

LAND-LEASE COMMUNITIES

Supplemental Guide
to By-Law L-500

September 2023



HALIFAX

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Introduction

The ***Land-lease Communities By-law*** applies to all land-lease communities in Halifax Regional Municipality (HRM). This new by-law replaces the licensing and infrastructure requirements of the *Halifax County Mobile Home Park By-law (By-law 29)*, the *City of Dartmouth Mobile Homes and Mobile Home Parks By-law (By-law M-200)*, and the *City of Halifax Mobile Home Park Ordinance (Ordinance 143)*.

The *Land-lease Communities By-law* (“the by-law”) regulates two major processes:

1. The business operations associated with running land-lease communities. This new regulation requires the owner or operator of any land-lease community to obtain an annual operating license and lists the minimum service delivery standards that must be provided by the community operator to the residents.
2. The minimum construction standards for new land-lease communities, expansions of existing land-lease communities, or the replacement of infrastructure within a land-lease community.

The by-law regulates *how* land-lease communities (LLCs) operate. The Municipality’s land use by-laws and municipal planning strategies will continue to regulate *where* LLCs can be constructed or expanded.

The Halifax County and City of Dartmouth Mobile Home Park By-laws regulate the placement of individual homes and the construction of accessory buildings within LLCs.

The intent of this document is to provide Community Operators and other LLC stakeholders with a "quick reference" guide to the by-law. It is important to note that the by-law should be consulted for specific questions about the requirements. In the event of a contradiction between this guide and the by-law, the text of the by-law prevails. The *Land-lease Communities By-law* is included at the end of this guide.

What is an LLC?

The Land-lease Community By-Law (By-law L-500) defines a land-lease community as:

"...any lot, piece or parcel of land upon which three (3) or more occupied manufactured homes are located, and where the owner of the manufactured home leases the land upon which the manufactured home is placed, and includes any building, structure or enclosure used or intended for use as part of the equipment of such land-lease community."



For more definitions, please refer to Section 2, "Definitions" in the *Land-lease Community By-Law*.

Roles & Responsibilities

The LLC by-law refers to various stakeholders involved in the LLC permitting process. The following pages briefly explain the roles and responsibilities of these stakeholders.

Community Operator

Community Operator is used to refer to a person or company that owns or operates an LLC. The responsibilities of the Community Operator include:

- Ensuring the services provided to residents of the LLC meet the minimum requirements of the by-law.
- Carrying out infrastructure maintenance or upgrades as required.
- Applying for an operating license annually and providing all documentation required to confirm that the community complies with the by-law.
- Maintaining documentation of inspections and testing and making it available to residents as required by this by-law.

License Administrator

The **License Administrator** is the municipal employee responsible for issuing, renewing, or revoking operating licenses for an LLC. The License Administrator confirms that LLCs are meeting the minimum operating standards of the by-law.

The License Administrator responds to complaints about LLCs that do not meet the minimum operating standards of

the by-law. They can take action to enforce the by-law if issues are not resolved by the Community Operator.

Permit Administrator

The **Permit Administrator** is the municipal employee responsible for issuing land-lease community permits and reviewing phasing plans for new LLCs.

The Permit Administrator confirms that minimum construction standards of the by-law are being met when LLCs are created or expanded, or when infrastructure is repaired or upgraded within these communities. The **Development Officers** of HRM have been designated as Permit Administrators for the LLC by-law.

Residents

Residents of the land-lease community are responsible for the upkeep of their home. While the land-lease communities by-law does not regulate individual homes or the activities of residents, they are subject to *Dangerous and Unsightly Properties* legislation.

Where a complaint is made about a dangerous or unsightly property in an LLC, a notice will be sent to both the owner of the dwelling as well as the property owner (the Community Operator). However, it is the homeowner's responsibility to resolve the issue if it involves the state of the dwelling.

Appeals Committee

The **Appeals Committee** is a Committee of Council that hears appeals of decisions made by municipal staff, where enabled by regulations. Under the by-law, the following decisions can be appealed:

- A decision of the License Administrator to refuse or revoke an operating license.
- A decision of the Permit Administrator to refuse or revoke a land-lease community permit.



Appeals must be filed within 14 business days of written notice of the decision. For information on how to file an appeal, visit the Appeals Standing Committee webpage at halifax.ca.

Drinking Water

Some land-lease communities in the municipality are serviced by central water provided by Halifax Water, while others draw water from waterbodies or wells. Regardless of the source, water distribution systems within LLCs are privately owned and maintained by the Community Operator.

Communities that are not connected to central water are typically required to register as a Public Drinking Water Supply with Nova Scotia Environment and Climate Change (NSECC). Confirmation of registration is required to obtain an annual operating license, where applicable.

Water Testing

All LLCs, regardless of the water source, are required to test the drinking water that is being provided to residents.

Prior to making your first operating license application, you are required to test for microbiological contamination and chemical/physical properties. After your operating license is issued, you are required to continue to test drinking water at regular intervals to ensure continued safety and quality of the water supply. Testing requirements and timelines are contained in “Schedule C” of the by-law.

The by-law requires water samples to be taken near the end of the water distribution system to ensure that problems anywhere in the distribution system will be detected. If your community has several independent distribution systems, separate water testing will be required for each system. Water samples can be taken from the tap of a home, a fire

hydrant, or from another connection, provided that the source is near the end of the distribution system.

Building plumbing can introduce contamination into water, so if sampling from the tap of a home, care should be taken to ensure that it has modern plumbing. If there are concerns about contamination being introduced from building plumbing, multiple samples can be taken from different locations to confirm that results are accurate.

You must submit water testing results from the previous year when renewing your operating license. This is to confirm that water has been tested at the required intervals and is within the acceptable standards.

There are several private labs that offer drinking water testing, as do many Nova Scotia Health Authority facilities. Listings of water testing facilities are available here:

<https://novascotia.ca/nse/water/waterlabs.asp>

<https://www.nshealth.ca/water-testing>

The lab can provide information on proper procedures for sample collection and storage. Information on proper water sample collection procedures can also be found in the *Guidelines for Monitoring Public Drinking Water Supplies*, published by NSECC.

Interpretation of Test Results

Once water testing results have been received, NSECC has an interactive interpretation tool for drinking water test results called “The Drop on Water”. This interactive tool allows you to enter the results from your water sample test and see if any

of the testing parameters exceed *Canadian Drinking Water Quality Guidelines*.

If the results are not within the required range, the tool will provide a link to a factsheet that will explain the water quality issue and give recommendations for water treatment.

Disclosure to Residents

If testing results meet the *Canadian Drinking Water Quality Guidelines*, results must be made available to all residents within 72 hours of being received by the Community Operator. The purpose of this disclosure is to ensure that residents have confidence in the safety and quality of their drinking water.

Because water testing results are a technical document, it is recommended that the test results are accompanied by a cover letter that explains why the results are being provided and that the test results are within the *Guidelines for Canadian Drinking Water*.

If water testing results do not meet the *Canadian Drinking Water Quality Guidelines*, residents must be notified **immediately**. A cover letter is recommended to inform residents of why they are being notified and what testing parameter has not been met.

Information from The Drop on Water interpretation tool can be used to advise residents of any precautions that must be taken when using or consuming water (or if using or consuming water should be avoided completely).

The by-law does not specify how drinking water test results must be distributed to residents. This is to provide flexibility

for Community Operators to determine how best to distribute information to residents.

If the community operator maintains an up-to-date email list for residents, it can be used to distribute results and information. If not, information can be sent by regular mail or hand delivered. Because it is crucial that each resident is notified, a combination of delivery methods may be necessary.



If a water test result does not meet the guidelines and residents must be informed immediately, notifications **cannot** be sent by **regular mail**. Instead, they **must** be sent by **email** or **hand delivered**.

Water Pressure

Water service must be provided to all manufactured home spaces in an LLC with a minimum pressure of 276 kPa (40 Psi).

Notice of Water Service Interruption

When routine maintenance is performed on the water distribution system, Community Operators are required to give residents a minimum of 24-hours written notice prior to any planned water interruption.

Water interruptions due to emergency maintenance work, such as a water main break, are exempt from the notification requirements. In the event of an unexpected water service interruption, the Community Operator should provide updates to affected residents as the situation allows.

