

Land Lease Development Bylaw



March 27, 2008

Text Amendments

Administrative Amendments – February 2024
Servicing Standards – February 2024

Table of Contents

Part 1	
Title	3
Part 2	
Administration	3
Part 3	
Preliminary Plans	6
Part 4	
Final Plans	8
Part 5	
Procedure for Final Approval	9
Part 6	
Permit to Construct a Land Lease Development - Design Requirements	10
Part 7	
Licence to Operate a Land Lease Development	15
Part 8	
Manufactured Home Building Permit	17
Part 9	
Penalties	20
Part 10	
Severability	21
Part 11	
Definitions	22

Schedule 1 - Map

Schedule 2 - Land Lease Development Application

Schedule 3 - Licence to Operate a Land Lease Development

Schedule 4 - Manufactured Home Building Permit – Application

Appendix “A” - CSA Standard - Recommended Practice for the Site Preparation, Foundation, and Anchorage of Mobile Homes

Appendix “B” - Existing Land Lease Developments

Municipality of the County of Colchester

Land Lease Development Bylaw

January 2008

Part 1 Title & Scope:

- 1.1 This Bylaw shall be known and may be cited as the Land Lease Development Bylaw for the Municipality of the County of Colchester and shall apply to all land within the boundaries of the Municipality as depicted on *Schedule 1* attached to this Bylaw.
- 1.2 For the purposes of this Bylaw, a Land Lease Development shall be considered to be any property on which ten (10) or more manufactured homes are situated.
- 1.3 This by-law only applies to a license, permission, permit, authority or approval granted prior to the effective date of the Municipality of Colchester Planning Strategy and Land Use By-law.

Part 2 Administration:

2.1 Permits Required:

2.1.1 Unless otherwise stated in this Bylaw, no person shall undertake to:

- i) construct, alter, cause or permit the construction or alteration of a land lease development without first obtaining a **Permit to Construct a Land Lease Development** issued by the Development Officer; and
- ii) operate or permit to operate a land lease development without first obtaining a **License to Operate a Land Lease Development** issued by the Development Officer; and
- iii) locate, relocate, construct, alter, erect, cause or permit to be undertaken, a development within the land lease development without first obtaining a **Manufactured Home Building Permit** and **Development Permit** issued by the Municipal Building Inspector and Development Officer.

2.1.2 The Development Officer shall only issue a *Permit to Construct a Land Lease Development* in conformance with Parts 3, 4, and 6 of this Bylaw.

- 2.1.3 The Development Officer shall only issue a *Licence to Operate a Land Lease Development* in conformance with Part 7 of this Bylaw.
- 2.1.4 The Municipal Building Inspector and Development Officer shall only issue a *Manufactured Home Building Permit* and *Development Permit* in conformance with Part 8 of this Bylaw and the Municipality's *Building Bylaw*, *Land Use Bylaw* and/or any development agreement in place for the subject property.
- 2.1.5 Permits required under this Section do not exempt any person from complying with the requirements of other Bylaws of the Municipality, such as the *Land Use Bylaw*, *Subdivision Bylaw*, *Building Bylaw*, *Sewer Bylaw*, etc., and from obtaining any license, permission, permit, authority, or approval required thereunder.
- 2.1.6 Notwithstanding Section 2.1.2 above, in areas affected by a land use bylaw and where a new land lease development or expansion thereto is subject to a development agreement, the requirements of Part 6 of this Bylaw shall not apply. Parts 7 and 8 shall apply in addition to any other requirements provided for under the terms and conditions of the development agreement.

2.2 Application for Permits:

- 2.2.1 Each application for a *Permit to Construct a Land Lease Development* shall consist of a properly completed Application Form hereto attached as Schedule 3 and be accompanied by materials and information required under Part 4 of this Bylaw.
- 2.2.2 Each application for a *Licence to Operate a Land Lease Development* shall consist of a properly completed Application Form hereto attached as Schedule 3.
- 2.2.3 Each *Manufactured Home Building Permit* and *Development Permit* shall consist of a properly completed Application Form hereto attached as Schedule 4.
- 2.3.4 Unless otherwise provided for under this Bylaw, all applications referenced by this Section shall be signed by the registered owner(s) of the property or by the owner's agent duly authorized in writing to act for the owner.

2.3 Deviations:

- 2.3.1 No developer shall deviate or allow deviations to be made from the description of an approved land lease development unless such changes are shown on an amended Application and provided that such changes are approved by the permit issuing authority.
- 2.3.2 For the purposes of this Section, the permit issuing authority may consider minor changes to an approved land lease development which shall include but not be limited to the following:

- i) minor adjustments to the location of roads and associated services to accomplish suitable grades or alignments recommended by the Director of Public Works. Changes to the overall road and servicing design shall be considered substantial.
- ii) minor adjustments to the orientation, location and size of manufactured home sites, recreation/open space, accessory structures / uses, and other amenities provided such changes do not conflict with any standard set out in this Bylaw.

