EDMONTON
COMMUNITY STANDARDS AND LICENCE APPEAL COMMITTEE

Citation: Community Standards and Neighbourhoods (City of Edmonton), 2026 ABECSLAC 10041

Date:	November 2, 2026
Order Number:	668422588-001
CSLAC File Number:	CSLAC-26-041

Between:

and

The City of Edmonton, Community Standards and Neighbourhoods

Committee Members

Kathy Cherniawsky, Chair
Steven Diachuk
Karen Munro

DECISION

[1] On October 20, 2026, the Community Standards and Licence Appeal Committee (the "Committee") heard a request for review of an Order that was filed on September 23, 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 September 11, 2026 and was mailed on September 14, 2026 and required the following action:

> **YOU ARE THEREFORE ORDERED TO:**
>
> Remove or cut any tree, shrub, or other type of vegetation that obstructs any sidewalk or alleyway that is adjacent to the land. They must be cut back to the edge of the property line, so as to not block or interfere with passage along the sidewalk or the alley. Please cut trees to a minimum clearance of 7 feet above sidewalks, and 14 feet above roadways and alleys.

YOU MUST COMPLY WITH THIS ORDER BEFORE: October 07, 2026

[2] The subject property is located at 11145 - 57 Street NW, Edmonton.

[3] The hearing on October 20, 2026 was held through a combination of in person and written submissions. 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 submissions, including a series of photographs and emails.

Preliminary Matters

[4] At the outset of the hearing, the Chair confirmed the composition of the panel.

[5] The Chair outlined how the hearing would be conducted.

[6] The appeal was filed on time, in accordance with Section 547 of the *Municipal Government Act*.

[7] The General Hearing Procedures outlined in the CSLAC Procedures and Guidelines Manual states the following:

> *If a party does not attend the scheduled hearing, and after waiting at least 15 minutes from the scheduled start of the hearing, the Committee may proceed to determine the matter in the absence of that party, upon confirming that the party was provided a Notice of Hearing in compliance with this Guide and subject to consideration of overall fairness. If a party that is not in attendance has submitted written material, the Committee may proceed to determine the matter based on that written material and the submissions and evidence submitted by the other parties and participants.*

[8] In accordance with that policy, and in the absence of the Applicant or a representative from Complaints and Investigations, Community Standards, it was the decision of the Committee to proceed with the hearing based on the written submissions received from both parties.

Summary of Hearing

i) Position of the Applicant:

[9] The Applicant provided the following request for a review of the Order on September 23, 2026:

> *We moved back into the property on September 1, 2026, after it had previously been occupied by tenants. We did not become aware of the City's earlier notice regarding the trees until we moved back into the property.*
>
> *Once we became aware of the issue, we took steps to address it. Because the trees at the rear of the property are located near the power lines, we contacted EPCOR to arrange for the appropriate tree trimming, as we believed this was the vegetation referred to in the notice.*
>
> *We subsequently received a $250 ticket with an offence date of September 10, 2026. The Order dated September 11states that the inspection of the property also occurred on September 10 and gives us until October 7, 2026 to comply.*
>
> *We have every intention of complying with the Order and addressing any remaining vegetation within the required timeframe. However, given that we had only recently regained possession of the property, acted promptly after becoming aware of the issue, and had already contacted EPCOR in an effort to remedy it, we are requesting a review of the Order and the circumstances surrounding its issuance.*

ii) Position of the Respondent

[10] The Respondent sent the following email on October 16, 2026:

> *Regarding CSLAC-26-041 (668422588-001), please be advised that the City will not be making a submission as our file has been closed with compliance on Oct 9, 2026.*

Decision

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

Reasons for Decision

[12] This matter involves a review of an order dated September 11, 2026 and issued by the City of Edmonton's Community Standards Branch under authority of section 545 of the *Municipal Government Act* (the "*MGA"*).

[13] According to section 545(1) of the *MGA*:

> 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.

[14] The Order states:

> As a result of an inspection of the property on September 10, 2026.
>
> Being an employee of the City of Edmonton having the delegated power, duties, and functions of a designated officer for the purposes of section 545, I find that you are in contravention of the City of Edmonton's Community Standards Bylaw #14600, Section 6(1) Nuisance on Land.

[15] Under Section 547(1) of the *MGA* any person who receives a written order issued per section 545 may by written notice within 14 days after the order is received, request that council review that order.

[16] Under section 547(2) of the *MGA,* council is charged with the authority to hear reviews of section 545 orders and to then confirm, vary, substitute or cancel the issued order. In the *Community Standards and Licence Appeal Committee Bylaw 19003*, the Edmonton City Council delegated this responsibility to the Committee.

[17] After considering all of the written submissions, the Committee has decided to confirm the Order under review for the following reasons.

[18] The Committee first took note that there was no significant evidence to either support the Order or to challenge its validity.

[19] Turning first to the submissions of the City, the Committee considered the following factors:

- The City provided a copy of the Order, but no additional information about the circumstances leading up to its issuance, nor any photographs showing the state of the property on September 10, 2026.
- The City provided no submissions concerning the validity of the Order. Instead, the City provided an email indicating that they closed the file as they verified that compliance had been achieved on October 9, 2026. The Committee has indicated in past decisions that closure of a file on the basis of compliance is a separate issue from this review because file closure does not affect any applicant's right to request a review under section 547 of the *MGA*. The Committee puts no weight on the fact the file has been closed.
- The City provided photographs of the property taken on October 9, 2026 which they indicate show compliance. This information is also unhelpful. It does not assist the Committee in determining whether or not the property was in a “nuisance on land” condition as defined in the *Bylaw* on the date of issuance of the Order.

- The City indicated in correspondence that the municipal ticket issued in association with the Order has been cancelled. Municipal tickets and fines are separate matters between the parties and within the discretion of the City. They are appealed through judicial means. Without further information, a cancelled ticket is not germane to the issue of whether or not the Order was valid when issued.

[20] Turning to the Applicants' submissions, the Committee considered the following:

- On its face, the Order appears to have been properly issued to the Owners of the subject property as contemplated in section 545 of the *MGA*. The record shows that the Applicants received the Order and that they were in the process of complying with the Order.
- The Applicants stated that they were the owners of the property and were unaware of the condition of the property which they had been renting out. However, the *MGA* is clear, section 545 orders may be issued to the person responsible and under the provisions of the *Community Standards Bylaw 14600* (the "*Bylaw*"), both occupiers and owners are persons responsible for the state of the property. Therefore, the condition of the property is a responsibility of the owner whether they are an occupier or a landlord. The Committee finds that the fact that the recipient Applicants are the owners of the subject property and that they were unaware of the condition of the property are not reasons to cancel an Order.
- The Applicants did not indicate what type of relief they were seeking with respect to the Order.
- The Applicants did not challenge the validity of the Order, nor did they suggest that the property was not in a nuisance on land condition, contrary to the *Bylaw.* In fact in their written request, the Applicants agreed that landscaping and tree trimming in particular needed to be addressed and that they had "every intention" of complying.
- The Applicants did not request that the Order be varied to allow them more time and according to the City compliance was achieved in early October, prior to this hearing.

[21] After reviewing all of the submissions and for the reasons above, the Committee is not persuaded of any reason to cancel, substitute or vary the Order. Accordingly, per section 547(2) of the *MGA*, the Committee confirms the Order.

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.