Any work to the water, sewer, or stormwater systems in an LLC requires a Land-lease Community Permit. All infrastructure must be constructed to the *Halifax Water Design Specifications for Water, Wastewater and Stormwater Systems*, regardless of whether the community is connected to the Halifax Water system or not.

Water Meters

The installation of water meters on homes connected to a private water distribution system, or sub-metering, is not regulated by the by-law. The by-law regulates the minimum standard to which underground infrastructure must be constructed and maintained, as well as the requirements for adequate water service that is to be provided to all homes within the community.

Whether the payment for water service is included in lot rent or charged separately is a tenancy issue between the landlord and the resident. The Nova Scotia Residential Tenancies Program has rules regarding water meters.



Additional Resources

The Drop on Water (NSECC)

<https://novascotia.ca/nse/water/thedroponwater.asp>

Guidelines for Monitoring Public Drinking Water Supplies (NSECC)

https://novascotia.ca/nse/water/docs/Monitoring_Public_Water_Guidelines_Registered.pdf

Canadian Drinking Water Guidelines (Health Canada)

<https://www.canada.ca/en/health-canada/services/environmental-workplace-health/water-quality/drinking-water/canadian-drinking-water-guidelines.html>

Information on Discoloured Water (Halifax Water)

<https://www.halifaxwater.ca/discoloured-water>

Design Specifications for Water, Wastewater and Stormwater Systems (Halifax Water)

<https://www.halifaxwater.ca/halifax-water-specifications-forms>

Sanitary Sewer & Stormwater

Sanitary Sewer Services

Land-lease communities must provide and maintain adequate systems for collecting and managing sewage from manufactured home spaces. Requirements for sanitary sewer services depend on the type of infrastructure that the land-lease community is serviced by.

- **Private sewage treatment plants** or **on-site septic systems** require approval from NSECC to construct and operate.
- Communities connected to **central sewer** require no special ongoing approvals but must continue to meet Halifax Water regulations.

Requirements for the private sewage collection system within the community are the same regardless of how sewage is treated and disposed of.

Stormwater Services

Stormwater management infrastructure must be installed and maintained to prevent flooding or harm to the environment or public safety. Stormwater infrastructure may include storm drains and storm sewers, Ditches, stormwater ponds, swales, Culverts, curb and gutter, or other infrastructure which controls the flow of water in a community. This infrastructure must be maintained in good condition and must be capable of directing water away from streets, walkways, recreation spaces, and manufactured home spaces without causing flooding of these areas.

Streets, Signage & Parking

Land-lease community streets are privately owned and maintained by the Community Operator. Streets and walkways must be maintained and free from potholes, distortions, washboarding, soft areas, loss of gravel surface, flat or reverse crown, or other surface or drainage issues.

Winter Maintenance

Streets must be kept free of snow and ice. After the end of a snowfall event, streets must be cleared of snow within 24 hours. Large deposits of snow that have been cleared from streets, such as at the end of a T-intersection, must not be placed onto manufactured home spaces, against manufactured homes, or in recreation spaces.

The Community Operator is not responsible for clearing individual driveways on manufactured home spaces, nor is the Community Operator responsible for clearing snowbanks in front of driveways that accumulate due to street clearing.

The Community Operator shall apply salt, sand, brine, or other materials required to keep community streets clear and free of ice.

Driveways

Individual driveways on manufactured home spaces are required to be maintained by the Community Operator. Driveways can be gravel or asphalt but must be maintained in good condition.

Street Signs

Installing and maintaining regulatory signage, such as STOP signs, YIELD signs, playground signage, speed bump warnings, or other signs that regulate the flow of traffic on LLC streets is the responsibility of the Community Operator. All signage must be kept in good condition to ensure that the reflective quality does not deteriorate.

STOP signs must be placed at the intersection of all streets within the LLC. If speed bumps are installed, appropriate warning signs must be installed.

Street sign blades are the responsibility of [HRM Civic Addressing](#). Any missing or damaged street sign blades must be reported to HRM Civic Addressing or 311 so that signs can be installed or replaced by the municipality.

Parking Violations

LLC streets are private property. A Peace Officer or Special Constable can issue parking tickets on private property at the request of the private property owner. If a car is parked on a street in an LLC without permission, or it is in violation of the rules of the community, it can be reported to 311. If available, HRM will send a Parking Enforcement Officer to issue a parking ticket.

The towing of vehicles is regulated under the *Motor Vehicle Act*. If a vehicle is parked on private property, it can be towed one hour after a Peace Officer or Special Constable places a ticket on the vehicle. Vehicle towing will be at the property owner's expense.

If an LLC has rules that restrict street parking during snow events, parking tickets and vehicle towing may be an option for allowing street clearing standards to be met.

If parking on LLC streets is an ongoing issue, contracting a private security company to issue parking tickets may be an option. Private security personnel can be appointed as a Special Constable to issue municipal parking violations.

Speeding

Peace Officers do not have authority under the *Motor Vehicle Act* to issue speeding tickets on private property. While Community Operators are encouraged to impose speed limits and post signage, HRM cannot enforce speed limits.

Physical traffic calming measures to reduce speeding, such as the installation of speed bumps, should be considered. A qualified engineer may be consulted to design safe and effective traffic calming measures.

Solid Waste Collection

Provided waste collection vehicles can safely access the privately-owned LLC streets, HRM will collect solid waste in land-lease communities and provide green bins for residents.

Solid waste collection will operate on the same schedule as the surrounding area. Residents can use the free “Halifax Recycles” app, check www.halifax.ca or contact 311 to find the collection schedule for their area.

In communities where municipal waste collection vehicles cannot safely access LLC streets, the Community Operator will be responsible for providing solid waste collection service.

Recreation Spaces

Recreation space means parks, playgrounds, trails, sports fields, or other common space provided by the community operator for the enjoyment of residents. **Recreation infrastructure** means the physical equipment such as playground equipment, benches or sports nets.

Recreation space that was required when the LLC was constructed (by the *Land-lease Communities By-law* or a previous mobile home park by-law) must remain in good condition and cannot be removed.

All recreation spaces are required to have garbage cans, which must be emptied regularly.

Recreation infrastructure must be maintained in good condition and replaced by new equipment of equal or greater value if removed.

Playground equipment must be inspected by a Certified Playground Inspector annually.



Certified Playground Inspectors are certified through the Canadian Playground Safety Institute. Most companies that install playground equipment have certified inspectors on staff.

Streetlighting

Streets in LLCs must be lit in accordance with Transportation Association of Canada (TAC) standards. The required level of streetlighting may depend on the design speed of the road, sight lines, through traffic, or other factors.

In small LLCs with very little traffic or through connections, headlight control may sufficiently meet the standard. A qualified engineer can assess streets and determine the required level of streetlighting.

Land-lease communities that did not have streetlighting in place prior to the adoption of the by-law have 12-months to install streetlighting.

Streetlights must be maintained in working condition. Streetlights can be rented from Nova Scotia Power or purchased and installed outright. For information on streetlight rental and maintenance, please consult Nova Scotia Power.

Operating License Requirements

Community Operators are required to have a valid operating license for **each** land-lease community they operate. An operating license is valid for **one year** from the date of issuance. Community Operators must apply to renew a license **30 days prior** to the expiry date of an existing operating license.

Application Requirements

Every application for an operating license must include supporting documentation to demonstrate that the land-lease community complies with the minimum operating standards of the by-law. Part III of the by-law sets out the minimum standards that must be met. An application for an operating license must include the following information:

Documentation	When Required
Nova Scotia Power Annual Inspection Report	Required if the electrical distribution system is privately owned by the land-lease community. If the electrical distribution system is owned and maintained by Nova Scotia Power, this report is not required.
NSECC Sewage Treatment Plant Operating Approval	Required if the land-lease community is serviced by a private sewage treatment plant. If the community is connected to central sewer, this document is not required.
NSECC Facilities Registration Letter	Required if the land-lease community is required to register as a Public Drinking Water Supply. If the community is

	connected to central water, or the number of service connections is below the threshold that requires registration, this document is not required.
All water testing results from the previous 12 months	Required for all land-lease communities.
Playground Inspection Report	An inspection report prepared by a Certified Playground Inspector within the 12 months prior to the application being made is required for all play structures.
Other documentation	The License Administrator may request any other information that is deemed necessary to demonstrate compliance with Part III of the by-law.

In addition to the above documentation, the License Administrator may request an inspection report if there are known issues with the water, sewer, or stormwater infrastructure in the LLC. Inspection reports must be prepared by a Professional Engineer and are acquired at the applicant’s expense.

