



COMMUNITY STANDARDS & LICENCE APPEAL COMMITTEE

AGENDA

May 8, 2014 – Churchill Building

9:30 a.m.
12 noon

Call to Order
Adjournment

MEMBERS

T. Caterina, S. McKeen, M. Oshry

ITEM		ACTION
1.	CALL TO ORDER AND RELATED BUSINESS	
1.1	Call to Order	
1.2	Adoption of Minutes	
	<ul style="list-style-type: none"> March 27, 2014, Community Standards and Licence Appeal Committee meeting minutes 	
2.	EXPLANATION OF APPEAL HEARING PROCESS	
3.	COMMUNITY STANDARDS AND LICENCE APPEAL COMMITTEE MATTERS	
3.1	Appeal of Order - M.L., 3616 - 145 Avenue NW, Order pursuant to section 545(1) of the <i>Municipal Government Act</i>.	Withdrawn
3.2	Appeal of Order - K.N., 11942 - 81 Street NW, Order pursuant to section 546(1)(c) of the <i>Municipal Government Act</i> .	
4.	ADJOURNMENT	

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COMMUNITY STANDARDS AND LICENCE APPEAL COMMITTEE

MINUTES (DRAFT)

March 27, 2014 – Churchill Building – Hearing Room 3

PRESENT

T. Caterina, M. Oshry, S. McKeen

ALSO IN ATTENDANCE

S. McDonald, Office of the City Clerk
 C. Ashmore, Law Branch
 I. Russell, Office of the City Clerk

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DECISION SUMMARY

ITEM	DECISION
1. CALL TO ORDER AND RELATED BUSINESS	

1.1 **Call to Order**

T. Caterina called the meeting to order at 9:37 a.m.

1.2 **Adoption of Minutes**

Moved S. McKeen:

That the February 27, 2014, Community Standards and Licence Appeal Committee meeting minutes be adopted.

In Favour:

Carried

T. Caterina, M. Oshry, S. McKeen

2. **EXPLANATION OF APPEAL HEARING PROCESS**

T. Caterina explained the appeal hearing process and asked if anyone objected to any member of the Community Standards and Licence Appeal Committee hearing the appeals. No one objected.

3. **COMMUNITY STANDARDS AND LICENCE APPEAL COMMITTEE MATTERS**

3.1 **Appeal of Order – B. M., 12204 - 113 Avenue NW, Edmonton, Alberta, Order Pursuant to Section 546(1)(c) of the *Municipal Government Act*.**

B. M. Appellant, requested a postponement and answered the Committee's questions.

T. Courtoreille, Community Services Department, spoke to the postponement request and answered the Committee's questions.

Both B. M. and T. Courtoreille were given the opportunity for closing comments.

The Committee met in private at 9:54 a.m. pursuant to Section 20 of *The Freedom of Information and Protection of Privacy Act*.

The Committee reconvened at 9:58 a.m.

Moved S. McKeen:

That the Postponement Request for 12204 - 113 Avenue NW, Edmonton - Order Pursuant to Section 546(1)(c) of the <i>Municipal Government Act</i> , be denied	
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In Favour:

Carried

T. Caterina, M. Oshry, S. McKeen

B. M., Appellant, made a presentation and answered the

committee's questions.

B. M. indicated that he had a set of photographs to present to the Committee.

C. Ashmore, Law Branch, provided the Committee with advice.

Moved M. Oshry:

That the Committee allow M. S. to speak on behalf of the Appellant.

In Favour:

Carried

T. Caterina, M. Oshry, S. McKeen

M. S. made a presentation on behalf of the Appellant and provided a set of photographs dated March 27, 2014, to the members of the Committee and the Office of the City Clerk. He responded to the Committee's questions.

B. M. presented the Committee with his photographs.

B. M. requested additional time to speak.

Moved T. Caterina:

That the Committee allow B. M. an additional five minutes to speak

In Favour:

T. Caterina

Opposed:

M. Oshry, S. McKeen

Defeated

The Committee reviewed all photographs that had been submitted by B. M. and M. S.

T. Courtoreille, Community Services Department, made a presentation and answered the Committee's questions. He provided three sets of photographs dated October 31, 2013, March 20, 2014 and March 26, 2014, to the Appellant, Members of the Committee and the Office of the City Clerk.

B. M. was given the opportunity for closing comments. He requested that the Committee accept a copy of a transcript of a meeting between himself and Community Standards Branch held earlier this month. The Clerk accepted the transcript on behalf of the Committee.

Moved M. Caterina:

That the Committee allow M. S. an additional five minutes

to speak on behalf of the Appellant.

In Favour:

Carried

T. Caterina, M. Oshry, S. McKeen

M. S. made a presentation.

T. Courtoreille was given the opportunity for closing comments.

The Committee met in private at 10:59 a.m., pursuant to Section 20 of *The Freedom of Information and Protection of Privacy Act*.

The Committee met in public at 11:08 a.m.

