUST COMPLY WITH THIS ORDER BEFORE: August 14, 2026

[2] The subject property is located at 2917 - ANTON LINK SW, Edmonton, AB.

[3] The hearing on September 15, 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 submissions; and
- The Respondent's written submission, including a series of photographs.

Preliminary Matters

[4] 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.

[5] The Chair outlined how the hearing would be conducted, including the order of appearance of parties, and no opposition was noted.

[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 confirmed that the Order was received at his lawyer's office and emailed to him when he was out of the country. When he contacted his tenant to inquire if they were aware of the issuance of the Order they told him that it may be related to the fact that the grass had not been cut.

[8] When he returned and saw the photographs of the property taken by the City he agreed that the condition was unacceptable and he completely understood why the Order had been issued.

[9] He has personally cleaned the property to comply with the Order as illustrated in the photographs that have been submitted.

[10] His concern is that his medical corporation is the listed owner of the property and that the existence of the Order will create a negative history regarding his Corporation.

[11] He spoke to the Bylaw Officer on the advice of his lawyer who advised him that the penalty would be removed but that removing the Order from the history of the Corporation would require a review by the Committee.

[12] He asked the Committee to review and cancel the Order to prevent it from being registered against his Corporation.

[13] The following information was provided in response to questions from the Committee:

a) His tenant is responsible for yard maintenance. He had not visited the property for five years following the passing of his father due to emotional reasons and he trusted the family residing there to maintain the property. However, he is committed to visiting the property every four to six weeks going forward in order to ensure regular maintenance.

b) The penalty was withdrawn by the Bylaw Officer following a discussion explaining the situation. However, the Officer advised him that revoking the Order was beyond their authority and could only be addressed through the appeal process.

ii) Position of the Respondent:

[14] The Respondent did not attend the hearing and the Committee relied on their written submissions.

Decision

[15] The Order is **CONFIRMED**.

Reasons for Decision

[16] The Applicant asked the Committee to review an Order dated July 21, 2026 issued under authority of section 545 of the *Municipal Government Act* RSA 2000, c M-26, (the "*MGA"*).

[17] Section 545(1) of the *MGA* states:

> 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.

[18] The Order states that based on observations made during an inspection of the property on July 20, 2026, the Recipient is in contravention of section 6(1) of the *Community Standards Bylaw 14600* which prohibits nuisance on land.

[19] The Committee first assessed whether the request was filed in time and found that it was considering the available information.

[20] The relevant portions of section 547(1) of the *MGA* deal with the Applicant's right to request a review of the Order and state:

> A person who receives a written order under section 545 or 546 may by written notice request council to review the order within …(a) 14 days after the date the order is received, in the case of an order under section 545, …or any longer period as specified by bylaw.

[21] No City of Edmonton Bylaw specifies a longer period than 14 days.

[22] The Order is dated July 21, 2026.

[23] The request for review was received 21 days later on August 11, 2026.

[24] The Applicant explained that he was out of the country when the Order was issued and mailed, and found out about it later from his lawyer. The Applicant did not provide an exact date on which his lawyer received the Order or the date on which it was sent to him.

[25] The *Interpretation Act* RSA 2000, c I-8 has rules for presumption of service when ordinary mail is involved. Section 23 provides:

> 23(1) If an enactment authorizes or requires a document to be sent, given or served by mail and the document is properly addressed and sent by prepaid mail other than double registered or certified mail, unless the contrary is proved the service shall be presumed to be effected
>
> (a) 7 days from the date of mailing if the document is mailed in Alberta to an address in Alberta, or
>
> (b) subject to clause (a), 14 days from the date of mailing if the document is mailed in Canada to an address in Canada.
>
> (2) Subsection (1) does not apply if
>
> (a) the document is returned to the sender other than by the addressee, or
>
> (b) the document was not received by the addressee, the proof of which lies on the addressee.

[26] The submitted service materials from the Respondent indicate that two copies of the Order were mailed to the Applicant on July 23, 2026.