2.5 Notice of Decision:

The permit authority shall notify the Applicant of a decision to refuse the issuance of a *Permit to Construct a Land Lease Development*, a *Licence to Operate a Land Lease Development*, a *Development Permit* or a *Manufactured Home Building Permit* in writing by ordinary mail.

2.6 Lapse of a Permit or Licence

Every permit and / or licence issued under this Bylaw shall automatically lapse and become null and void:

- i) if, in the case of a *Permit to Construct a Land Lease Development*, the development has not commenced within a period of one year and a renewal has not been granted by the permit authority;
- ii) if, in the case of a *Manufactured Home Building Permit* or *Development Permit*, the dwelling, accessory buildings/structures, additions, etc. the location, construction, or repair has not commenced within a period of one year;
- iii) in the case of a *Licence to Operate a Land Lease Development*, upon the expiry date of a License, and an extension or renewal has not been granted by the permit authority.

2.6 Violations:

In the event of contravention of any provision of this *Land Lease Development Bylaw* the Municipality may take action pursuant to the *Penalty Bylaw*, being Bylaw 22, of the Municipality of the County of Colchester as amended from time to time and/or provisions contained under *Part 9 – Penalties* of this Bylaw.

Part 3 Preliminary Plan & Evaluation

3.1 Plan Requirements:

Any person proposing to construct a land lease development shall submit to the Development Officer five copies of a preliminary plan or sketch showing the following information:

- i) the approximate size of the land lease development and of each manufactured home space;
- ii) the approximate location, dimensions and approved name of all existing and proposed streets within the land lease development and of all abutting public streets or highways;
- iii) the location, size, and type of existing and proposed water, sanitary sewer, and storm water systems;
- iv) contours at an interval not greater than 5 ft;
- v) the approximate location and size of all existing rights of way, easements, railway lines, utility lines, and all accesses to existing park streets and public streets or highways;
- vi) the approximate location, dimensions, and area of land to be reserved for recreation purposes;
- vii) the approximate location of any watercourse, swamp, prominent rock formation, wetland, wooded area, area subject to flooding and any other natural feature;
- viii) the North point;
- ix) a key plan in the top right hand corner of the plan showing the land lease development in relation to the community or the closest to which it is located.
- x) A Property Identification Number

3.2 Procedure for Preliminary Plan Evaluation

3.2.1 The Development Officer shall, where applicable, forward a copy of all material received under Section 3.1 above to the following agencies and request a response indicating whether or not the proposed development satisfies the regulations or requirements administered by each:

- i) Nova Scotia Department of Environment and Labour;
- ii) Nova Scotia Department of Transportation and Infrastructure Renewal; iii) Municipal Director of Public Works;
- iv) any other department or agency that the Development Officer deems appropriate or necessary.

3.2.2 The Development Officer shall provide the Applicant with a preliminary evaluation of the proposed development after all responses to Section 3.2.1 have been received.

3.2.3 The Development Officer shall notify the Applicant in writing of any agency or department that has not responded to material forwarded under Section 3.2.1 within 30 days of the mailing date of the plans.

Part 4 Final Plans:

4.1 Plan Requirements

Any person proposing a land lease development and having received a Preliminary Evaluation outlined above, shall submit to the Development Officer, eight (8) copies of a plan together with information or documentation containing the following:

- i) name and address of the applicant, and if the applicant is not the owner of the land lease development, the name of the owner;
- ii) survey of the land lease development boundary showing the dimensions and total area of land being developed, certified and stamped by a Nova Scotia Land Surveyor in accordance with the Nova Scotia Land Surveyors Act, and regulations made thereunder,
- iii) survey of the land lease development streets which shall be certified and stamped by a Nova Scotia Land Surveyor in accordance with the Nova Scotia Land Surveyors Act and regulations made thereunder.
- iv) location, dimensions, and area of each proposed manufactured home space, recreation land, amenity space and streets within the development, drawn at a scale of not less than 1"=100'.
- v) location and dimensions of existing and proposed streets within and adjacent to the proposed development and the location of all public streets or highways;
- vi) location and dimensions of all existing rights-of-way, easements, railway lines, utility lines and access to all existing park streets and public streets or highways;
- vii) approximate location of existing and proposed structures on the land to be developed;
- viii) proposed landscaping, including but not limited to grassed areas, trees, gardens, grading, hard surfacing types, and any other landscaping features;
- viii) location of any watercourse, swamp, prominent rock formation, wooded area, wetland, area subject to flooding, and any other natural feature;
- ix) key plan in the top right hand corner of the plan showing the proposed development in relation to the community or the closest to which it is located;
- x) contours at an interval not greater than 5 ft;
- xi) date on which the plan was drawn;
- xii) scale to which the plan is drawn;
- xiii) North Point;
- xiv) A Property Identification Number
- xiv) any other information the Development Officer deems necessary;

4.2 In addition to the requirements of Section 4.1, the Applicant shall submit two (2) copies of engineering drawings meeting the requirements of Part 3 of the Standard Specification for the proposed water distribution system, sanitary sewage system, and storm drainage system.