The purpose of the inspection report is to document the state of the water distribution system, sanitary sewer system, or stormwater system and provide recommendations for the maintenance, upgrading, or replacement of these systems. The report must include a plan to carry out the recommendations of the Professional Engineer.

After a complete application for an operating license has been reviewed by the License Administrator, the application may be approved, approved with conditions, or refused.

Approval with Conditions

An approval with conditions may be granted by the License Administrator if the land-lease community is not in compliance with the by-law requirements, but:

- The Community Operator has provided an acceptable timeline for when the non-compliance is to be corrected

OR

- The Community Operator is in the process of obtaining an engineer's report on the water, sewer, or stormwater infrastructure, as requested by the License Administrator (and within a reasonable time frame)

AND

- The non-compliance does not represent an immediate danger to the public

Inspections

As part of the review of an operating license application, the License Administrator may require an inspection to be completed by an HRM Compliance Officer to confirm that the land-lease community follows the by-law.

Operating an LLC Without a Valid License

Operating a land-lease community without an operating license is an offence and property owners may be subject to prosecution. Additionally, permits to install a new manufactured home in a land-lease community cannot be issued if a valid operating license is not in effect.

Fees

Fees for operating license applications are set out in Administrative Order 15. Fees are adjusted annually on April 1 in line with the Nova Scotia *All-Item Consumer Price Index*.



Applications for an operating license can be made through our online Permitting, Planning, Licensing and Compliance Portal at www.halifax.ca.

Land-lease Community Permits

Land-lease community permits authorize the construction, replacement, or maintenance of infrastructure within an LLC. This includes streets, recreation infrastructure, water distribution systems, sewage collection systems and stormwater infrastructure, including ditches.

Application Requirements

A Land-lease Community permit must be applied for before new or replacement infrastructure is installed. Engineering drawings may be required depending on the nature of the work being done.

The installation of new or replacement infrastructure may require a Water Permit if the infrastructure is connected to the Halifax Water system.

Emergency Repairs

Emergency repairs to infrastructure, such as work to repair a water main break, may be carried out before a permit is issued. While a permit is still required when emergency repairs are done, applications can be made after the fact as the situation allows.

Permits for emergency repairs do not require any supporting documentation or fees. The purpose of requiring a permit for emergency repairs is to ensure that the municipality has an accurate record of work that has been carried out in the land-lease community.

New or Expanded Communities

If a new LLC is constructed, or an existing community is expanded, it must meet the requirements of Part V of the LLC by-law. This section contains the minimum infrastructure and design standards for land-lease communities.

Before any infrastructure can be constructed, a land-lease community permit must be issued. A permit will be issued once the Permit Administrator is satisfied that the proposed construction meets the requirements of the by-law.

A **Phasing Plan Application** must be submitted if an LLC will be constructed in multiple phases. Phasing Plan Applications are distributed to all relevant municipal and provincial agencies and public utility providers to ensure that the requirements of those agencies are met.

Additional review by outside agencies may not be required at the permit stage if a Phasing Plan has already been approved, and the permit aligns with the approved Phasing Plan.

Fees

Fees for operating license applications are set out in Administrative Order 15. Fees are adjusted annually on April 1 in line with the Nova Scotia *All-Item Consumer Price Index*.

Important Contact Information

Halifax Regional Municipality

For questions about the land-lease community by-law, including operating licenses or permits.

Phone: 311

Email: landlease@halifax.ca

Web: <https://www.halifax.ca/landlease>

Halifax Regional Municipality – Civic Addressing

For questions about civic addressing, street naming, or missing or damaged street sign blades.

Phone: 311

Email: civicadd@halifax.ca

Web: <https://www.halifax.ca/home-property/civic-addressing>

Halifax Water

For questions relating to central water and sewer service or stormwater infrastructure (including ditches) on municipal roads.

Phone: 902-420-9287

Email: customerservice@halifaxwater.ca

Web: <https://www.halifaxwater.ca/contact-us>

24-hour Emergency Response:

Halifax Water provides 24-hour emergency response. To report an emergency relating to water, sewer, or flooding, call

902-420-9287

Nova Scotia Environment and Climate Change

For questions relating to Registered Public Drinking Water Supplies, on-site sewage disposal systems, or private sewage treatment plants.

Phone: 1-800-670-4357

Email: askus@gov.ns.ca

24-hour Emergency Response:

Nova Scotia Environment provides 24-hour emergency response. To report an environmental emergency (oil spill, etc.), call: **1-800-565-1633**

Nova Scotia Public Works

For questions relating to access onto provincial roads and highways, or construction near provincial roads and highways.

Phone: 1-844-696-7737

Email: askus@novascotia.ca

Nova Scotia Residential Tenancies Program

For questions relating to leases and the relationship between the community operator and residents of land-lease communities.

The program is administered by Access Nova Scotia.

Phone: 1-800-670-4357

Email: askus@novascotia.ca

HALIFAX REGIONAL MUNICIPALITY
BYLAW NUMBER L-500 RESPECTING THE CONSTRUCTION AND OPERATION OF
LAND-LEASE COMMUNITIES

BE IT ENACTED by the Council of the Halifax Regional Municipality under the authority of Section 188 of the Halifax Regional Municipality Charter as follows:

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Short title

1. This By-law shall be known as By-law L-500 and may be cited as the “Land-lease Communities By-law”.

Definitions

2. In this By-law:
 - (a) “Appeals Committee” means the Committee as established by By-law A-100, the *Appeals Committee By-law*;
 - (b) “Certified Playground Inspector” means a person certified by the Canadian Playground Safety Institute as a Certified Playground Inspector;
 - (c) “Civic Addressing Coordinator” means the Civic Addressing Coordinator appointed by the Chief Administrative Officer to administer the *Civic Addressing By-law*;
 - (d) “community operator” means a person who owns a land-lease community, and includes an owner, the person giving or permitting the occupation of the premises and such person’s heirs, assigns, and legal representatives;
 - (e) “developable area” means the area of a property or properties which is proposed to be developed as a land-lease community and which meets the requirements of section 46;
 - (f) “fire protection infrastructure” includes fire hydrants, dry hydrants, fire ponds, or any other infrastructure for the purpose of providing water to the fire department during an emergency;
 - (g) “frontage” means:
 - (i) the distance between the side lines of a manufactured home space measured along a land- lease community street; and
 - (ii) where a manufactured home space is located on the outside of a curve on a land-lease community street, the distance measured along a line joining points on the side lines of the manufactured

- home space which points are 6 metres from such street;
- (h) “*Guidelines for Canadian Drinking Water Quality*” means the document titled *Guidelines for Canadian Drinking Water Quality*, released by Health Canada, and which may be amended from time to time.
 - (i) “*Guidelines for Monitoring Public Drinking Water Supplies*” means the document titled *Guidelines for Monitoring Public Drinking Water Supplies: Part II – Registered Public Drinking Water Supplies*, released by the Nova Scotia Department of Environment and Climate Change, and which may be amended from time to time.
 - (j) “land-lease community” means any lot, piece or parcel of land upon which three (3) or more occupied manufactured homes are located, and where the owner of the manufactured home leases the land upon which the manufactured home is placed, and includes any building, structure or enclosure used or intended for use as part of the equipment of such land-lease community;
 - (k) “land-lease community permit” means a permit to construct, expand, or upgrade a land-lease community, issued in accordance with Part IV of this By-law;
 - (l) “land-lease community street” means a street situated within a land-lease community, which is not a public street or highway owned and maintained by the Municipality or the Province of Nova Scotia, and shall also include any privately owned access leading from a public street to a land-lease community;
 - (m) “License Administrator” means a person designated by the Chief Administrative Officer of the Municipality and includes a person acting under the supervision and direction of the License Administrator;
 - (n) “manufactured home” means a detached dwelling designed for transportation after fabrication, whether on its own wheels or on a flatbed or other trailer, and which arrives at the site where it is to be occupied as a dwelling complete and ready for occupancy, except for minor and incidental unpacking and assembling, and for the purposes of this By-law, manufactured homes shall include mobile homes, mini-homes, and modular homes that are either completely self-contained dwelling units or are sectional dwelling units that are assembled on the site, but does not include a travel trailer or recreational vehicle;
 - (o) “manufactured home space” means a plot of land within a land-lease community designed to accommodate one manufactured home;
 - (p) “Municipal Engineer” means an Engineer designated by the Chief Administrative Officer of the Municipality and includes a person acting under the supervision and direction of the Municipal Engineer;
 - (q) “Municipality” means Halifax Regional Municipality;

