



APEGA
APPEAL BOARD
DECISION WITH RESPECT TO
APPEAL COSTS AND PUBLICATION

May 12, 2026

Case: 23-011-FH

IN THE MATTER OF the *Engineering and Geoscience Professions Act*

and

THE APPEAL by Stantec Consulting Ltd. (“Stantec”), from the decisions of the APEGA Discipline Committee (“DC”) regarding the conduct of Stantec.

OVERVIEW

- [1] On October 24, 2025, the Appeal Board, of the Association of Professional Engineers and Geoscientists of Alberta (the “Appeal Board” of “APEGA”) heard an appeal from decisions in which the DC found that Stantec had engaged in unprofessional conduct and the DC ordered sanctions.
- [2] On December 8, 2025, the Appeal Board issued a decision confirmed the DC’s decisions in their entirety and dismissing the appeal (the “Appeal Decision”).
- [3] The Appeal Board invited the Investigative Committee (“IC”) and Stantec to provide submissions on costs arising from the appeal proceedings and on publication of the Appeal Decision. The IC provided submissions on January 9, 2026, and Stantec provided response submissions on February 6, 2026. The IC provided reply submissions, but later withdrew them.
- [4] The Appeal Board has considered the parties' submissions and has decided as follows:

- [a] The Appeal Board orders that Stantec will pay \$11,500 in costs of this appeal within 12 months from the date of this decision.
- [b] The Appeal Board directs publication of the Appeal Decision, identifying Stantec by name.
- [5] The reasons for this decision are set out below.

COSTS

Relevant Legislative and Regulatory Provisions on Costs

- [6] Section 69(4) of the *Engineering and Geoscience Professions Act*, RSA 2000, c E-11 (the “Act”), provides the Appeal Board with authority to order the investigated person to pay all or part of the costs of an appeal in accordance with the applicable bylaws.
- [7] Section 36 of the *Engineering and Geoscience Professions Act* Bylaws (the “Bylaws”) lists the costs and expenses that may be included in a costs order.

Position of the Investigative Committee on Costs

- [8] The IC takes the position that Stantec should be required to pay \$11,500 in costs associated with the appeal hearing. The IC has provided an overview of the Alberta Court of Appeal’s decision in *Charkhandeh v College of Dental Surgeons of Alberta*, 2025 ABCA 258 (“*Charkhandeh*”), and suggests the following should be taken into account in determining the costs order for this appeal:
- Stantec was completely unsuccessful in its appeal and the DC decision was upheld in its entirety.
 - The length and extent of hearing was reasonable, and the parties participated in an efficient and orderly manner, which are neutral factors.
 - The hearing costs were reasonable and necessary. The IC has provided a breakdown of the hours of work required by IC legal counsel to conduct this hearing. A reduced hourly rate of \$500 per hour was used to arrive at a total of \$23,000 for IC legal counsel fees only.
 - Stantec was entitled to exercise its right of appeal, but the profession as a whole should not bear the entire cost of Stantec’s choice to appeal.
- [9] Considering these factors, the IC submits that a costs order for Stantec to pay 50% of the \$23,000 sum would be appropriate and proportionate in this appeal.

Position of Stantec on Costs

- [10] Stantec agrees with the IC’s position on costs and that the proposed costs order is reasonable and proportionate in this instance.

Appeal Board Analysis and Decision on Costs

- [11] The Appeal Board has the authority to order Stantec to pay partial or full costs of this appeal pursuant to Section 69(4) of the Act and Section 36 of the Bylaws. The factors noted by the IC reflect guidance from the Court in *Charkhandeh* for self-regulating professions in determining costs of disciplinary proceedings.
- [12] Considering the submissions and agreement of the parties and the above-referenced factors, there is no reason for the Appeal Board's costs order to depart from the agreed-upon amount. The Appeal Board finds that a costs order of \$11,500, equivalent to 50 per cent of the reduced IC legal counsel costs associated with the appeal hearing, is appropriate and proportionate in this instance. Though Stantec was entirely unsuccessful in its appeal, it participated in an orderly and professional manner, which contributed to an efficient hearing process.
- [13] The parties did not provide submissions regarding the length of time for payment but, for completeness, a deadline is appropriate. The Appeal Board orders payment within 12 months of this decision.

PUBLICATION

Relevant Legislative and Regulatory Provisions on Publication

- [14] Section 77 of the Act provides the Appeal Board with authority, after making a finding or order, to publish the name of the investigated person in accordance with the regulations.
- [15] Section 46 of the regulations states: "...the Appeal Board may direct that reports of disciplinary investigations be published."

Position of Investigative Committee on Publication

- [16] The IC notes that the Appeal Board upheld the DC's decisions entirely, including the sanctions decision in which the DC observed that:
- [a] publication of decision with names was appropriate to maintain transparency and public confidence in the profession
 - [b] APEGA's standard practice is to publish disciplinary decisions with names unless there are compelling reasons to deviate from that practice
 - [c] civil litigation between the parties could take years to resolve and delaying publication because of such ongoing litigation would not be justified
- [17] Additionally, the IC remarks that the primary means for a regulatory body like APEGA to demonstrate that it is fulfilling its public protection mandate is to publish reports of disciplinary outcomes.

Publication also fulfils the goals of transparency and promoting public confidence in APEGA's ability to achieve its mandate. These goals should not be displaced by permit holders' subjective concerns.

Position of Stantec on Publication

- [18] Stantec's position is that publication is unnecessary. Also, as it has commenced an appeal of the Appeal Decision to the Court of Appeal, Stantec asserts that it would be unduly punitive to publish the Appeal Decision without redaction.
- [19] Stantec argues that the publication of Appeal Decision does nothing to further the objective of protection of the public. The events underlying these disciplinary proceedings is a "one-off" and it does not represent systemic concerns or potential harm to the public. Stantec also states there is no compelling reason to bring public attention to the involvement of a former, now-retired Stantec engineer in this matter.
- [20] Finally, Stantec argues that Section 77 uses permissive language, not mandatory language, and urges the Appeal Board to use its discretion to postpone publication until the Court of Appeal proceedings are concluded, or at least to publish an anonymized version of the Appeal Decision.

Appeal Board Analysis and Decision on Publication

- [21] The Appeal Board agrees with the reasons cited by the IC for publication of the Appeal Decision with Stantec named. There is no compelling reason put forward by Stantec not to publish or to publish an anonymized version of the Appeal Decision. The Appeal Board has considered Stantec's long history and the context of the specific circumstances underlying this appeal. However, publication aligns with APEGA's established practice and promotes the goals of transparency and public interest.
- [22] The fact that the former Stantec engineer is no longer practicing has no bearing on the conduct of Stantec that is at issue in these proceedings. Notably, the Appeal Decision only refers to that engineer by their initials.
- [23] As was determined with respect to the ongoing civil litigation considered by the DC in its publication decision, Stantec has not established that the Court of Appeal proceedings justify delay in publishing the Appeal Decision.
- [24] Accordingly, the Appeal Board directs the publication of the Appeal Decision in a manner that identifies Stantec.

Dated this 12th day of May, 2026

On behalf of the Hearing Panel of the APEGA Appeal Board

Christina Clark
Signed with ConsignO Cloud (2026/05/12)
Verify with verifio.com or Adobe Reader.



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Chair, Appeal Board Panel

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