Moved T. Caterina:

<p>The Committee upholds the order.</p> <p>You are therefore ordered to remove all metal, wood, plastic, household items, suitcases, wire, metal racks, pallets, buckets, concrete, tree clippings, appliances, doors, tarps, damaged/dismantled/derelict vehicles, registered or unregistered, insured or uninsured, that are being used for storage, loose litter and debris and other assorted materials from the entire property and take any actions or remove any other items that are contributing to the unsightly condition of the property.</p> <p>For greater certainty, this would include all materials tarped, or untarped.</p> <p>Please cut and maintain all unkempt and long grass and weeds on property that you own or occupy.</p>	<p>Community Services Dept.</p> <p>Due Date: Nov 15, 2013</p>
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In Favour:

Carried

T. Caterina, S. McKeen, M. Oshry

3.2 Appeal of Order - L. B. & J. B., 14722 - 33 Street NW, Edmonton, Alberta, Order Pursuant to Section 545(1) of the Municipal Government Act

S. McDonald, Office of the City Clerk, advised the Committee that pursuant to an inspection conducted on the property, Administration has withdrawn the Order against this property because it is now in compliance with the

3.3 **Appeal of Order - H. B., 10230 - 130 Avenue NW, Edmonton, Alberta, Order Pursuant to Section 545(1) of the Municipal Government Act**

T. Caterina explained the appeal hearing process and asked if anyone objected to any member of the Community Standards and Licence Appeal Committee hearing the appeals. No one objected.

H. B. made a presentation and answered the Committee's questions.

M. Martin, Community Services Department, made a presentation and answered the Committee's questions. T. Courtoreille, Community Services Department, was present as a consultant.

Two sets of photographs taken on February 12, 2014, and on March 26, 2014, were provided to the Appellant, Members of the Committee and the Office of the City Clerk.

H. B. was given the opportunity for closing comments.

T. Courtoreille and M. Martin were given the opportunity for closing comments.

Moved T. Caterina:

<p>The Committee upholds the order.</p> <p>Remove all mattresses, furniture, tires, rims, vehicle parts, wood, lumber, bricks, metals, barrels, pails, plastics, machinery, shingles, doors, assorted renovation materials, construction debris, snow mobiles, cube van enclosure / storage box, all damaged/dismantled/derelict motor vehicles, all materials inside the truck box, loose litter and debris and other assorted materials from the entire property and take any actions or remove any other items that are contributing to the unsightly condition of the property.</p> <p>And thereafter maintain the property to prevent the reoccurrence of any unsightly condition detrimental to the surrounding area.</p>	<p>Community Services Dept.</p> <p>Due Date: Mar. 10, 2014</p>
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In Favour:

T. Caterina, S. McKeen, M. Oshry

Carried

4. ADJOURNMENT

The meeting adjourned at 11:33 a.m.

Chair

City Clerk

**COMMUNITY STANDARDS
& LICENCE APPEAL COMMITTEE**

Office of the City Clerk
Churchill Building
10019 – 103 Ave., Edmonton, AB T5J 0G9
Ph: 780-496-5026 Fax: 780-496-8199
Email: CSLAC@edmonton.ca

3.2 Appeal of Order 153200237-001 issued to K. Ni and D. Ni, 11942 – 81 Street NW, Edmonton, AB, Order Pursuant to Section 546(1)(c) of the *Municipal Government Act*

Issues

1. Whether the property, because of its unsightly condition, is detrimental to the surrounding area.

Evidence

In dealing with the appeal of an Order issued to K. Ni and D. Ni, 11942 – 81 Street NW, Edmonton, the Community Standards and Licence Appeal Committee considered the following evidence:

1. The Committee heard from K. Ni, Appellant.
2. The Committee viewed a site plan of the subject property submitted by the Appellant.
3. The Committee heard from T. Courtoreille, Respondent.
4. The Committee viewed photographs of the subject property taken by Administration on April 22, 2014, and on May 7, 2014.

K. Ni advised the Committee that there is an office and a sunroom that has been under construction for 2 years which includes plumbing, flooring, and various other materials required to complete the projects.

T. Courtoreille advised the Committee that there is an open investigation with the City's Community Peace Officer Program, an open file with Zoning and Development Services and open files with Fire Rescue Services.

As a result of a complaint from the Edmonton Police Service (EPS) on April 22, 2014, a Municipal Enforcement Officer conducted an inspection of the property. Based on the serious disregard for general maintenance and/or upkeep of the property, the officer determined that the condition of the property would be detrimental to the surrounding community and issued a 546 *Municipal Government Act* Order with a compliance date of May 6, 2014.

T. Courtoreille advised the Committee that there have been 3 nuisance property complaints since 2008, and a total of 11 bylaw complaints for this address under Mr. Ni's ownership.