- (r) “operating license” means a license to operate a land-lease community, issued in accordance with Part II of this By-law;
- (s) “Permit Administrator” means the Executive Director of Planning and Development or their delegate;
- (t) “person” means a natural person, corporation, partnership, an association, firm, agent, trustee, and includes the heirs, executors or other legal representatives of a person, or owner;
- (u) “potable water” means water which meets the *Guidelines for Canadian Drinking Water Quality*;
- (v) “Professional Engineer” means a registered or licensed member, in good standing, of Engineers Nova Scotia;
- (w) “public street” means a street owned and maintained by the Municipality or the Province of Nova Scotia;
- (x) “recreation space” means an area of a land-lease community, which meets the requirements of section 49 and 50 of this By-law, or which was required as recreation space under a former mobile home park by-law of the Municipality, provided for the health and well-being of the residents, and shall include a private park, playground, trail, and sports court or field;
- (y) “resident” means a person occupying a manufactured home in a land-lease community, whether or not that person has entered into a formal lease with the community operator;
- (z) “sanitary sewer system” means a complete and properly functioning system consisting of pipes or conduits, lateral lines from the pipes or conduits to manufactured home spaces and appurtenances receiving and carrying water-borne wastes and includes any trunk sewers, pumping stations and treatment plants;
- (aa) “stormwater system” means a complete and properly functioning system receiving, carrying and controlling discharges in response to rain and snow which includes overland flow, subsurface flow, ground water flow and ice and snow melt, consisting of ditches, culverts, swales, subsurface interceptor drains, roadways, watercourses, floodplains, canals, ravines, gullies, springs and creeks, and where applicable, curb and gutters, catch basins, manholes, pipes or conduits, and control facilities;
- (bb) “street” includes a street, highway, road, lane, sidewalk, thoroughfare, bridge, square and the curbs, gutters, culverts and retaining walls in connection therewith;
- (cc) “surveyor” means a Nova Scotia Land Surveyor who is a registered member in good standing of the Association of Nova Scotia Land Surveyors;

- (dd) “water distribution system” means a complete and properly functioning system which consists of water mains, valves, hydrants and water service laterals from the water main to the lateral shut off valve at a manufactured home space, and appurtenances carrying and distributing potable water for domestic or fire protection purposes and includes any pumping stations, pressure control facilities and reservoirs.
- (ee) “watercourse” means a lake, river, stream, ocean or other natural body of water; and

PART I: Application and Administration

Application of by-law

- 3. This By-law shall apply to all land-lease communities within the Municipality.

Compliance with other by-laws and regulations

- 4. (1) Nothing in this By-law shall exempt any person from obtaining any license, permission, permit or approval required by any other by-law of the Municipality or any statute or regulation of the Province of Nova Scotia.
- (2) Where the provisions of this By-law conflict with those of any other Municipal or Provincial regulation, by-law, or code, the higher or more stringent requirements shall prevail.
- (3) Within a land-lease community located within “Area A” shown on Schedule A, the following activities shall comply with the requirements of the *Halifax County Mobile Home Park By-law*:
 - (a) the installation of or addition to any manufactured home;
 - (b) the construction or installation of any accessory structure; and
 - (c) the commencement of any land use activity.
- (4) Within a land-lease community located within “Area B” shown on Schedule A, the following activities shall comply with the requirements of the *City of Dartmouth Mobile Home Park By-law*:
 - (a) the installation of or addition to any manufactured home;
 - (b) the construction or installation of any accessory structure; and
 - (c) the commencement of any land use activity.

Administration by License Administrator

- 5. (1) Parts II and III of this By-law shall be administered and enforced by the License Administrator.

- (2) The License Administrator may, in accordance with this By-law:
 - (a) grant an operating license;
 - (b) grant an operating license with conditions;
 - (c) refuse to grant an operating license; or
 - (d) revoke an operating license.

Administration by Permit Administrator

6. (1) Parts IV and V of this By-law shall be administered and enforced by the Permit Administrator.
 - (2) The Permit Administrator may, in accordance with this By-law:
 - (a) grant a land-lease community permit or phasing plan approval;
 - (b) grant a land-lease community permit or phasing plan approval with conditions;
 - (c) refuse to grant a land-lease community permit or phasing plan approval; or
 - (d) revoke a land-lease community permit or phasing plan approval.

Fees

7. An application for an operating license, land-lease community permit, or phasing plan approval shall include a processing fee payable to the Municipality in accordance with *Administrative Order 15 Respecting License, Permit and Processing Fees*.

PART II: Operating License

Requirement to obtain operating license

8. No person shall operate a land-lease community in the Municipality without having an operating license in accordance with this By-law.

Timeline to apply for operating license

9. The community operator shall apply for an operating license no less than 30 days prior to:
 - (a) commencing operation of a land-lease community or expansion to a land-lease community; or
 - (b) the expiry of an existing operating license.

Permit valid

10. An operating license shall expire twelve (12) months from the date of issuance.

Application requirements

11. (1) An application for an operating license shall include:

- (a) the name and address of the applicant, and if the applicant is not the community operator of the land-lease community, the name of the community operator;
- (b) a copy of the annual inspection report of the electrical distribution system required by section 23, completed within one (1) year of the date of application, if the land-lease community is serviced by a privately owned and maintained electrical distribution system;
- (c) a copy of the current Sewage Treatment Plant Operating Approval issued by Nova Scotia Environment and Climate Change, if the land-lease community is serviced by a private sewage treatment plant;
- (d) a copy of the Facilities Registration Letter from Nova Scotia Environment and Climate Change, if required to register as a public drinking water supply in accordance with the *Environment Act* and any regulations made thereunder;
- (e) copies of all water testing results required by this By-law or any regulation of the Province of Nova Scotia completed within the twelve (12) month period preceding the date of application;
- (f) if requested by the license administrator, an inspection report, prepared by a Professional Engineer, attesting to the state of the water distribution system, sanitary sewer system, and stormwater system, and providing recommendations for required maintenance, upgrading, or replacement of these systems, along with a plan to carry out the recommendations of the Professional Engineer;
- (g) copies of all inspection reports, prepared by a Certified Playground Inspector within the past 12 months, attesting to the safety of any playground equipment in a recreation space; and
- (h) any other information required by the License Administrator.

Requirement to comply with this By-law

12. No operating license shall be issued by the License Administrator unless the land-lease community is in compliance with Part III of this By-law.

Construction in accordance with this By-law

13. Where a land-lease community has been constructed after the coming into force date of this By-law, no operating license shall be issued unless a completion certificate has been issued by the Permit Administrator, in accordance with Part IV of this By-law.

Inspection

14. Prior to issuing an operating license, at the discretion of the License Administrator, the Municipality may conduct an inspection of any infrastructure within the land-lease community to verify compliance with the

requirements of this By-law.

Revocation of operating license

15. The License Administrator may revoke an operating license where a community operator fails to comply with the requirements of this By-law, or a condition of an operating license.

Appeal

16. (1) The applicant may appeal the decision of the License Administrator to refuse to issue an operating license to the Appeals Committee within fourteen (14) business days of written notice of the License Administrator's decision refusing to issue an operating license.
- (2) A community operator may appeal the decision of the License Administrator to revoke an operating license under section 15 to the Appeals Committee within fourteen (14) business days of written notice of the License Administrator's decision to revoke the operating license.

PART III: Minimum Operating Standards

Requirement to provide potable water

17. (1) The community operator shall provide a continuous supply of potable water to all manufactured homes spaces within a land-lease community.
- (2) The community operator is deemed to not be providing potable water, regardless of the results of any water testing, where a "boil water" advisory, "do not consume" advisory, or "do not use" advisory issued by Nova Scotia Environment and Climate Change is in effect for a land-lease community.

Water testing

18. (1) The community operator shall conduct water testing in accordance with the requirements of Schedule C.
- (2) The community operator shall disseminate copies of water testing results to residents within seventy-two (72) hours of receiving testing results.
- (3) Notwithstanding 18(2), where testing results indicate that the water does not meet the *Canadian Drinking Water Quality Guidelines*, the community operator shall immediately notify residents.