Part 5 Procedure for Final Approval

- 5.1 Upon receipt of the plans and information required under Part 4, the Development Officer shall forward a copy of the material to:
- i) the Municipal Engineer for review and approval of the sanitary sewer system, water distribution system, storm water system, and road design;
 - ii) the Department of Environment and Labour for notification that the Applicant has been issued a *Permit to Construct a Central Sewer or Water System* by the Department; iii) the Department of Transportation and Infrastructure Renewal for approval of any intersections with a public street or highway;
 - iv) Nova Scotia Power for notification of acceptance of the electrical service and street lighting within the development.
- 5.2 Within fourteen (14) days of receiving approval from all agencies or departments to which the application has been referred, the Development Officer shall: i) issue a *Permit to Construct a Land Lease Development*; or
- ii) advise the Applicant in writing of the reasons for refusing to issue a *Permit to Construct a Land Lease Development*.
- 5.3 A *Permit to Construct a Land Lease Development* issued under this Bylaw shall expire one (1) year after its date of issue and may only be renewed for one additional year prior to expiry if the development has not commenced.
- 5.4 Notifications
- Upon completion of services and inspections required under the *Standard Specification*, the Municipal Engineer shall notify the Development Officer that all the work is complete and in compliance with appropriate requirements.

Part 6 Permit to Construct a Land Lease Development Design Requirements

6.1 Servicing Standards

6.1.1 General Requirements

Unless otherwise provided for under this Bylaw all services whether public or otherwise shall be designed and constructed in accordance with the Standard Specification and shall be subject to the approval of the Municipal Engineer.

6.1.2 Roads / Streets

6.1.2.1 All roads in a land lease development shall be constructed to the requirements of the “Class 4 Road” of the Standard Specification except that the minimum right of way width may be reduced to 12 metres (39.4 ft.).

	Major Roads	Minor Roads
Right of Way Width	15 m (49.2 ft.)	12 m (39.4 ft.)
Driving Surface Width	6 m (19.7 ft.)	5 m (16.2 ft.)
Shoulders	2 m (6.6 ft.) each side	2 m (6.6 ft.) each side
Drainage	Open Ditches	Open Ditches
Surface Material (inside service boundary)	Asphalt	Asphalt
Surface Materials (outside service boundary) Optional	Gravel	Gravel

6.1.2.2 All roads within a land lease development shall be paved with an asphalt surface in accordance with the Standard Specification.

- i) Notwithstanding section 6.1.2.2 all roads within a land lease development located outside of the Municipal Service Boundary

shall have the option to have a surface material of gravel as outlined in the "Class 4 Road" requirement of the Standard Specification.

6.1.2.3 All streets in a land lease development shall be installed by the owner and:

- i) be named with appropriate signage placed at the main entrance(s) and at each intersection and such street names shall be approved by the Municipality;
- ii) have regulation "Stop" signs appropriately located at intersections within the park and at public streets;
- iii) have regulation speed limit signs of 25 km/hr placed at all entrances to the land lease development.

6.1.2.5 Subject to the approval of the Municipal Engineer, cul de sacs may be used in a land lease development provided:

- i) cul de sacs do not exceed a length of 100 metres (328 ft.) measured from the nearest limits of the road intersection to the mid point of the bulb; and
- ii) the radius of any cul de sac bulb is 25 metres (82.0 ft) containing a 12 metre radius (39.4 ft.) travel surface.

6.1.3 Sanitary Sewage Collection Systems:

- 6.1.3.1 i) Any new land lease development that is located within a Municipal Sewer District shall be connected to the central sanitary sewage collection system owned and maintained by the Municipality of Colchester.
- ii) Further to section 6.1.3.1(1) any new land lease development that is located outside of the Municipal Sewer District shall be approved by the Department of Environment and Labour. The applicant shall provide the Development Officer with a copy of the final sewage system design as well as conditions of approval.

6.1.3.2 Sanitary sewer systems shall be sized appropriately for the entire area served but in no case have a diameter less than 6 inches for mains and 4 inches for laterals.

