Consideration of Open Space Disposal
Lot 12, Canavan Drive, Lakelands
PID 45132016

Public Hearing

October 2026

EAST HANTS

Background

- In accordance with Motion C26(160), staff have been authorized to initiate the open space disposal process for PID 45132016, Lot 12, Canavan Drive, Lakelands (the “Subject Property”).
- The Subject Property was acquired by the Municipality in 1987.
- It is approximately 0.45 acre and zoned Lakeland Residential (LR) Zone. Surrounding lands are also LR Zone.
- The Subject Property is assessed at $145,000 (2026 Residential Exempt).



Background

- It is considered open space in regards to how it was acquired and how it is to be disposed of; in compliance with the Municipal Government Act (“MGA”) and the Municipal Planning Strategy (“MPS”). The deed contained a covenant requiring the Municipality to provide public lake access, subject to mutual consent to release the restriction; the restriction was released in 2025.



Background

- Based on previous discussions, there is no identified current or future municipal need for this property. The property has been recommended to be declared surplus for disposal.

- Note: Policy direction in section 5.3 of the *Parks, Open Space and Active Transportation Master Plan* recommends that parks be located appropriately on public roads. Canavan Drive is a private road.

- The property is considered an existing undersized lot, and can be developed for residential purposes. A potential purchaser would need to comply with minimum setbacks and require approval for a septic system. Any future disposal should be considered "as-is", with any potential purchaser responsible for conducting their own due diligence.

- An unsolicited offer to purchase the property was received in January 2024, and posted to Correspondence for Decision. In February 2024, Motion C24(35) indicated that the unsolicited offer to purchase would be considered as part of the larger surplus property review.

Background

- The Municipality's authority to dispose of property is governed by the Municipal Government Act ("MGA"), further supported by Council's Disposal of Surplus Property Policy (the "Policy") and the *Municipal Planning Strategy* ("MPS").

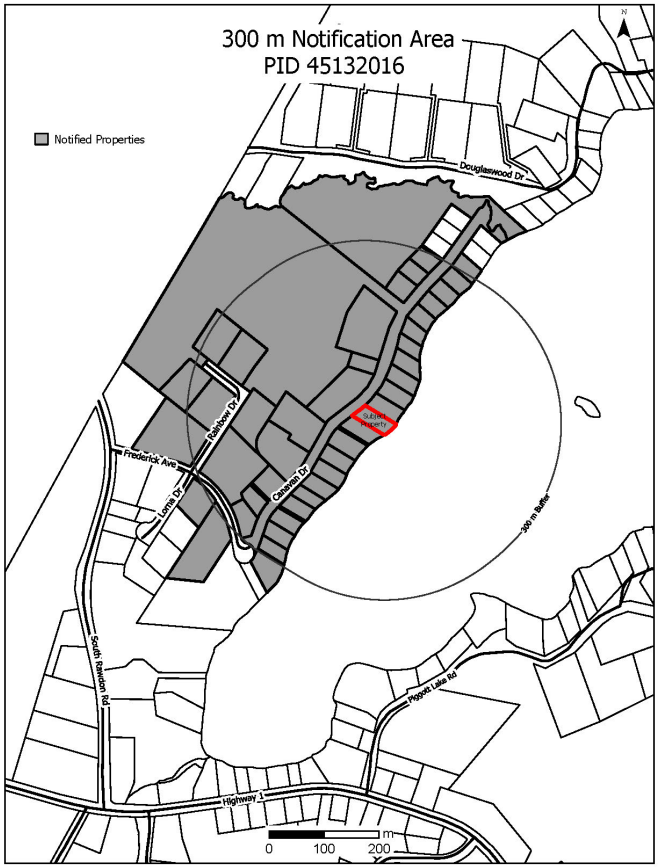
- Section 273(13) of the MGA states: *"Where council determines that any land transferred pursuant to this Section might no longer be needed for parks, playgrounds or similar public purposes, the council may sell the land, after notifying the owners of lots in the subdivision with respect to which the land was conveyed to the municipality, by notice published in a newspaper circulating in the municipality or posted on the municipality's website at least fourteen days prior to the Council meeting at which a decision to sell will be made, and the proceeds shall be used for parks, playgrounds and similar public purposes.*

- In addition, Policy CE22(b) of the MPS sates: *"Council shall mail to all property owners within 300m of the proposed open space parcel to be disposed of, a letter outlining the date, time, and location of the meeting where Council is expected to vote on the disposal of the open space parcel, the letter shall include the time, date, and location of the meeting and where further information can be obtained."*

- In compliance with above requirements, the first notice appeared in the Chronicle Herald on October 13th and the second notice appeared on October 21st.

Conclusion

- Staff have complied with the MGA, MPS, and Council Policy for the disposal of open space property.
- Notification of the surplus disposal was conducted by way of newspaper notification, website notice, social media, and a letter to property owners within 300 m of the subject property.
- Should the public hearing be successful, staff would return to a future meeting of Council to set the disposal method, minimum purchase price, etc.
- If Council were to select a method of disposal that results in disposal below market value, and additional public hearing would be required to satisfy Section 51 of the MGA.



Recommendation

Recommend that Council approve the open space disposal of the Subject Property, and declare it surplus for disposal, with disposal method and minimum purchase price to be set through a future staff report.

Recommended Motion

Council:

- ***declare the open space disposal process for Lot 12, Canavan Drive, Lakelands, PID 45132016 satisfied; and***
- ***declare Lot 12, Canavan Drive, Lakelands, PID 45132016 surplus to municipal needs, with the method of disposal and minimum purchase price to be determined by Council at a future meeting. All proceeds from the sale of PID 45132016 shall be added to open space funds for the Mount Uniacke/ Lakelands area.***