[27] In the absence of specific information from the Applicant, the Committee has applied the presumption from the *Interpretation Act* and concluded that the Order was received by the Applicant no later than July 30, 2026 (7 days after the City indicated it was mailed).

[28] The request was received on August 11, 2026 or 12 days after July 30, 2026.

[29] The Committee therefore concluded that the request was filed within the allowable 14-day window set out in section 547(1)(a) of the *MGA*.

[30] The Committee next considered whether or not the Order had been validly issued.

[31] The Committee finds that the Order was properly issued for the reasons that follow.

[32] The Order alleges a violation of section 6 of the *Community Standards Bylaw 14600* (the "*Bylaw*"). Section 6 deals with nuisance on land, the relevant portions:

> (1) A person shall not cause or permit a nuisance to exist on land they own or occupy.
>
> (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:
>
> (a) excessive accumulation of material including but not limited to building materials, appliances, household goods, boxes, tires, vehicle parts, garbage or refuse, whether of any apparent value or not;
>
> (a.1) any loose litter, garbage or refuse whether located in a storage area, collection area or elsewhere on the land;
>
> (a.2) any loose building or construction materials, any accumulation of construction-related garbage or refuse, or any untidy work or storage areas on the land; (S.2, Bylaw 17678, June 28, 2016)
>
> (d) unkempt grass or weeds higher than 10 centimetres; ….

[33] The Committee reviewed the July 20, 2026 inspection photographs which show:

i) trampled landscaping materials, seriously overgrown plants and unkempt grass and weeds in excess of 10 cm in the boulevard, and in the rear, side and front yards;

ii) a bicycle in pieces, partly attached to a tree in the front boulevard; and,

iii) a bicycle in the side yard and at least one bicycle on the porch.

[34] Given the mature state and height of the surrounding plants and grass relative to other objects, it appears that some of the debris and furniture had been left in place in the boulevard, the front yard and the rear yard for a significant amount of time.

[35] The Committee also took note that:

i) the Applicant agreed the property was in an unacceptable state;

ii) the Applicant could not say how long the subject property had been in that unacceptable condition as he had not been to the property in several years; and,

iii) he was seeking to have the Order cancelled solely so that it would not appear on any corporate records.

[36] When deciding whether the Order was validly issued, the Committee did not place significant weight on the fact that the Applicant had simply trusted the tenants and was unaware of the state of the property for several years.

[37] This is because section 6 of the *Bylaw* expressly states that a person shall not cause or permit a nuisance to exist on land they **own** or **occupy**. The provision is clear on its face, all landlords are responsible to maintain all properties that they own within the City of Edmonton in compliance with the *Bylaw*.

[38] Based on the photographs, and taking account of the Applicant's submissions, the Committee concluded that a nuisance on land condition, as defined in the *Bylaw* existed when the Order was issued.

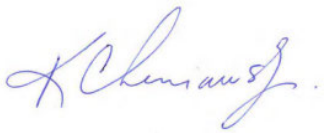
[39] On a final note, the Committee considered the fact that the City withdrew a separate municipal ticket related to the property and indicated that their files on the matter had been closed because of the subsequent compliance.

[40] Given the Committee's earlier conclusion that the Order was valid when issued, it did not place significant weight on the fact that the municipal ticket had been withdrawn.

[41] The ticket and the Order are two distinct matters. It is always open to an Applicant to seek a review of an Order issued under section 545 of the *MGA* regardless of whether or not the City has chosen to close its compliance file. More germain to this review is that while the Respondent did not provide written argument concerning the validity of the Order, neither did they withdraw the Order.

[42] For all of the above reasons and based on all the materials before it, the Committee finds the Order was validly issued. In the Committee's view, the Applicant's concern about the Order appearing on the corporate record does not provide a valid basis to vary, substitute or cancel it.

[43] Pursuant to its authority under section 547(2) of the *MGA*, the Committee confirms the Order 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.