6.1.3.3 A land lease community existing on the effective date of this Bylaw and listed in Appendix "B" which does not meet the requirements of 6.1.3.1 may continue to exist and be enlarged or altered provided the Department of Environment and Labour have approved the sewage collection and treatment systems. The Applicant shall provide the Development Officer with a copy of the final sewage system design as well as conditions of approval.

6.1.3.4 A sewage treatment facility shall not be located within 30 metres (98.4 ft.) of any dwelling within or outside the proposed development.

6.1.4 Water Distribution Systems:

6.1.4.1 Water distribution systems shall be capable of providing a minimum water pressure of 25 PSI during peak demand periods;

6.1.4.2 Notwithstanding provisions of the Standard Specification, water systems may be constructed of suitably sized PVC pipe.

6.1.4.3 The Department of Environment and Labour shall approve the water distribution system and the Applicant shall provide the Development Officer with a copy of the final water system design as well as conditions of approval.

6.1.5 Storm Drainage Systems

6.1.5.1 Each manufactured home space shall be graded to ensure positive surface water drainage;

6.1.5.2 A driveway culvert having a minimum diameter of 15 inches (or larger if required) shall be installed for each manufactured home space.

6.1.5.3 All surface water within the land lease development shall be collected and managed onsite in accordance with the Standard Specification and the Nova Scotia Department of Environment and Labour's Handbook for Erosion and Sedimentation Control.

6.1.6 Utilities

6.1.6.1 Utility poles shall be located within the street right of way and installed in accordance with standards of the Utility.

6.1.6.2 All streets in a land lease development shall be lit in accordance with standards recommended by the electric utility.

6.2 Recreation / Open Space

6.2.1 General Requirements:

6.2.1.1 A useable area of land not less than 10% of the total area of the land lease development or a parcel of 560 sq meters (6028 sq. ft.), which ever is greater, shall be provided in new and expanded land lease developments for recreation purposes. Land designated for this purpose shall be appropriately landscaped and developed with playground equipment, benches, lighting, garbage receptacles, pathways, etc.

6.2.2.2 The recreation area referred to under Section 6.2.1 above shall have a

minimum frontage of 15 metres (49.2 ft.) on a street within the development.

6.2.3.3 The recreation/open space requirement of Section 6.3.1 may be waived where a land lease development has a net density of less than 5 manufactured homes per acre.

6.2.2 Exceptions to General Recreation / Open Space Requirements:

The requirements of Section 6.2.1 above may be waived by the Development Officer under the following circumstances:

6.2.2.1 The owner provides the Municipality an equivalent “cash in lieu” equalling 10% of the anticipated assessed value of the area of land being developed provided the land lease development is within 500 meters (1640 feet) of an assessable existing public playground or open space; or,

6.2.2.2 The owner provides the Municipality an acceptable area of land, free of encumbrances, equalling 8% or a parcel of 560 sq meters (6028 sq. ft.),, which ever is greater, of the land being developed with an minimum of 10 meters (32.8 feet) of frontage on a public road and 25 meters (82 feet) on a private road within the development together an equivalent “cash in lieu” equalling 5% of the anticipated assessed value of the land being developed.

6.2.2.4 The owner provides the Municipality, subject to approval by the Development Officer, with an area of land free of encumbrances, which may be used for other purposes including but not limited to trails and walkways, suitable for preservation, significant public historic value, and/or land adjacent to existing parkland owned by the Municipality. Any parcel deeded to the Municipality shall equal 10% of the total area of land being developed or contain a minimum area of 930 sq. meters (10,010 sq. ft.), which ever is greater.

6.3 Manufactured Home Spaces

Each manufactured home space shall:

- i) have a minimum area of 465 sq. metres (5000 sq ft);
- ii) have a minimum area of 558 sq. metres (6000 sq ft) where a lease line of the manufactured home space is abuts a property boundary;
- iii) have a minimum frontage along a park street of 15.2 metres (50 ft.);
- iv) contain at least one (1) off-street parking space measuring a minimum of 2.7 metres (9.2 ft.) ft by 6 metres (19.7 ft.) ft;
- v) be provided with a suitable pad pursuant to CSA Standard CAN3-Z240.10.1-M86); vi) be properly landscaped with grass, trees, shrubs, or similar materials as shown on the Final Plan submitted under Section 4.1 of this Bylaw;
- vi) be provided with service connections for sanitary sewer, water, and electricity;

vii) contain sufficient dimensions and area to accommodate a manufactured home pursuant to Section 8.3.3.

