



**Town of Mahone Bay**  
Staff Report  
RE: Amendment of LUB  
Sections 6.4.1 and 16.2.1(i)  
April 1, 2025

**General Overview:**

This staff report is intended to provide the Planning Advisory Committee with a request from Council and associated proposed recommendation.

**Background:**

Council met March 27<sup>th</sup> and passed a motion referring the proposed amendment of LUB Sections 6.4.1 and 16.2.1(i) to the Planning Advisory Committee, requesting a recommendation from the committee's April 1<sup>st</sup> meeting.

**Analysis:**

The multi-year Plan Mahone Bay process which culminated with the adoption of the Town's new Municipal Planning Strategy and Land Use By-law had as one of its principal intentions – aligned with the 2021-25 Strategic Plan – increasing the availability of housing stock in Mahone Bay. The new Residential Multi-Unit Zone was established and a number of properties were zoned as Residential Multi-Unit at the request of their owners, hoping to facilitate the construction of housing. Unfortunately, other restrictions within the by-law have potential to impede housing construction.

Council has identified such restrictions in Sections 6.4.1 and 16.2.1(i), which effectively require all housing developments over eight units – even in the Residential Multi-Unit Zone – anywhere in Mahone Bay (with the exception of those proceeding by Development Agreement) to locate their parking entirely to the rear of the development. This requirement does not pertain to commercial, industrial and institutional developments outside of the Commercial Core Zone. Council has requested the Committee consider amendment to these sections.

**Section 6.4 Parking Location**

The restrictions imposed by Section 6.4 apply to all types of development. Section text follows, with potential amendment highlighted:

6.4.1. Automobile parking spaces shall not be located in the front or flankage yard in the Commercial Core (CC) Zone **or the Residential Multi-unit (RM) Zone.**

6.4.2 No more than three (3) parking spaces shall be located in the front yard of any dwelling.

Section 16. Site Plan Approval, governs development applications permissible by site plan approval; 16.2 is specific to residential developments. The following table from S. 16.2 indicates which developments are permissible by development permit, site plan approval, or development agreement.

**Residential Uses in the Residential Zones**

	RC	RG	RM
Accessory Dwelling	P	P	P
Bed and Breakfast			
» 6 or fewer sleeping units	P	P	P
» More than 6 sleeping units	-	DA	DA
Boarding House			
» 4 or fewer sleeping units	P	P	P
» More than 4 sleeping units	-	DA	DA
Converted Dwelling			
» 5 or fewer dwelling units	DA	P	P
» More than 5 dwelling units	-	DA	DA
Grouped Dwelling			
» 2 dwelling units	P	P	-
» 3 to 4 dwelling units	S	S	P
» 5 to 8 dwelling units	-	S	P
» 9 to 12 dwelling units	-	-	S
Home-based Business	P	P	P
Mini Home	P	P	-
Mobile Home	P	P	-
Multi-unit Dwelling			
» 4 dwelling units	P	P	P
» 5 to 8 dwelling units	-	P	P
» More than 8 dwelling units	-	-	S
Nursing Home	-	-	DA
Residential Care Facility	-	-	S
Two-unit Dwelling	P	P	-
Short-term Rental	P	P	P
Single-unit Dwelling	P	P	-
Small Options Home	P	P	-
Triplex Dwelling	P	P	P

P = permitted | S = site plan | DA = development agreement

The proposed amendment to Section 6.4.1 above means that residential developments permissible by development permit in the Residential Multi-Unit Zone would be limited to three (3) parking spaces in the front (instead of zero (0)), which aligns with all other residential developments in residential zones permissible by development agreement.

This same limit would apply to developments permissible by site plan approval, however these developments would be subject to further restriction by Section 16.2.1(i).

### **Section 16.2.1 Site Plan Approval – Parking and Outdoor Storage (i)**

The restrictions imposed by Section 16.2.1(i) apply to residential developments permissible by site plan approval. As site plan approval is generally more rigorous than approval by development permit it is typically reserved for developments over a certain scale.

Section text follows, with potential amendment highlighted:

(i) Required parking areas shall be located at the **side or** rear of any new building, with the exception of grouped dwellings.

This proposed amendment to Section 16.2.1(i) means that residential developments permissible by site plan approval would be allowed to locate parking at the side of a new building, where previously it was restricted to the rear. No parking would be permitted in front of the building in these cases, with the exception of grouped dwellings (as compared to up to three(3) spaces for lower scale developments permissible by development permit).

This aligns with Section 16.1.1(h), pertaining to Commercial, Industrial, and Institutional developments permissible by site plan, which states:

(h) Required parking areas shall be located at the side or rear of any new building.

The proposed amendment could also likely be moderated to pertain only to developments not fronting directly on Main/Edgewater Street(s) if deemed advisable.

The combined effect of these amendments to LUB Sections 6.4.1 and 16.2.1(i) would be to remove the restriction in the By-law effectively preventing the development of larger multi-unit buildings on properties where factors such as grade, forestation, etc. would require parking located at the side of the building. Removing this restriction would further the Council objective of supporting the development of additional housing stock in Mahone Bay.

**Financial Analysis:**

Additional housing stock results in additional assessment base to share the residential tax load and additional dwelling units on Town services mean additional ratepayers to contribute to utility costs.

**Climate Analysis:**

Multi-unit housing has numerous environmental benefits, particularly when constructed to a high efficiency standard / heated with electricity.

**Strategic Plan:**

Directly supports Council objective to increase housing stock.

**Recommendation:**

It is recommended,

THAT the Planning and Advisory Committee recommend that Council give first reading to the Land Use By-law with amendments to Sections 6.4.1 and 16.2.1(i).

**References:**

- **Town of Mahone Bay Land Use By-law**  
[https://www.townofmahonebay.ca/uploads/1/3/0/6/130665195/2024-03-20\\_mahone\\_bay\\_-\\_lub\\_-\\_in\\_effect.pdf](https://www.townofmahonebay.ca/uploads/1/3/0/6/130665195/2024-03-20_mahone_bay_-_lub_-_in_effect.pdf)

**Respectfully Submitted,**



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