

**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.

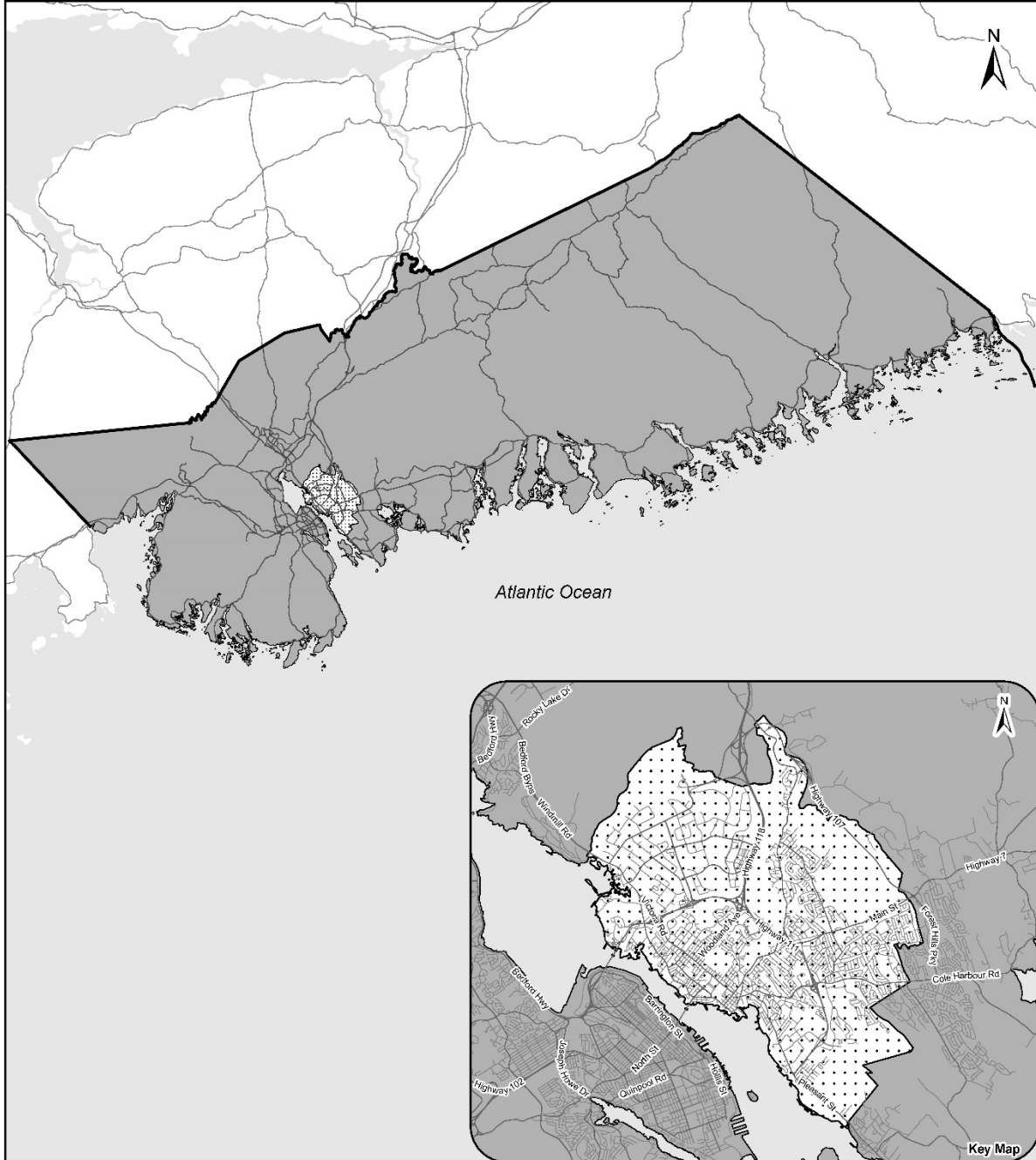
Done and passed by Council this 22nd day of August, 2023.

MAYOR MIKE SAVAGE

IAIN MACLEAN, MUNICIPAL CLERK

I, Iain MacLean, Municipal Clerk for the Halifax Regional Municipality, hereby certify that the above- noted by-law was passed at a meeting of the Halifax Regional Council held on August 22, 2023

Iain MacLean, Municipal Clerk

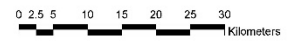


Schedule A: Area of Applicability

- 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

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”;

Notice of Motion:	June 6, 2023
First Reading:	June 20, 2023
Notice of Second Reading Publication:	July 29, 2023
Second Reading:	August 22, 2023
Approval by Municipal Affairs and Housing:	N/A
Effective Date: -	September 2, 2023