Part 7 Licence to Operate a Land Lease Development

- 7.1 Every land lease development must be licensed pursuant to this Part in order to operate.
- 7.2 An owner of a land lease development lawfully constructed and existing prior to the effective date of this Bylaw must make application no later than six (6) months from the effective date of this Bylaw or upon expiry of any existent license under a predecessor bylaw, whichever is the lesser of the two.”
- 7.3 Upon application by an owner of a land lease development, the Development Officer shall issue a *Licence to Operate a Land Lease Development* subject to the following conditions:
- 7.3.1 the owner has obtained an inspection or written confirmation that electrical services are satisfactory and operating in a safe and acceptable manner.
- 7.3.2 the land lease development is in a satisfactory state of repair and in a clean and sanitary condition.
- 7.3.3 the owner has provided and maintains a facility for the collection and storage of refuse and that such is removed from the premises a minimum of once each week.
- 7.3.4 the owner maintains all roads and signs in a good state of repair and be kept clear of snow in a timely manner.
- 7.3.5 all service connections be properly capped, and secured in a manner to prevent personal injury and deterioration when not in use.
- 7.3.6 the limits of each manufactured home space shall be clearly and permanently marked with flush stakes, markers, or other suitable means.
- 7.3.7 All open space, playground facilities, and other amenities within the development are adequately maintained.
- 7.4.1 Where a land lease development is developed after the effective date of this Bylaw, the Development Officer shall not issue a *Licence to Operate a Land Lease Development* until all requirements of Part 5 & 6 of this Bylaw have been complied with.
- 7.4.2 A land lease development established prior to the effective date of this Bylaw and listed in Appendix “B” attached to this Bylaw may be licensed by the Development Officer subject to a satisfactory site inspection under Section 7.3 above and provided the development was lawfully constructed and licensed to operate under a former *Mobile Home Park Bylaw* of the Municipality.
- 7.5 A *Licence to Operate a Land Lease Development* shall expire five (5) years following its original date of issue.

7.6 The Development Officer shall, before issuing a renewal of a *Licence to Operate a Land Lease Development*:

- i) inspect the land lease development no later than two months before the expiry of a Licence to Operate to ensure compliance with this Bylaw;
- ii) obtain a report from the Municipal Engineer stating that the sanitary sewer is operating in a safe and acceptable manner where such is connected to a public sewer system;
- iii) obtain a report from the Nova Scotia Department of Environment stating that the water distribution and sanitary sewer systems comply with the Nova Scotia Environment Act and / or other applicable regulations administered by the Department;
- iv) obtain a report from the electric utility stating that the electrical services are operating in a safe and acceptable manner.

7.7 Where an owner has made application to renew a *Licence to Operate a Land Lease Development*, the Development Officer may carry out prior to issuing the permit any inspection or require the owner to obtain any report referred to in Section 7.6 to determine compliance with this Bylaw. The owner shall, upon reasonable notice, grant access to the property

7.8 Upon receipt of information received under Section 7.6 above and following his/her inspection of the development, the Development Officer shall notify the owner of the land lease development of any objectionable features that may prevent the issuance of a *Licence to Operate a Land Lease Development*.

7.9 In the event that a land lease development owner must carry out work to remediate any objectionable features in order to comply with the provisions of this Bylaw, the Development may issue a *Temporary Licence to Operate a Land Lease Development* which shall expire one hundred and twenty days (120) following the date of issuance.

7.10 Licensing Fees

7.10.1 The following fees shall be paid to the Municipality at the time of Application for a *Licence to Operate a Land Lease Development* or a renewal thereof:

- i) a fee of \$75.00 for each application involving fifteen (15) or fewer home sites;
- ii) a fee of \$150.00 for each application involving less than seventy five (75) but more than fifteen (15) home sites;
- iii) a fee of \$300.00 for each application involving seventy five (75) or more home sites

7.10.2 The fees referred to in Section 7.10.1 above shall accompany the application, and shall be a cheque or money order made payable to the Municipality.

7.10.3 Where an application for a *Licence to Operate a Land Lease Development* is not approved, the Applicant shall be entitled to the return of any fees made payable to the Municipality in a form acceptable to the Municipality.

Part 8 Manufactured Home Building Permit

8.1 Applications

8.1.1 The land lease development owner shall obtain a *Manufactured Home Building Permit and Development Permit* from the Municipality to:

- i) locate or relocate a manufactured home in any land lease development and shall make a copy of the permit, its terms and conditions available to the home owner; and,
- ii) locate, construct, erect, or repair a service building or structure within a land lease development.

8.1.2 The manufactured home owner or the development owner shall obtain a *Manufactured Home Building Permit and Development Permit* from the Municipality to locate, construct, erect, or repair accessory buildings, structures, or additions on a manufactured home space within a park.