Notice of water service interruption

19. The community operator shall notify all residents at least twenty-four (24) hours in advance of any anticipated interruption of water service.

Allowable water pressure range

20. The community operator shall provide water service to all manufactured home spaces within a land- lease community with a minimum water pressure of 276 kPa (40 Psi).

Requirement to maintain fire protection infrastructure

21. The community operator shall maintain any fire protection infrastructure, such as fire hydrants, dry hydrants, and fire ponds existing in a land-lease community on the coming into force date of this By- law, and no existing fire protection infrastructure may be removed from service, unless approved in accordance with the requirements of Parts IV and V of this By-law.

Requirement to provide adequate sewage service

22. (1) The community operator shall provide sanitary sewer service to all manufactured home spaces within a land-lease community.

(2) The community operator shall maintain the sanitary sewer system in accordance with the requirements of this By-law and Nova Scotia Environment and Climate Change.

Requirement to maintain private electrical distribution system

23. (1) The community operator shall arrange for an annual inspection of the electrical distribution system by Nova Scotia Power, or where no such inspection program exists, a qualified private electrical inspector, if the electrical distribution system within a land-lease community is privately owned, and is not owned and maintained by Nova Scotia Power;

(2) The community operator shall carry out any required maintenance or repair work identified in the annual inspection report.

Requirement to maintain streets, walkways and driveways

24. The community operator shall maintain all land-lease community streets and walkways and all driveways on manufactured home spaces in good condition, free from potholes, distortions, washboarding, soft areas, loss of gravel surface, flat or reverse crown, or other surface or drainage issues.

Snow removal requirements

25. (1) The community operator shall remove snow from all land-lease community streets and walkways within twenty-four (24) hours after a snowfall event.

- (2) Snow removed from community streets shall not be deposited on manufactured home spaces or recreation spaces.
- (3) The community operator shall adequately apply salt, sand, brine, or other materials as required to adequately keep community streets free of ice.

Requirement to install and maintain regulatory signage

26. Regulation "stop" signs shall be located at the intersections of all land lease community streets with other land-lease community streets or public streets or highways.

Requirement to maintain common areas

27. The community operator shall keep all common areas of the land-lease community free of garbage and debris and shall maintain all landscaping throughout the community.

Trees

28. Where any tree or branch of a tree within a land-lease is damaged, diseased, or dead, or where a tree or branch of a tree is in danger of falling and causing injury to people or damage to structures, the community operator shall have the tree assessed by a Professional Arborist or a Certified Tree Risk Assessor, and any work recommended as a result of the assessment shall be carried out by a qualified arborist.

Requirement to maintain recreation space

29. (1) The community operator shall maintain recreation space within a land-lease community in a state of good repair and keep recreation spaces free of debris and safety hazards.
- (2) Recreation space which was required at the time of construction of a land-lease community pursuant to this By-law or the *Dartmouth Mobile Home Park By-law* or *Halifax County Mobile Home Park By-law* shall not be removed, and where playground equipment or other recreation infrastructure is removed, it shall be replaced with new equipment of equal or greater value.
- (3) All recreation spaces shall be equipped with waste receptacles which shall be emptied and maintained regularly.

Playground inspections

30. All playground equipment within a land-lease community shall be inspected at a minimum once every twelve (12) months by a Certified Playground Inspector, and any safety issues shall be corrected immediately.

Requirement to maintain stormwater system

31. The community operator shall ensure that the stormwater system throughout the land-lease community is sufficient to direct stormwater away from streets, walkways, recreation spaces, and manufactured home spaces.

Solid waste collection

32. Where a land-lease community is not eligible for curbside pickup by the Municipality in accordance with the *Solid Waste By-law*, the community operator shall be responsible for providing curbside solid waste collection at least once every 2 weeks.

Requirement to provide and maintain streetlighting

33. (1) The community operator shall provide adequate streetlighting within the land-lease community in accordance with the requirements of section 56.
- (2) Within 12 months of the coming into force date of this By-law, existing land-lease communities shall install street lighting in accordance with the requirements of section 56 of this By-law.

PART IV: Land-lease Community Permit and Phasing Plan Evaluation

Approvals required

34. (1) No person shall construct a new land-lease community or an expansion to an existing land-lease community in the Municipality without first having obtained a land-lease community permit in accordance with the requirements of this By-law.
- (2) Where construction of a land-lease community is to occur in multiple phases, no land-lease community permit required pursuant to subsection (1) shall be issued except in accordance with an approved phasing plan.
- (3) No person shall replace or upgrade any water distribution system, sanitary sewer system, stormwater system, recreation space, or community street without first having obtained a land-lease community permit in accordance with the requirements of this By-law.
- (4) Notwithstanding subsection (3), emergency repairs may be carried out in advance of receiving a land-lease community permit, provided an application is made as soon as is reasonably possible.

Phasing plan application requirements

35. Where a new land-lease community or expansion to an existing land-lease community is proposed to be constructed in multiple phases, and where no phasing plan has previously been approved, an applicant shall submit a phasing plan application which includes:
- (a) the name and address of the applicant, and if the applicant is not the community operator of the land-lease community, the name of the community operator;
 - (b) a phasing plan showing:
 - (i) the dimensions and total area of land of the property(ies) to be developed as a land- lease community;
 - (ii) the location and dimensions of all existing and proposed rights-of-way, easements, railways lines, utility lines, accesses, and streets;
 - (iii) the location, boundaries, dimensions, frontage, and total area of each proposed manufactured home space, with each manufactured home space numbered for identification purposes;
 - (iv) the location, boundaries, dimensions, frontage, and total area of all proposed recreation space;
 - (v) the location and boundaries of each development phase if the land-lease community is being constructed in multiple phases;
 - (vi) the location of all existing and proposed fire protection infrastructure within the land- lease community;
 - (vii) the approximate location of all existing and proposed structures on the land to be developed as a land-lease community;
 - (viii) the location of any watercourse, wetland, swamp, prominent rock formation, wooded area, area subject to flooding and any other prominent natural feature which might affect the number of manufactured home spaces or the provision or layout of sanitary sewer systems, stormwater systems, water distribution systems, land-lease community streets and public streets or highways;
 - (ix) any watercourse buffer or non-disturbance area required by the applicable land use by- law or development agreement;
 - (x) a key plan, located on the top right-hand corner of the plan and showing the general location of the proposed land-lease community with respect to the community within or closest to which it is located;
 - (xi) the date on which the plan was drawn;
 - (xii) the scale to which the plan is drawn;
 - (xiii) a north arrow; and
 - (xiv) any other information deemed necessary by the Permit Administrator to determine whether the proposal conforms to the

- requirements of this By-law;
- (c) A servicing schematic, prepared by a Professional Engineer in accordance with the requirements of this By-law, which shows:
 - (i) the existing and proposed land-lease community street network;
 - (ii) the existing and proposed site drainage patterns including the approximate total area of the proposed land-lease community and the land tributary to the proposed land-lease community;
 - (iii) the appropriate run-off coefficients;
 - (iv) the existing and proposed sanitary sewer system, including pipe sizes, pumping stations and pressure sewers, and, a preliminary design summary in tabular form including development densities and sewer generation estimates which support the proposed sewer system;
 - (v) the existing and proposed water distribution system, including pipe sizes;
 - (vi) the existing and proposed stormwater system, including pipe sizes; and
 - (vii) any other information required by the Permit Administrator to determine if the servicing schematic conforms to this By-law;
 - (d) a traffic impact analysis, prepared by a Professional Engineer in accordance with the current version of the Municipality's Guidelines for the Preparation of Transportation Impact Studies, the level of detail of which shall be relative to the scope of the development; and
 - (e) Where a proposed land-lease community or expansion to an existing land-lease community is to be serviced by a groundwater supply serving ten (10) or more manufactured home spaces, a hydrogeological assessment conducted by a qualified professional demonstrating that there is an adequate supply of groundwater to service the land-lease community without adversely affecting groundwater supply in adjacent developments.

Procedure for phasing plan evaluation

36. (1) The Permit Administrator shall, where applicable, forward a copy of an application and all supporting documentation to:
- (a) the Municipal Engineer;
 - (b) the Civic Addressing Coordinator;
 - (c) Halifax Water, in areas serviced with central water or sewer;
 - (d) Nova Scotia Environment and Climate Change, in areas not serviced with central water or sewer;
 - (e) the authority having jurisdiction for public streets;
 - (f) Nova Scotia Power;

- (g) Halifax Fire and Emergency;
- (h) Canada Post;
- (i) any public utility which will provide services to the proposed land-lease community; and
- (j) any other department or agency deemed necessary by the Permit Administrator in order to evaluate the design, environmental, planning and public safety aspects of the proposed land-lease community.

