

TOWN OF AMHERST

Leased Land Community Bylaw

Pursuant to Section 171 of the Municipal Government Act, **BE IT ENACTED** by the Council of the Town of Amherst as follows:

This Bylaw shall be known as the “Leased Land Community Bylaw”. It shall apply to all areas within the Town of Amherst located in the Mini Home Park Zone where the property is operated as a Land Leased Community under the Town of Amherst Land Use Bylaw P-2.

1.0 DEFINITIONS

For the purposes of this Bylaw the definitions and interpretations given in this section shall govern.

- 1) **Council** means the Town Council of the Town of Amherst
- 2) **Development Officer** means the officer appointed by the Town of Amherst charged with the responsibility of administering the provisions of the Municipal Government Act and this Bylaw in accordance with said Act.
- 3) **Engineer** means the engineer of the Town, or their designate.
- 4) **Expansion** means any increase in the number of Manufactured Home Spaces
- 5) **Frontage** means the width of a Manufactured Home Space measured at the minimum setback from the street upon which the Space fronts
- 6) **Land Leased Community** means a residential development located in the Mobile Home Park Zone under the Town Land Use Bylaw, and not having a registered subdivision plan of individual Manufactured Home lots, that contains a minimum of twenty (20) Manufactured Homes, and shall also mean a Mini Home Park under the Town Land Use Bylaw
- 7) **Manufactured Home** means a dwelling unit that is installed and occupied in a location other than its place of manufacture, with a length to width ratio greater than 3:1 (length to width) and certified by the Canadian Standards Association prior to placement on the site as complying with the CAN/CSA-Z240 Series “Mobile Homes” at the time of manufacture, but shall not include recreational vehicles as defined in the CAN/CSA-Z240 RV Series or “Park Model Trailers” as defined by CAN/CSA-Z241 Series, and shall also mean Mobile/Mini Homes under the Town Land Use Bylaw
- 8) **Manufactured Home Space** means an area of land within a Land Leased Community designed to accommodate one (1) detached dwelling
- 9) **Operator** means the registered owner of the Land Leased Communities
- 10) **Private Street** means a street owned and maintained by an Operator
- 11) **Public Street** means a street owned and maintained by the Town as a public right of way
- 12) **Town** means the Town of Amherst.

2.0 PERMIT REQUIREMENTS

- 2.1 No development of a new Land Leased Community or expansion of an existing Land Leased Community shall commence or be otherwise undertaken without first having obtained a Development Permit issued in accordance with the Town Land Use Bylaw, this Bylaw, and the Town Subdivision Bylaw.
- 2.2 No Manufactured Home shall be present in a Land Leased Community or be otherwise located on a Manufactured Home Space without first having obtained a Building Permit.

3.0 STREETS AND INFRASTRUCTURE

- 3.1 Any new Land Leased Community, or an expansion of an existing Land Leased Community, shall conform to the Town Subdivision Bylaw, except where the subdivision of separate Lots is required under said Bylaw.
- 3.2 Any expansion of an existing Land Leased Community shall have direct access to a Public Street, water service, sanitary sewer service, and storm water services, and shall provide a turnaround area that satisfies the Subdivision Bylaw at the junction of the Public Street and Private Street.
- 3.3 The Owner of an existing Land Leased Community with Private Streets, water services, sanitary sewer services, and open spaces shall maintain said facilities for the life of the Land Leased Community.
- 3.4 All Private Streets shall have a minimum of one street light for every 60 metres of street.

4.0 LOCATION, SPACE, AND LAYOUT

- 4.1 Manufactured Home Spaces in a Land Leased Community shall abut a Private Street or Public Street, and shall have a minimum frontage of 15 metres, and a minimum area of 450 square metres.
- 4.3 Any new Manufactured Home, or any addition to an existing Manufactured Home, shall have a minimum setback of 6 metres from any other Manufactured Home, a minimum setback of 5 metres from any street, and a minimum setback of 5 metres from the outer property line of the Land Leased Community boundary that abuts private property.
- 4.4 Notwithstanding section 4.3, where a Manufactured Home has been located on a Manufactured Home Space prior to the effective date of this Bylaw having less the minimum setback from a street or another structure, another Manufactured Home may be located on the same Manufactured Home Space provided that there is no further encroachment into the minimum setback.

- 4.5 A maximum of one (1) Manufactured Home shall be permitted in a Manufactured Home Space.
- 4.6 Every structure accessory to a Manufactured Home shall conform to the Town Land Use Bylaw.
- 4.7 All existing Land Leased Communities shall maintain as open space a minimum of 5% of the total land area of the park, exclusive of streets. New Land Leased Community developments shall be subject to the Public Open Space requirements of the Town Subdivision Bylaw.
- 4.8 A Manufactured Home shall not be located in a Land Leased Community outside a Manufactured Home Space for a period of time longer than seven days.
- 4.9 All Manufactured Homes shall be provided with skirting to be constructed in accordance with the Canadian Standards Association's Recommended Practice for the Site Preparation, Foundation and Anchorage of Manufactured Homes within 60 days of locating on a Manufactured Home Space.
- 4.10 All Manufactured Homes located in a Land Leased Community shall have the following:
- a) a roof pitch of at least 1 to 4 (rise to run);
 - b) horizontal clapboard style siding; and,
 - c) a standard of construction in accordance with the Nova Scotia Building Code.

5.0 GENERAL REQUIREMENTS

- 5.1 Land Leased Communities and all dwellings therein shall conform to Town Bylaws and policies, and Part XV of the Municipal Government Act regarding Dangerous and Unsightly Premises.

6.0 PENALTIES

- 6.1 Any person who violates or fails to comply with any provision of this Bylaw shall be liable, upon summary conviction, to a penalty not less than Five Hundred Dollars (\$500.00) and not exceeding Ten Thousand Dollars (\$10,000.00) and in default of payment to imprisonment for a period not exceeding sixty (60) days.

7.0 REPEAL

The Town of Amherst Mobile Home Park Bylaw, D-9, adopted by Council on May 16, 1988 with amendments on August 15, 1988 and further amendments by the Minister of Municipal Affairs on September 7, 1988 is repealed as of the date this Bylaw takes effect.

Clerk's Annotation for Official By-Law Book

Date of First Reading: 24 June 2013

Date of Notice of Intent to Consider: 15 July 2013 and 13 September 2013

Date of Second Reading: 23 September 2013

Date of Advertisement/Notice of Publication: 27 September 2013

Date of mailing to Minister a certified copy: 27 September 2013

I certify that this **Leased Land Community Bylaw, P-8**, was adopted by Council and published as indicated above.

Town Clerk and Chief Administrative Officer

Date