8.2 Issuance of a Manufactured Home Building Permit & Development Permit

8.2.1 The Municipal Building Inspector and Development Officer shall issue a *Manufactured Home Building Permit* and a *Development Permit* subject to the following:

- i) a *Licence to Operate a Land Lease Development* is in effect for the property; and
- ii) all standards and requirements referred to in Part 8 of this Bylaw have been complied with; and,
- iii) all applicable requirements of the Municipality's *Building Bylaw* have been complied with.

8.2.2 Notwithstanding Sections 8.3.1 and 8.3.2 below, a manufactured home located on a designated space prior to the effective date of this Bylaw, having less than the minimum requirements indicated under such Sections, may be located or relocated provided that there is no further reduction of any of the required setbacks.

8.3 Location of Manufactured Homes

8.3.1 A manufactured home to be located within a land lease development shall be situated a minimum of:

- i) 6 metres (19.7 ft.) from any private street right-of-way; and ii) 8 metres (26.2 ft.) from any external property boundary; and
- iii) 6 metres (19.7 ft) from any adjacent manufactured home and/or any additions thereto.

- 8.3.2 No manufactured home shall occupy more than 40% of the designated mobile home space including any additions, porches, carports, accessory buildings and structures.
- 8.3.3 The long axis of a manufactured home shall be oriented at an angle not greater than sixty (60) degrees to the street right-of-way where an entrance to the dwelling unit is not located on the end of the unit facing the street. The Development Officer may permit a variation of this requirement in circumstances where this may not be practical or possible.
- 8.4 Unless otherwise authorized in writing by the Building Inspector, all manufactured homes to be located in a land lease development shall be skirted in accordance with CSA Standard CAN3-Z240.10.1-M86 within sixty (60) days of placement on the home space.

8.5 Accessory Buildings, Structures, and Additions

- 8.5.1 No more than two (2) detached accessory buildings or structures shall be permitted on a lease space and shall not have a floor area exceeding 20 sq. metres (215 sq. ft.) for each.
- 8.5.2 Attached garages or carports shall not have a gross floor area exceeding 40 sq. metres (430 sq. ft.).
- 8.5.3 No accessory building or structure shall have a total height (from grade to the highest roof point) greater than 5 metres (16.4 ft.).
- 8.5.4 Detached accessory buildings and structures shall not be located closer to any park street or public street or road than the manufactured home;
- 8.5.5 Attached garages and carports shall not be located closer to any street or public street or road than the minimum distance required for a manufactured home;
- 8.5.5 Detached accessory buildings shall not be located within:
 - i) one (1) metre (3.3 ft.) of any other accessory building on the manufactured home space; and,
 - ii) 2.5 metres (8.2 ft.) of any manufactured home; and
 - iii) one (1) metre (3.3 ft.) of the boundary of the land lease development.
- 8.5.6 Notwithstanding Sections 8.5.1 to 8.5.5 land lease service and maintenance buildings and structures shall be constructed in accordance with the Municipal *Building Bylaw* and shall not be located within 6 metres (19.7 ft.) of any manufactured home, a public or private street, or any property boundary.

8.6 **Manufactured Home Additions**

Any addition to a manufactured home shall be constructed in accordance with the Municipality's *Building Bylaw* and shall:

- i) be located a minimum of 6 metres (19.7 ft) from any adjacent mobile home except in the case of wheelchair ramps or steps; and
- ii) not be located within any required setback; and iii) exceed the height of the manufactured home to which it is attached.

Part 9 Penalties

- 9.1 Any person who contravenes any provision of this Bylaw is punishable on Summary Conviction by a fine for a first offence of not less than \$250 or more than \$1,000 and for a second or subsequent offence of not less than \$1,000 or more than \$5,000 and in default of payment imprisonment for a term of not more than ninety (90) days.
- 9.2 An officer, director or manager of an incorporated body who directs, authorizes, assents to, acquiesces or participates in an offence pursuant to this Bylaw is guilty of the offence and may be charged together with, in addition to or independent of the incorporated body.
- 9.3 For purposes of this Section, each day of violation may constitute a separate offence.
- 9.4 Any person who is convicted of an offence pursuant to this Bylaw may be precluded from applying for or renewing a License to Operate a Land Lease Development or a Permit to Construct a Land Lease Development.
- 9.5 Where a party convicted pursuant to this Bylaw is an incorporated body any officer, director or manager of the incorporated body at the time of the violation or conviction, or any incorporated body of which they are an officer, director or manager, may be precluded from applying for or renewing a License to Operate a Land Lease Development or a Permit to Construct a Land Lease Development.

Part 10 Severability

- 10.1 It is hereby declared that each and every part of the foregoing Sections of this Bylaw is severable and that if any provision of this Bylaw should for any reason be declared invalid by any Court, it is the intention and desire of the Council of the Municipality of the County of Colchester that each and every of the then remaining provisions hereof should remain in full force and effect.

