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**MUNICIPAL LANDS
Acquisition, Management and Disposition**

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What's New in this Update

This release features updates to the case law and commentary in Chapter 2 (Acquisition of Municipal Lands), Chapter 3 (Municipal Procurement), and Chapter 4 (Management of Municipal Lands).

Highlights

**Acquisition of Municipal Lands — Acquisition Through Development Process —
Draft Plan of Subdivision Approval — Public Highways and Widening**

The Ontario Court of Appeal held that there was ample reason to support the factual findings of the application judge and no basis to overturn the decision: *Di Battista Gambin Developments Limited v. Brampton (City)*, 2018 ONCA 457, 2018 CarswellOnt 7599 (Ont. C.A.).

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**Management of Municipal Lands — Use and Licensing of Non-Highway Lands —
Public Transit Property**

The Court of Appeal dismissed the appeal from a lower court decision which had refused to grant an application by an anti-abortion organization for judicial review. In doing so, the Court found that the findings of the trial judge, that the advertisement in question was likely to cause harm to women or children who viewed the advertisement, were reasonable. Further, the Court agreed that the advertisement in question was deliberately provocative (something even the applicant acknowledged) and that there was no blanket restriction on the organization's freedom of expression. The application related to a particular ad and the organization was free to purchase advertising space from the agency which did not have the same issues as the advertisement which was the subject of the application: *Canadian Centre for Bio-Ethical Reform v. Grande Prairie (City)*, 2018 ABCA 154, 2018 CarswellAlta 851 (Alta. C.A.).