Approval of phasing plan

37. (1) Where the Permit Administrator has received a positive recommendation from all relevant agencies identified in section 36 and is satisfied that the proposed land-lease community meets the requirements of this By-law, the Permit Administrator shall approve the phasing plan.
- (2) Upon approval of the phasing plan by the Permit Administrator, an application for a land-lease community permit may be submitted to the Municipality.

Land-lease community permit application requirements

38. (1) Every application for a land-lease community permit for a new land-lease community or an expansion of an existing land-lease community shall include:
- (a) the name and address of the applicant, and if the applicant is not the community operator of the land-lease community, the name of the community operator;
 - (b) a plan of survey of the phase(s) to be constructed, prepared by a surveyor, which is consistent with an approved phasing plan, where applicable, showing:
 - (i) the dimensions and total area of land of the property(ies) to be developed as a land-lease community;
 - (ii) the location and dimensions of all existing and proposed rights-of-way, easements, railways lines, utility lines, accesses, and streets;
 - (iii) the location, boundaries, dimensions, frontage, and total area of each proposed manufactured home space, with each manufactured home space numbered for identification purposes;
 - (iv) the location, boundaries, dimensions, frontage on a community street, and total area of all proposed recreation space;

- (v) the location of all existing and proposed fire protection infrastructure within the land- lease community;
 - (vi) the approximate location of all existing and proposed structures on the land to be developed as a land-lease community;
 - (vii) the location of any watercourse, wetland, swamp, prominent rock formation, wooded area, area subject to flooding and any other prominent natural feature which might affect the number of manufactured home spaces or the provision or layout of sanitary sewer systems, stormwater systems, water distribution systems, land-lease community streets and public streets or highways;
 - (viii) any watercourse buffer or non-disturbance area required by the applicable land use by- law or development agreement;
 - (ix) a key plan, located on the top right-hand corner of the plan and showing the general location of the proposed land-lease community with respect to the community within or closest to which it is located;
 - (x) the date on which the plan was drawn;
 - (xi) the scale to which the plan is drawn;
 - (xii) a north arrow; and
 - (xiii) any other information deemed necessary by the Permit Administrator to determine whether the proposal conforms to the requirements of this By-law.
- (c) a drainage plan and engineering drawings of the proposed water distribution system, stormwater system, sanitary sewer system and land-lease community street network, prepared by a Professional Engineer demonstrating compliance with the requirements of this By-law;
 - (d) where a land-lease community is not proposed to be connected to a municipal central sewer system, approval from Nova Scotia Environment and Climate Change for the private sewage treatment plant or on-site sewage disposal system;
 - (e) design drawings for the required recreation space, including confirmation that any proposed playground equipment complies with the applicable Canadian Standards Association standard.
- (2) Every application for a land-lease community permit for the upgrade or replacement of any portion of a water distribution system, sanitary sewer system, or stormwater system shall include engineering drawings of the proposed water distribution system, stormwater system, sanitary sewer system or land-lease community street network, prepared by a

Professional Engineer demonstrating compliance with the requirements of this By-law.

Procedure for land-lease community permit application review

39. (1) Subject to subsection 39(2), the Permit Administrator shall, where applicable, forward a copy of an application and all supporting documentation received pursuant to section 38 to:
- (a) the Municipal Engineer;
 - (b) the Civic Addressing Coordinator;
 - (c) Halifax Water, in areas serviced with central water or sewer;
 - (d) Nova Scotia Environment and Climate Change, in areas not serviced with central water or sewer;
 - (e) the authority having jurisdiction for public streets;
 - (f) Nova Scotia Power;
 - (g) Halifax Fire and Emergency;
 - (h) Canada Post;
 - (i) any public utility which will provide services to the proposed land-lease community; and
 - (j) any other department or agency deemed necessary by the Permit Administrator in order to evaluate the design, environmental, planning and public safety aspects of the proposed land-lease community.
- (2) Notwithstanding subsection 39(1), where the land-lease community permit application is substantially in conformance with an approved phasing plan, the Permit Administrator may waive the requirement to distribute the application to any or all of the agencies listed or may send the application for information only.
- (3) When a recommendation has been received from all agencies and departments to which the application has been referred, the Permit Administrator shall:
- (a) approve the land-lease community permit;
 - (b) approve the land-lease community permit with conditions;
 - (c) advise the applicant in writing of the reasons why the application does not meet the requirements of this By-law, and provide a reasonable opportunity for the applicant to submit revisions; or
 - (d) refuse to grant the land-lease community permit.

Permit valid

40. A permit to develop a land-lease community issued under this Part shall expire one (1) year after its date of issue and may be renewed before expiry

for a period of one (1) year, provided all requirements of this By-law are satisfied.

Completion certificate

41. (1) Upon completion of all construction work associated with an issued land-lease community permit, the applicant shall request a final inspection by the Permit Administrator, and shall submit:
- (i) where a land-lease community is not connected to a municipal central water system, confirmation of registration as a Public Drinking Water Supply with Nova Scotia Environment and Climate Change, where required;
 - (ii) the “as-built” reproducible engineering drawings which have been certified by a Professional Engineer; and
 - (iii) a certificate of compliance from a Professional Engineer certifying that all works have been inspected and completed according to the approved engineering drawings and the requirements of this By-law.
- (2) When the Permit Administrator is satisfied that the work associated with an issued land-lease community permit has been completed in accordance with this By-law, the Permit Administrator shall issue a completion certificate allowing the community operator to apply for an operating license.

Compliance with land use by-law or development agreement

42. (1) No land-lease community permit may be granted unless a development permit has been issued for the proposed land-lease community or expansion in accordance with the applicable land use by-law or development agreement.
- (2) For greater certainty, an application for a land-lease community permit may be reviewed by the Permit Administrator concurrently to an application for a development permit.

Revocation of land-lease community permit

43. The Permit Administrator may revoke a land-lease community permit where a community operator fails to comply with the requirements of this By-law.

Appeal

44. (1) The applicant may appeal the Permit Administrator’s decision to refuse to issue a land-lease community permit to the Appeals Committee within fourteen (14) business days of written notice of the Permit Administrator’s decision refusing to issue a land-

lease community permit.

- (2) A community operator may appeal the Permit Administrator's decision to revoke a land lease community permit to the Appeals Committee within fourteen (14) business days of written notice of the Permit Administrator's decision to revoke land lease community permit under section 43.

PART V: Minimum Construction Standards

Applicability of this part

45. Part V of this By-law shall apply to the development of a new land-lease community, the expansion of an existing land lease community, or any upgrades to an existing land-lease community constructed after the coming into force date of this By-law.

Developable area

46. The developable area of a property to be used as a land-lease community shall:
 - (a) not include any watercourse buffer or non-disturbance area, as required by a land use by-law or development agreement;
 - (b) not include any wetland, marsh, swamp, or other environmentally sensitive area or potential breeding places for insects or rodents;
 - (c) not include any area within a 1:100 year floodplain;
 - (d) not include any area with slopes in excess of 30%; and
 - (e) be located on a properly drained site only and shall be so located that the drainage will not endanger any water supply or contaminate any watercourse.

Access to land-lease community

47. (1) Every land-lease community shall have direct access to a public street.
 - (2) Notwithstanding subsection 47(1), where a land-lease community was in existence prior to the adoption of this By-law, access may be provided by a private road or easement meeting the requirements of Schedule B.
 - (3) Where a land-lease community contains more than 100 manufactured home spaces, a second access to a public street shall be provided.

Manufactured home spaces

48. (1) Manufactured home spaces shall have a minimum area of 370 square metres, and a minimum frontage of 12 metres.

- (2) Side lines of manufactured home spaces shall be substantially at right angles or radial to community street boundaries.
- (3) Manufactured home spaces are to be uniform in shape and the rear lines of a series of adjoining manufactured home spaces are to be continuous, not stepped or jogged.

