

- This is my home in Parkdale.
- I have lived and invested in this property for 30 years.
- My covered veranda provides me great joy year-round.

FEATURED LISTINGS



Commercial
11411 88 Street
Edmonton

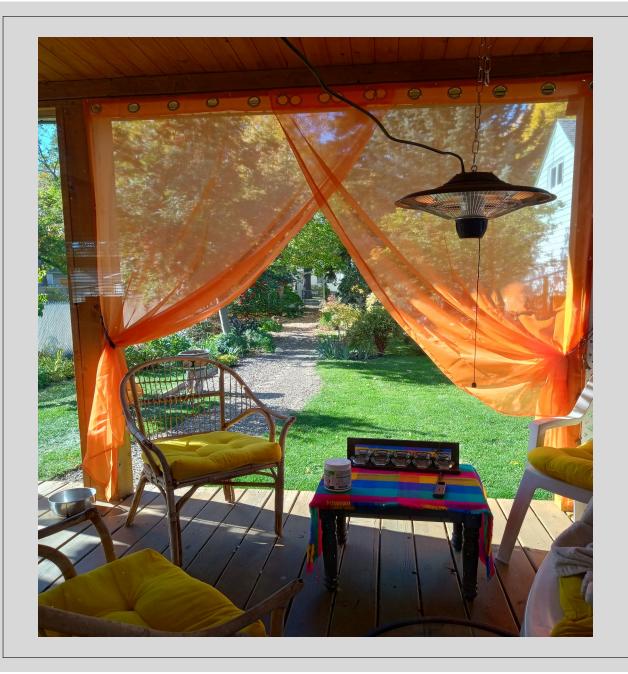
\$1,589,900

0 bed | **0** bath | sqft | 24 days

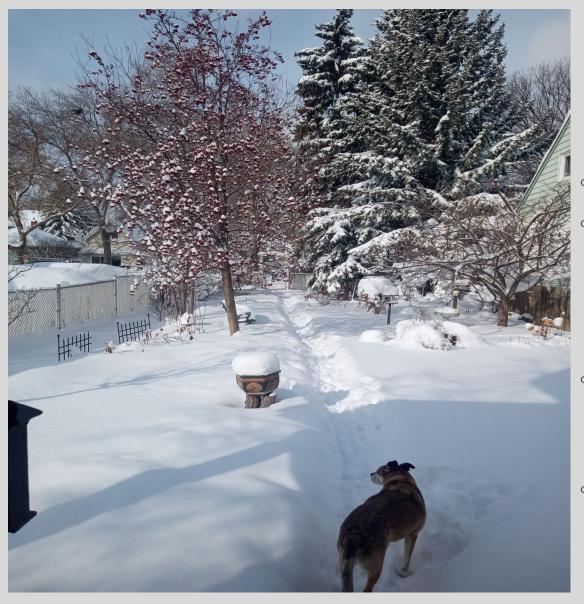
- Construction planned to be built along the majority of the length of my southern property line. "The architectural appeal of a glorified toolshed."
- Six-plex (three raised basement suites, three two-storey above ground suites).
- A **rental**/revenue/investment property.
- Equivalent to three to four storeys in height (34').
- All within Bylaw.

- This is my garden.
- Infill will run 105 feet deep into the lot,
 i.e., the full length of my landscaped garden, past my covered veranda, plus the majority of the length of my living room with its south-facing windows.
- Development will run/affect 100% of the length of my garden.
- A standard SFD or side-by-side duplex would only impact 32%.
- A <u>+3</u>m strip along my southern property line will be forced into permanent shadow year-round.





- October 2024 (afternoon).
- Shadow study indicates that between September 21 and March 21, almost all of my front yard will be in shadow from 10 a.m. to 3 pm. It worsens as the day wanes.
- The area in front of my veranda will be in shadow throughout the entire day.
- My enjoyment of property is being taken from me.



