

## **VACANT LAND CONSIDERATIONS**

The information below is provided for informational purposes only and does not necessarily cover all issues arising in relation to the purchase of vacant land for residential purposes.

Anyone purchasing vacant land for residential purposes in Nova Scotia should consider the following:

### **Zoning & Permits**

Are you able to build what you intend to build on the property? If there is a concern regarding zoning consider whether a zoning certificate is necessary. Your lawyer can assist you in ordering this certificate but it can take several weeks to arrive. There is a municipal fee charged (which varies by municipality) to issue zoning confirmation. Please note that in most cases this service will cost extra. You should consult with your lawyer as to the costs associated with ordering a zoning certificate.

Will you be able to obtain a building permit for the structure(s) you intend to build? You should check with the appropriate municipality to confirm this before your condition date expires.

### **Physical Inspection of the Property**

Be sure to actually walk the property before you make your offer to purchase. Your lawyer will not travel to the property so it is important that you have viewed the property in person. A physical inspection of the property can reveal evidence of things like past contamination, buildings/structures that have been partially torn down, garbage remaining on the property etc.

### **Utilities**

Can all necessary utilities be installed at a reasonable cost? For example, do you need to have NS Power run electricity to the Property? Are any power easements required? If so, will the necessary landowners sign off on power easements required by NS Power?

### **Driveways**

Is the current access to the property properly permitted? Check with the relevant Municipality or the Nova Scotia Department of Transportation and Infrastructure Renewal (depending on who owns the roadway). If there is no current driveway – confirm with the Municipality or NS Department of Transportation and Infrastructure Renewal that the driveway can be installed in the location you want and at a reasonable cost.

### **Wetlands & Water Courses**

These can severely limit any development opportunities. For more information see the link below:

<https://novascotia.ca/nse/wetland/wetland.alteration.asp>

## **Existing Restrictions on the Property**

Get your lawyer to provide you with information on any easements and restrictive covenants that are registered on title to the Property. Make sure any easements or restrictive covenants do not conflict with your intended use. Examples include (but are not limited to):

- (a) A right of way that is located in an area that you intend to build a structure or install a septic system; or
- (b) A restrictive covenant that precludes you from putting a mobile or mini-home on the property.

## **Water and Sewer**

Will the property be connected to municipal services? Have you verified with the Municipality that you will be able to connect to water and/or sewer, and if so, what additional fees will be charged in order to complete the necessary connections?

For well water – are you able to drill a well at a cost that is reasonable? Are you aware of any neighbors having problems with getting the quality and quantity of water needed for similar property uses (i.e. single family residential use)? Is it likely that water filtration systems will need to be purchased to make drinking water potable?

Is there is an existing well on the property – if so, is the Seller able to provide you with a well driller's certificate confirming the flow rate? Is it possible to test the water quality prior to your condition date expiring? Has the Seller filled out a property condition disclosure statement confirming their knowledge of any water issues?

Will the slope of the land affect where you can locate your well or your septic system?

A resource relating to wells can be found at:

<https://www.novascotia.ca/nse/water/docs/constructwell.pdf>

A resource relating to on-site septic systems can be found at:

<https://novascotia.ca/nse/wastewater/on.site.sewage.disposal.asp>

## **Coastal Properties**

Before purchasing vacant land located in proximity to the coastline – consider the many potential issues that can arise with ownership of a coastal property including but not limited to erosion, rising sea levels, storms/flooding, sea ice, salt-water contamination/intrusion into freshwater wells, municipal building regulations/restrictions, insurance availability and cost etc.

Additional helpful information on considerations regarding coastal properties can be found at:

<https://novascotia.ca/coastal-climate-change/docs/safeguarding-coastal-property.pdf>