K. Ni noted that some of the materials in the yard belonged to a tenant who left for Saskatchewan on Friday May 2, 2014, the furniture is part of his patio and

**COMMUNITY STANDARDS
& LICENCE APPEAL COMMITTEE**

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he currently uses the fire pit. There are other materials which he plans on using in the construction.

Decision

The Committee upholds the order.

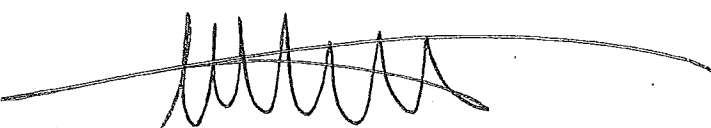
You are therefore ordered to:

Remove all wood, metal, plastic, pipe, mattresses, furniture, buckets, loose litter and debris and other assorted materials from the entire property and take any actions or remove any other items that are contributing to the unsightly condition of the property.

Reasons

Based on the photographic and testimonial evidence of T. Courtoreille and K. N , the Committee believes that the material on the subject property is not useful construction material, and the black garbage bags and debris simply appear to be garbage with has no reason to be on the property. The pictures appear to support the fact that this property is unsightly. Based on the nature of the property, in the Committee's opinion, this would be detrimental to the surrounding area.

The Committee would like it noted that K. Ni is willing to accept help from Community Services to improve the condition of the property by identifying which items on the property to dispose of and which items that can be stored. By upholding the Order it is the committee's understanding that K. N has an additional 25-30 days to mitigate the issues pertaining to the property prior to any attempt by the City to formally enforce the order. We would therefore encourage the two parties to work co-operatively to ensure that Mr. N does not inadvertently lose valuable construction materials, and to ensure that the enforcement of this order can hopefully be carried out on a voluntary basis with minimal disruption to Mr. Ni


Councillor T. Caterina

May 20, 2014
Date



**COMMUNITY STANDARDS AND
LICENCE APPEAL COMMITTEE**

MINUTES

May 8, 2014 – Churchill Building

PRESENT

T. Caterina, B. Anderson, M. Oshry

ALSO IN ATTENDANCE

S. McDonald, Office of the City Clerk
C. Ashmore, Law Branch
J. Rose, Office of the City Clerk

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3.1	Appeal of Order – M.L., 3616 - 145 Avenue NW, Order pursuant to section 545(1) of the <i>Municipal Government Act</i> .	2	Withdrawn
3.2	Appeal of Order - K.N., 11942 - 81 Street NW, Order pursuant to section 546(1)(c) of the <i>Municipal Government Act</i> .	2	Action
4.	ADJOURNMENT	3	

DECISION SUMMARY

ITEM		DECISION
1.	CALL TO ORDER AND RELATED BUSINESS	
1.1	Call to Order	

T. Caterina called the meeting to order at 9:34 a.m.

1.2 [Adoption of Minutes](#)

Moved T. Caterina:

That the March 27, 2014 Community Standards and Licence Appeal Committee meeting minutes be adopted.

In Favour:

T. Caterina, B. Anderson, M. Oshry

Carried

2. EXPLANATION OF APPEAL HEARING PROCESS

T. Caterina explained the appeal hearing process and asked if anyone objected to any Member of the Community Standards and Licence Appeal Committee hearing the appeals. No one objected.

3. COMMUNITY STANDARDS AND LICENCE APPEAL COMMITTEE MATTERS

3.1 **Appeal of Order – M.L., 3616 - 145 Avenue NW, Order pursuant to section 545(1) of the *Municipal Government Act*.**

S. McDonald, Office of the City Clerk, advised the Committee that pursuant to an inspection conducted on the property, Administration has withdrawn the Order against this property because it is now in compliance with the Community Standards Bylaw 14600.

[3.2](#) **Appeal of Order - K.N., 11942 - 81 Street NW, Order pursuant to section 546(1)(c) of the *Municipal Government Act*.**

K.N., Appellant, made a presentation and answered the Committee's questions.

T. Courtoreille, Community Services Department, made a presentation and answered the Committee's questions.

Two sets of photographs taken on April 22, 2014 and on May 7, 2014 were provided to the Appellant, Members of the Committee and the Office of the City Clerk.

K.N., Appellant, made a closing presentation and answered the Committee's questions.

T. Courtoreille, Community Services Department, made a closing presentation and answered the Committee's questions.

The Committee met in private at 10:01 a.m. pursuant to Section 20 of the Freedom of Information and Protection of Privacy Act.

The Committee met in public at 10:03 a.m.

Moved B. Anderson:

<p>The Committee upholds the order. You are therefore ordered to remove all wood, metal, plastic, pipe, mattresses, furniture, buckets, loose litter and debris and other assorted materials from the entire property and take any actions or remove any other items that are contributing to the unsightly condition of the property.</p>	<p>Community Services Dept. Due Date: May 6, 2014</p>
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In Favour:

T. Caterina, B. Anderson, M. Oshry

Carried

4. ADJOURNMENT

The meeting adjourned at 10:05 am.

Chair

City Clerk