Recreation space

49. (1) For the health and well-being of residents, not less than 10% of the total developable area of any land-lease community or expansion to an existing land-lease community, excluding streets and walkways, shall be set aside for recreation space.
- (2) The recreation space referred to in subsection 49(1) shall be held in private ownership by the community operator for the enjoyment of residents of the land-lease community.
- (3) Each area of land to be used as recreation space shall:
 - (a) have a minimum frontage of 12 metres and a minimum area of 470 square metres;
 - (b) have a finished grade within 1 metre of finished road grade;
 - (c) have a maximum grade of 5%;
 - (d) not be located within a 1:100 year flood plain;
 - (e) retain natural vegetation or have disturbed areas reinstated with 150mm topsoil and sod or approved equivalent;
 - (f) be enclosed by a fence along all sides which do not abut a street;
 - (g) not include any stormwater ponds or other infrastructure which is not complementary to the use of the space for recreation purposes; and
 - (h) be located in such a manner as to be free of traffic hazards and so as to be buffered from manufactured home spaces.

Recreation infrastructure

50. (1) The amount of recreation space required by section 49 may be reduced where the community operator provides playgrounds, sports courts, trails, or other recreation infrastructure with a value equivalent to the reduction in recreation space provided.
- (2) For the purposes of subsection 50(1), the value of the reduction in recreation space shall be based on the average value per square metre

of land within the developable area of the land-lease community, based on an assessment by Property Valuation Services Corporation.

- (3) Any playground equipment shall be designed and installed in accordance with the relevant Canadian Standards Association standard and shall be installed by a qualified installer.
- (4) For greater certainty, any grading, landscaping, or fencing required by section 49 shall not be counted towards the value of recreation infrastructure required by this section.

Land-lease community streets

51. Land-lease community streets shall be designed in accordance with Schedule B.

Water and sewer infrastructure

52. (1) The water distribution and sanitary sewer systems shall be designed in accordance with the most recent edition of the Halifax Water Design Specifications for Water, Wastewater and Stormwater Systems.
- (2) New land-lease communities and expansions to existing land-lease communities shall not rely on cisterns for potable water supply.
- (3) Where the water distribution system in an existing land-lease community is upgraded or replaced, fire protection infrastructure shall be incorporated in accordance with the requirements of section 54.

Stormwater systems

53. (1) Stormwater systems shall be designed to the specifications contained in the most recent edition of the Halifax Water Design Specifications for Water, Wastewater and Stormwater Systems.
- (2) Every manufactured home space in a land-lease community shall be graded to drain into the stormwater system.

Fire protection infrastructure

54. (1) Fire protection infrastructure, such as fire hydrants, dry hydrants, and fire ponds, shall be provided, and the design and placement shall be in accordance with the recommendation of Halifax Fire and Emergency.
- (2) Changes to the location or number of fire protection infrastructure in a land-lease community may be permitted subject to Halifax Fire and Emergency confirming that the change meets requirements for providing fire protection within the community.

Electrical distribution system

55. (1) Where the electrical distribution system within a land-lease community is to be owned and maintained by Nova Scotia Power, the community operator shall comply with the requirements of Nova Scotia Power.
- (2) Where the electrical distribution system within a land-lease community is to be privately owned and maintained by the community operator, the following requirements shall apply:
- (a) every manufactured home space shall be provided with an electrical connection supplying at least 220 volts and a minimum of 200 amperes;
 - (b) the electrical distribution system shall be maintained in accordance with the requirements of Nova Scotia Power; and
 - (c) any required repairs, new service connections, or service disconnections shall be carried out by a qualified electrician and inspected in accordance with the requirements of Nova Scotia Power.

Streetlighting

56. Streetlighting shall be provided on all land-lease community streets in accordance with Transportation Association of Canada standards.

PART VI: Offence, Penalty and Remedy

Offence and Penalty

57. (1) Any person who violates any provision of this By-law is guilty of an offence punishable on summary conviction by a fine of not less than two hundred dollars (\$200) and not more than fifteen thousand dollars (\$15,000) and in default of payment, to imprisonment for a term of not more than two months.
- (2) Every day during which an offence continues is a separate offence.

Remedy

58. (1) Where there is a contravention of this By-law, in addition to any prosecution or other remedy, the Municipality may, after ninety (90) days of the date of serving notice upon the community operator of the contravention, enter upon the private property of the land-lease community and undertake the remedial work, and charge and collect the costs of the work, with interest from the date of the completion of the work until the date of payment, as a first lien on the property

affected.

- (2) Notwithstanding the time period specified by subsection (1), where there is a contravention which in the opinion of the Permit Administrator or License Administrator represents a safety hazard to the public or to residents of the land-lease community, the Municipality may immediately undertake the required remedial work.

PART VII: Transition, Amendment and Repeal

Operating License Transition Period

59. Any license or operating permit which was issued in accordance with the *City of Dartmouth Mobile Homes and Mobile Home Parks By-law*, the *Municipality of the County of Halifax Mobile Home Park By-law*, or the *City of Halifax Mobile Home Park Ordinance* and is in effect prior to the date this By-law comes into force shall continue to be in effect until three (3) months after the effective date of this By-law or until the expiry date of such license, whichever is sooner.

City of Halifax Ordinance Repealed

60. Ordinance 143, the “Mobile Home Park Ordinance” of the former City of Halifax, adopted during the August 27, 1970 session, and all amendments thereto, is hereby repealed.

City of Dartmouth By-law Amended

61. By-law M-200 of the former City of Dartmouth, *Respecting Mobile Homes and Mobile Home Parks*, adopted during the August 29, 1989 session, and as amended from time to time, is further amended as set out in Schedule D.

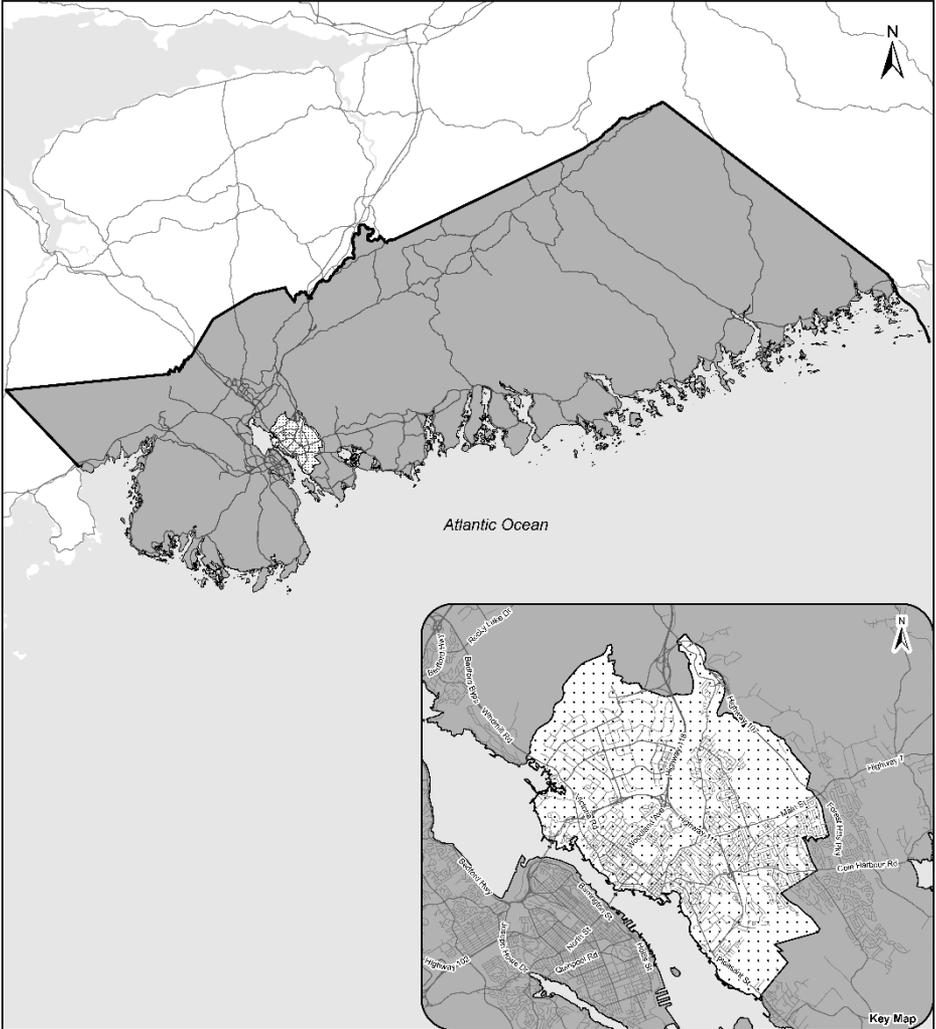
Municipality of the County of Halifax By-law Amended

62. By-law 29 of the former County of Halifax, the *Mobile Home Park By-law*, adopted during the first October Session of 1986, and as amended from time to time, is hereby further amended as set out in Schedule D.