Part 11 Definitions

11.1 **ACCESSORY BUILDING/STRUCTURE** means any building or structure that is constructed or placed on a manufactured home space and of a nature that is clearly secondary and incidental to the manufactured home.

11.2 **ADDITION** means any deck, enclosed space, stairway or wheelchair ramp and any similar structure which is attached to the manufactured home or otherwise added to the manufactured home space and shall exclude the foundation and skirting of manufactured home.

11.3 **BUILDING INSPECTOR** means the Building Inspector of the Municipality of the County of Colchester appointed by Council.

11.4 **COUNCIL** means the Council of the Municipality of the County of Colchester.

11.5 **DEVELOPMENT OFFICER** means the person appointed by Council under the authority of the Municipal Government Act to administer provisions of the Land Lease Development Bylaw.

11.6 **FRONTAGE** means the distance between side lines of a manufactured home space along a street at a distance of 6 metres (19.7 ft.) measured perpendicular to the street right of way.

11.7 **LAND LEASE DEVELOPMENT** means a lot or area of land which contains ten or more manufactured home spaces and includes any buildings and services used as part of the equipment of the land lease development and includes any expansion of an existing such development.

11.8 **LAND SURVEYOR** means a registered member in good standing, of the Association of Nova Scotia Land Surveyors.

11.9 **MAJOR ROADWAY** means, for the purposes of this Bylaw, a privately owned street within a land lease development which is intended to facilitate internal traffic movement from a public road. Major roadways function as collector streets within the development.

MINOR ROADWAY means, for the purposes of this Bylaw, a privately owned street within a land lease development designed to provide localized access to lots and are generally characterized as cul-de-sacs, crescents, or lanes. Minor roadways typically branch from major roads within a development.

11.10 **MANUFACTURED HOME** means a single or double section manufactured dwelling unit that is:

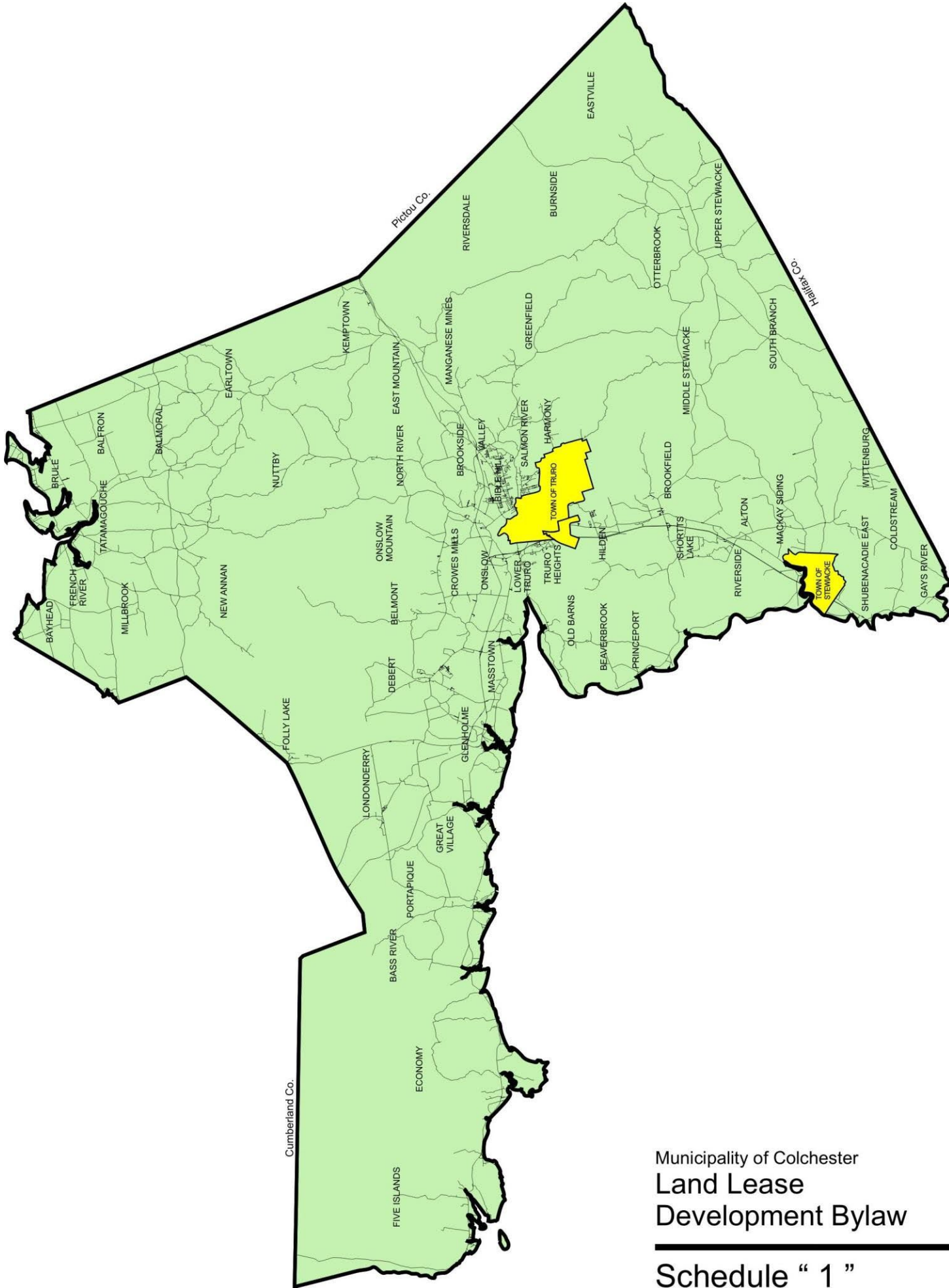
- i) designed to be transportable, whether or not it is equipped with wheels; and
- ii) used as a dwelling for one or more persons, but shall not include a travel trailer, bus, recreational vehicle, or trailer otherwise designed. and includes both mobile homes and mini homes.

