

ALBERTA PUBLIC LANDS APPEAL BOARD

20-0028

2021 ABPLAB 17

Appellant – Linda McKenna, **Operators** – Linda and Charles McKenna, **Location** – Fort McMurray, **Type of Appeal** – Discontinuance August 11, 2021

A Notice of Appeal was received on March 21, 2021 from Linda McKenna in relation to the March 2, 2021 decision of the Director, Compliance, Boreal North Region, Regulatory Assurance, Alberta Environment and Parks, to issue Enforcement Order No. EO-PLA-32219 to Linda and Charles McKenna for contravening section 20 of the *Public Lands Act* by occupying public land located at SW22-86-8-W4M in Fort McMurray, without authorization.

In consultation with the parties, a mediation meeting was held on June 16, 2021 by videoconference. The mediation was unsuccessful.

On June 16, 2021, the Appellant requested a stay of the Order. In its letter of June 23, 2021, the Board requested the Appellant provide answers to the following questions in relation to the stay request:

1. What are the serious concerns of the Appellant that should be heard by the Board?
2. Would the Appellant suffer irreparable harm if the stay is refused?
3. Would the Appellant suffer greater harm if the stay was refused pending a decision of the Board on the appeal, than the harm that could occur from the granting of a stay?
4. Would the overall public interest warrant a stay?

Submissions were received and on August 5, 2021, the Board issued a Decision granting the stay of the Order.

Cite: *Stay Decision: McKenna v. Director, Compliance, Boreal North Region, Regulatory Assurance Division, Alberta Environment and Parks* (5 August 2021), Appeal No. 20-0028-ID1 (A.P.L.A.B.), 2021 ABPLAB 16

On July 9, 2021, the Board provided the procedures for the hearing and requested the parties provide their schedules for a hearing by videoconference.

On August 11, 2021, the Board acknowledged an email dated the same day from the Appellant withdrawing the appeal as a result of an agreement struck between the Appellant and the Director.

Based upon the withdrawal of the appeal and the Board's satisfaction that all issues related to the appeal had been resolved, the Board discontinued its proceedings and closed its files on August 11, 2021.

Cite: *McKenna v. Director, Director, Compliance, Boreal North Region, Regulatory Assurance Division, Alberta Environment and Parks* (11 August 2021), Appeal No. 20-0028 (A.P.L.A.B.), 2021 ABPLAB 17