- March 2025 (early morning).
- Shadow study indicates that between September 21 and March 21, almost all of my front yard will be in shadow from 10 a.m. to 3 pm. It worsens as the day wanes.
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- Studies in Shanghai and New Zealand have now quantified the dollar value of sunlight in relation to property values.
- Science has quantified the health benefits of sunlight.
- Our mature neighborhood gardens and landscaping rely on sunlight.
- Our northern climate quality-of-life relies on sunlight.

 Infill which deprives an adjacent property of its natural sunlight is causing deliberate qualitative AND quantitative property damage.

 My property and personal net worth are being devalued.

- Research has confirmed that each rental unit addition lowers existing home values.
- Rental property densification has a greater drag on property values than the addition of a homeless shelter or funeral home.

- Since Zoning Bylaw 20001 came into effect in January 2024, Parkdale has seen 9 revenue properties approved, and 0 single family dwellings.
- This is irresponsible and uncontrolled development leading to "slum creation."
- This equates to deliberate quantitative and qualitative property damage.
- My property and personal net worth are being devalued.

The Enjoyment of Property

 The Alberta Bill of Rights and the Canadian Bill of Rights both guarantee human beings (but not developers or corporations) the right to the "enjoyment of property."

Supreme Court defines it as:

- Pure air
- Pure water
- Light
- The right to enjoy one's property
- The right to deal with one's property as one sees fit
- Personal comfort in one's property
- The value of one's property
- Quiet
- Convenience
- "Property and all or any part of what is implied therein."

Due Process

 We are not to be deprived our citizen right to the "enjoyment of property" save for "due process."

- Due process is defined as:
 - "The principle that the government must respect all of the **legal rights** a person is entitled to under the law."
 - This includes our civil, property, and human rights.
 - This includes our right to the enjoyment of property.

A Fair Hearing

- Our current legislated process to appeal a development is:
 - file a Notice of Appeal (with possibly only days' notice);
 - subsequently provide a written argument and evidence; and
 - attend a "hearing" with the Subdivision & Development Appeal Board (SDAB).
- The Appeal Board's Code of Ethics requires them to provide a "fair hearing."

- A fair hearing requires that:
 - Two sides to an issue must be given heed, consideration, evaluation, and analysis before a decision is rendered that affects both parties.

 The Board's Code of Ethics also requires an unbiased application of the Laws of Alberta.

- This would include:
 - the Alberta Bill of Rights.
 - our personal citizen guarantee that our enjoyment of property is not removed without due process.

 The Municipal Government Act requires the SDAB to approve any infill development that falls within the current parameters of Zoning Bylaw 20001.

- For a Permitted Use, No-Variance development this means:
 - Adjacent property owners have no right of appeal, despite obvious property damage being inflicted on them.
 - The Board is contravening their own Code of Ethics.
 - Our property rights are being removed, including without due process.
 - We are then **forced** to apply to the Court of Appeal. \$\$. No new evidence is allowed!

The Supreme Court is clear.

 It is prima facie, competent to any man to enjoy and deal with his own property as he chooses. He must, however, so enjoy and use it as not to affect injuriously the rights of others.

Reid v Linnell, 1923.

The Supreme Court is clear.

- The law calls for prudent, reasonable, and logical conduct.
- When damage can be readily foreseen....

- Steps must be taken NOT to cause damage or to injure the rights of a neighbour.
- If damage is done, there is clear financial liability for damages.

• Who is going to pay? The taxpayers?

Zoning Bylaw 20001 is violating our civil, property, and human rights.

- Our right to be equal before and under the law (a civil right).
- The right to enjoyment of property (a civil or property right).
- The right to equal protection and benefit of the law (a human right).
- The right to due process (a human right).
- The right to life, liberty and security of person (a human right.
- (And for some, the right to compensation.)

- Our rights are silenced, while infill developers benefit and profit.
- Our enjoyment of property is being removed.
- Our rights are not protected, while infill is now the Wild West.
- We are denied due process unless \$\$\$.
- Many of us are being traumatized by our own government.
- People are owed compensation.

Fighting to preserve my home and net worth is not how I envisioned my senior years.