

EDMONTON
COMMUNITY STANDARDS AND LICENCE APPEAL COMMITTEE

Citation: Applicant v Community Standards and Neighbourhoods (City of Edmonton), 2026
ABECSLAC 10019

Date:	July 22, 2026
Order Number:	653830515-001
CSLAC File Number:	CSLAC-26-019

Between:

Applicant

and

The City of Edmonton, Community Standards and Neighbourhoods

Committee Members

Kathy Cherniawsky, Chair
Don Fleming
Joel McDonald

DECISION

- [1] On July 10, 2026 the Community Standards and Licence Appeal Committee (the “Committee”) heard a request for review of an Order that was filed on June 8, 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 May 19, 2026 and was mailed on May 20, 2026 and required the following action:

Remove black garbage bags, white garbage bags, cooler, other loose litter
and debris from the entire property before June 11, 2026.

- [2] The subject property is located at 523 - Crystallina Nera Drive NW, Edmonton.
- [3] The hearing on July 10, 2026 was held through a combination of 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 Appellant's written request for review; and
- The Respondent's written submission, including other evidence.

Preliminary Matters

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

Summary of Hearing:

i) Position of the Applicant:

[5] The Applicant did not attend the hearing and the Committee relied on their written submission.

ii) Position of the Respondent:

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

Decision

[7] **The Order is Confirmed.**

Reasons for Decision

[8] This hearing involved a request for review of an Order dated May 19, 2026 issued pursuant to Section 545(1) of *Municipal Government Act*, RSA 2000, c M-26 (the "MGA").

[9] Section 545 of the *MGA* provides that if a designated officer finds that a person is contravening this or any other enactment or bylaw that the municipality is authorized to enforce, then the designated officer may, by written order, require the person responsible for the contravention to remedy it if the circumstances still require.

[10] Any person who receives a written order under section 545 may by written notice within 14 days after the order is received, request a review of that order (*MGA* section 547(1))

[11] Pursuant to section 547(2) of the *MGA* and the *Community Standards and Licence Appeal Committee Bylaw* 19003, the Committee has the authority to conduct the review and to then confirm, vary, substitute or cancel the Order.

[12] The Order alleged that the Applicant had contravened section 6(1) of the *Community Standards Bylaw 14600* which prohibits nuisance on land conditions and it required the

Applicant to remove black garbage bags, white garbage bags, cooler, other loose litter and debris from the entire property before June 11, 2026.

- [13] Section 6(1) of the *Community Standards Bylaw* prohibits nuisance on land. Section 6(2) defines nuisance on land and provides illustrative examples. The relevant portions of section 6 of the *Community Standards Bylaw* state:

(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;...

- [14] The Applicant did not attend the hearing, but he did send the Committee administration three emails:

- i) An email dated June 5, 2026 that appeared to be intended for the Municipal Enforcement Officer stating:

Good evening, As per our phone call this morning here attached is the notice and a ticket. I've received a few notices in the mail. First was in May when snow was fully on the ground not sure how garbage bags would be an issue if there's a 3 foot snow bank on my drive way. We spoke about how my property has never had debris or furniture etc, but my two neighbours have. This would be a mistake and would love for you to help me out.

- ii) An email dated June 8, 2026 to the Committee administration stating:

Thank you. What would be the point of having a review of the order I received if I have to fight the ticket with the courts anyways? Sorry just trying to understand this

Thanks

iii) An email dated June 8, 2026 to the Committee administration stating:

Awesome I definitely would like to appeal the order. As stated previously I've never had debris, obstructions, or nuisance on my property. Only a couple garbage bags here and there until the city truck picks them up. Both neighbours on either side of me currently have engines, furniture, tires, and garbage and debris on their back alley property, not me. I also received the order in May when there was snow and ice on the ground. A garbage bag surely can't be an issue to be receiving orders and now tickets for something that has never existed on my property.

[15] The City did not attend but provided a written submission which included the following:

- i)* a Bylaw investigation summary including a series of photos of the property taken April 14, 2026, May 7, 2026, May 15, 2026, and June 11, 2026;
- ii)* a notation that compliance had been accomplished by June 11, 2026 and that the file was closed from their perspective;
- iii)* a summary of the applicable law; and,
- iv)* a request that the Order be upheld on the following argument:

The multiple garbage bags present on the property at the time of the Officer's inspections illustrate an excessive accumulation of materials which contribute to the untidy and unsightly conditions of the property. The property owner contends that the snowfall would prevent the garbage bags from being an issue. The weather conditions do not negate the owner's responsibility from maintaining their property in accordance with the conditions set out by the Community Standards bylaw, and the Officer's inspection photos show that there was no snow preventing the removal of the garbage bags at the time of their inspections. The property owner contends that he never had furniture, debris, or nuisance and could not remove items that were not present. The only items requested to be removed on the Notice and Order were items observed on the property, which were also photographed on the property at the time of the Officer's inspections.

When partial compliance was observed after the Notice to Comply was issued, the officer provided additional time to the property owner for compliance. The officer left a door hanger which listed the items that needed to be removed in order to remove the nuisance on land conditions before proceeding with the S. 545 MGA Order and municipal ticket.

Based on the evidence provided, it is Administration's submission that the appellant has contravened Section 6(1) of the Community Standards bylaw nuisance on land and that the MGA Order issued on May 19, 2026 was valid at the time it was issued.

- [16] After reviewing these materials, the Committee is not persuaded that any reason exists to vary, substitute or cancel the Order.
- [17] The Committee agrees with the Respondent that the Order was properly issued.
- [18] Accordingly, the Order is confirmed.

Kathy Cherniawsky, Chair
Community Standards and Licence Appeal Committee

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.