11.11 **MANUFACTURED HOME OWNER** means the owner of a manufactured home within a land lease development.

11.12 **MANUFACTURED HOME SPACE** means the area of land defined by lease lines on which a manufactured home is intended to be placed.

11.13 **MINI-HOME** means a dwelling that is manufactured in a factory with the wood floor system being an integral part of the structural integrity by way of design and designed to be placed on a foundation and delivered to the site on a flatbed or steel frame. This definition does not include sectional homes transported in two or more sections and assembled on site.

- 11.14 **MOBILE HOME** means a dwelling that is manufactured in a factory, constructed on a metal or steel frame and includes a towing hitch with the frame and floor system combined being an integral part of the structural integrity by way of design.
- 11.15 **OWNER** means the owner of a land lease development.
- 11.16 **MANUFACTURED HOME or LEASE SPACE** means a parcel of land which is developed to accommodate one manufactured home within a land lease development.
- 11.17 **MUNICIPAL SEWER DISTRICT** means a defined area under the Sewer Bylaw serviced by or capable of being serviced by a public central sewage collection system.
- 11.18 **MUNICIPALITY** means the Municipality of the County of Colchester.
- 11.19 **PRIVATE STREET** means a street situated within a land lease development, which is not a public street or highway owned by the Municipality or the Province of Nova Scotia.
- 11.20 **SERVICE BUILDING** means any building or structure that is constructed or placed within the land lease development and is used or intended to be used as part of the services or equipment of the development.
- 11.21 **SKIRTING** means the enclosure around a manufactured home that serves to screen and protect the crawl space underneath the manufactured home.
- 11.22 **STANDARD SPECIFICATION** means the *Standard Specification for the Design and Construction of Municipal Services in Colchester County* adopted by a resolution of Council and as amended from time to time.
- 11.23 **TRAVEL TRAILER** means a vehicular portable structure without motive power, having an overall width not exceeding 2.5 metres (8.2 ft) and is designed for recreational purposes.



Municipality of Colchester
**Land Lease
 Development Bylaw**

Schedule " 1 "

SCHEDULE 3

*Licence to Operate a
Land Lease Development*

[NAME] OF [LOCATION] [IS/ARE] HEREBY AUTHORIZED TO
CONSTRUCT AND OPERATE A LAND LEASE DEVELOPMENT KNOWN AS
[PARK NAME]

IN ACCORDANCE WITH THE APPLICATION SUBMITTED FOR THIS LICENSE
AND SUBJECT TO THE BY-LAWS OF THE
MUNICIPALITY OF THE COUNTY OF COLCHESTER.



ISSUED DATE: _____

EXPIRY DATE: _____

Appendix “A”

The current standard is CSA Z240.10.1-08 – Site Preparation, Foundation, and Anchorage of Manufactured Homes as adopted by the Provincial Building Bylaw. All applications shall be reviewed in accordance with these standards.

Appendix “B”

Existing Land Lease Developments

<u>NAME</u>	<u>LOCATION</u>	<u>PID#</u>
Summer Street	Salmon River Road	20033965
Bridgeview Mobile Home Park	Salmon River Road	20422424
KIWO Enterprises Ltd.	1393 East Prince Street	20036190
Deuilles Trailer Court	Harmony Road	20042099
Bible Hill Estates	Vimy Road	20066486
College Park	363 College Road	20062717
Gardiner Properties Ltd.	2 Benjamin Drive	20225132
Cobequid Mobile Home Park	81Board Landing Road	20105995