Severability

63. Where a court of competent jurisdiction declares any section or part of a section of this By-law invalid, the remainder of this By-law shall continue in force unless the Court makes an order to the contrary.

Done and passed by Council this 22nd day of August, 2023.



Schedule A: Area of Applicability

-  Area - A
-  Area - B

HRM does not guarantee the accuracy of any base map representation on this plan.

HALIFAX
Land-Lease Communities
By-law



Effective: 22 August 2022

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Schedule B: Land-lease Community Street Standard

Land-lease community streets to be developed as part of a land-lease community shall meet the following design standards:

1. All land-lease community streets shall be laid out where reasonably possible in prolongation of other existing streets.
2. All land-lease community streets shall have a minimum clear width of 9 metres as follows:
 - (a) Travel lanes shall be a minimum of 3 metres for each direction of travel and shall not include parking areas. Travel lanes shall be designed and constructed, complete with a paved asphalt surface, to adequately support the loads produced by all emergency vehicles.
 - (b) A minimum 1.5 metre clearance (shoulders) shall be provided on both sides of the travel lanes and shall be comprised of stable ground as agreed to by the Municipal Engineer in consultation with Halifax Fire and Emergency. The stable ground shall be designed to adequately support all emergency vehicles that may utilize the area to support their necessary operations
3. All land-lease community streets shall be constructed so as to prevent the accumulation of water and ice on any section of the land-lease community street. Where the land-lease community street grades are less than 0.5 percent, the land-lease community street shall be crowned in the center to prevent pooling of water in a travelled way. Swales shall be installed if required to prevent erosion of the shoulders.
4. Provisions for drainage systems, snow banks, utilities, and the like shall be provided and shall not be located within the required 9 metre land-lease community street.
5. At least 4.26 meters nominal vertical clearance shall be provided and maintained over the full width of the land-lease community street.
6. Land-lease community streets shall not have grades greater than 8%.
7. All cul-de-sacs shall be constructed with a minimum radius of 13 metres to the edge of asphalt and 14.5 metres to outside of shoulder.
8. All travel lane curves and turns at intersection, are to have a minimum 12 metre centreline travel radius. Curves and turns shall not reduce the clear width of the driveway.
9. The angle of approach and the angle of departure shall not exceed 8 degrees at any point of the land-lease community street or its intersection with

another community street.

10. Sight distance shall be incorporated into the design of intersections.
11. If speed bumps are going to be constructed, acceptable warning signs shall be required.
12. All land-lease community streets shall be paved.
13. Where there is a conflict between the requirements of this By-law and the National Building Code of Canada requirements for Access Route Design, the more stringent requirements shall apply.

Schedule C: Water Testing Requirements

Where a land-lease community is serviced by a privately-owned water supply and is required to register as a Public Drinking Water Supply with the Nova Scotia Department of Environment and Climate Change, the community operator shall comply with all testing requirements of the Department.

Where a land-lease community is connected to a municipal central water supply, or is serviced with a private water supply which is not required to be registered as a Public Drinking Water Supply with the Nova Scotia Department of Environment and Climate Change, the community operator shall meet the following water testing requirements:

Testing for Microbiological Quality

1. Drinking water shall be tested quarterly for microbiological quality. The parameters for testing shall be the same as those required for a Public Drinking Water Supply as set out in the *Guidelines for Monitoring Public Drinking Water Supplies*. The testing shall determine whether the water sample falls within the acceptable parameters set out by the *Guidelines for Canadian Drinking Water Quality*.

Testing for Chemical and Physical Quality

2. Drinking water shall be tested quarterly for chemical and physical quality. The parameters for testing shall be the same as those required for a Public Drinking Water Supply as set out in the *Guidelines for Monitoring Public Drinking Water Supplies*. The testing shall determine whether the water sample falls within the acceptable parameters set out by the *Guidelines for Canadian Drinking Water Quality*.

Sample Collection and Preservation

3. All water samples shall be collected and preserved in accordance with the procedures set out in the *Guidelines for Monitoring Public Drinking Water Supplies*. Water samples shall be collected from a point near the end of the distribution system.

Water Quality Laboratory

4. Water sample analyses are to be performed by a lab which is certified by the Nova Scotia Department of Environment and Climate Change in accordance with the Department's Policy on Acceptable Certification of Laboratories.

Record Keeping

5. The community operator shall maintain records of sample results, including the original lab records, for a minimum of ten years from the date of

collection.

Schedule D: Amendments to other by-laws

1. By-law M-200 of the former City of Dartmouth, *Respecting Mobile Homes and Mobile Home Parks*, is amended as follows:
 - (a) amend section 2 by inserting the word “install,” prior to the word “construct” and by deleting the word “park”;
 - (b) inserting the following text immediately after section 2:

“2A. Notwithstanding any other section of this By-law, a permit to install a new mobile home shall not be issued unless the owner of the Mobile Home Park has a valid operating license, issued in accordance with by-law L-500 Respecting the Construction and Operation of Land- lease Communities.”;
 - (c) repealing section 3;
 - (d) repealing section 5;
 - (e) repealing section 8;
 - (f) repealing section 9;
 - (g) repealing subsection 10(a);
 - (h) repealing subsection 10(d);
 - (i) repealing subsection 10(e);
 - (j) repealing section 11;
 - (k) repealing section 12;
 - (l) repealing section 13;
 - (m) repealing subsection 14(a);
 - (n) repealing subsection 14(b);
 - (o) repealing section 15;
 - (p) repealing section 16;
 - (q) repealing section 17;
 - (r) repealing section 18;
 - (s) repealing section 19;
 - (t) repealing section 20;
 - (u) repealing section 21;
 - (v) repealing section 22;
 - (w) repealing section 23;
 - (x) repealing section 24;
 - (y) repealing section 25;
 - (z) repealing section 26; and
 - (aa) amending subsection 29(1) by deleting the numbers “10.(a); ll.(b); 12.(c), (d), (e), (f); 14.(a), (d), (e); 15.(c); 16.; 18.(b)” and replacing them with the numbers “14.(d), (e)”.

2. By-law 29 of the former County of Halifax, the *Mobile Home Park By-law*, is amended as follows:
- (a) amend the table of contents to show “Part 5”, “Part 6”, “Part 7”, “Part 8”, “Part 9”, “Part 11”, “Part 13”, and “Schedule A” as repealed;
 - (b) deleting the words “the development and maintenance of” from section 3.1;
 - (c) deleting the words “Part 9 and” from section 3.2;
 - (d) deleting the numbers “5, 6, 7, 8, 9,” and “11,” and “and 13” from section 3.3;
 - (e) repealing section 3.4;
 - (f) repealing Part 5;
 - (g) repealing Part 6;
 - (h) repealing Part 7;
 - (i) repealing Part 8;
 - (j) repealing section 9.1;
 - (k) amend section 9.2A subsection (1) by deleting the words “a Mobile Home Park Operating Permit” and replacing them with the words “an operating license, issued in accordance with by-law L-500 Respecting the Construction and Operation of Land-lease Communities”;
 - (l) amend section 9.2A subsection (2) by deleting the words “a Mobile Home Park Operating Permit” and replacing them with the words “an operating license”;
 - (m) amend section 9.2A subsection (3) by deleting the words “a Mobile Home Park Operating Permit” and replacing them with the words “an operating license”;
 - (n) repealing section 9.3;
 - (o) repealing section 9.5;
 - (p) repealing section 9.6;
 - (q) repealing section 9.7;
 - (r) repealing section 9.8;
 - (s) repealing section 9.9;
 - (t) repealing section 9.10;
 - (u) repealing section 9.11;
 - (v) repealing section 10.1;
 - (w) repealing section 10.2;
 - (x) repealing section 10.4;
 - (y) repealing section 10.7;
 - (z) repealing Part 11;
 - (aa) repealing subsection 12.2 a);
 - (bb) repealing Part 13;

- (cc) repealing section 14.3.
- (dd) repealing Schedule “A”;