

# FAQ



## SMALL-SCALE MULTI-UNIT HOUSING R5 | THREE & FOUR UNIT RESIDENTIAL



The purpose of this FAQ is to provide information about the R5 Zone | Three & Four Unit Residential Zone in relation to the Small-Scale Multi-Unit Housing Provincial Legislation.

### 1. What is Small-Scale Multi-Unit Housing?

Small-scale multi-unit housing is new Provincial Housing Legislation that requires local governments to allow up to four units on a lot, where historically only one or two housing units were allowed (example: single residential dwelling or duplex). Many of these lots have been pre-zoned to 'R5 – Three and Four Residential' to accommodate this change.

### 2. What parcels have been pre-zoned to R5?

Lots previously zoned R1 / R1a / R1b / R2 / R4 have been pre-zoned to "R5 – Three and Four Unit Residential" with some exemptions. Exempted properties include:

- Lots that are not connected to City utilities;
- Zones where the minimum lot area is 4,050m<sup>2</sup> (1 acre) or greater;
- Lots that are 4,050m<sup>2</sup> or greater in area;
- Lots subject to hazardous conditions (North Slope Area);
- Lots within a Transit-Oriented Area; and
- Lots that are designated Old City Neighbourhood and Corridor in [Schedule 2 of City Plan](#), which have instead been pre-zoned R14 or COR1 Interim Corridor Area.

Refer to the [Small-Scale Multi-Unit Zoning](#) map to see what parcels have been pre-zoned.

### 3. How many dwelling units are permitted on a lot zoned R5?

Lots less than 280m<sup>2</sup> in lot area are permitted to have a maximum of three (3) dwelling units. Lots 280m<sup>2</sup> or greater in lot area are permitted to have a maximum of four (4) dwelling units. However, property land titles should be checked as charges may limit Small-Scale Multi-Unit housing regulations (example: covenant that restricts density).

### 4. What are some building forms that are permitted on a lot zoned R5 (refer to page 3 for illustrative examples) ?

- Single Residential Dwelling.
- Duplex (attached or detached).
- Single Residential Dwelling with secondary suite or detached suite (e.g. carriage house).
- Duplex (attached or detached) each with a secondary suite.
- Single residential dwelling with secondary suite and detached suite.
- Three dwelling units on lots less than 280m<sup>2</sup> in 1 or 2 buildings.
- Four Dwelling units on lots equal to or greater than 280m<sup>2</sup> in 1 or 2 buildings.



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### 5. What are some building forms NOT permitted on a lot zoned R5 (refer to page 4 for illustrative examples)?

- Single Residential Dwelling with two secondary suites in same building.
- Duplex with a detached suite.
- Single Residential Dwelling with more than one detached suite.
- Townhouse each with secondary suites.
- Three or Four Dwelling Units in more than 2 buildings.

### 6. Why are only two principal buildings permitted on a lot zoned R5?

The small-scale multi-unit housing regulations are balancing flexibility with sensitive design. Clustering units can offer more space for building separation from neighbours, parking, onsite amenities, tree retention and stormwater management.

### 7. What are some factors I need to consider when designing for 3 to 4 dwelling units on my lot?

- Environmental constraints such as tree retention, watercourses & steep slopes.
- Site constraints such as setbacks, lot configuration and lot size.
- On-site parking requirements.
- BC Building Code and City of Nanaimo Building Bylaw requirements such as sprinkeling.
- Utility servicing such as sewer, water, storm, fire flows & hydro.

### 8. Can each unit in the R5 zone have a home-base business?

The home-base business regulations vary for single dwelling units and multi-family dwellings, so refer to the Home-Based Business Regulations, [Section 6.20 of the Zoning Bylaw](#).

### 9. Can I stratify the units on my property?

There are no changes to the Provincial Strata Regulations. However, it is important to keep the following in mind:

- Two or more dwelling units on the same lot can be stratified.
- Provincial strata conversion requirements still require all existing buildings meet current building code requirements at time of stratification (refer to [Section 242 – Land Title Act](#)).
- Secondary suites including detached suites (i.e carriage house) are not permitted to be stratified.

Refer to the Subdivision FAQ for Small-Scale Multi-Unit Housing for more detailed information.

### 10. Am I required to apply for a Development Permit if my lot is zoned R5?

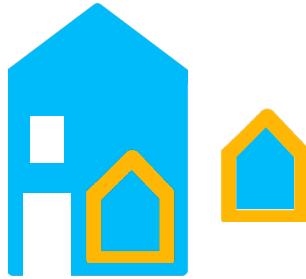
A development permit that addresses the form and character of a development is not required, unless a variance is requested to setbacks, building height, lot coverage or parking. A development permit may be required if your lot is subject to any other Development Permit Areas including: Environmentally Sensitive Areas, Hazardous Slopes, Sea Level Rise, Abandoned Mine Workings Hazard, Wildfire Hazard, Steep Slopes, and Parkway Design. For more information, refer to [NanaimoMap | CityPlan2022 | Development Permit & Heritage Conservation Area](#) layer.



### BUILDING FORMS PERMITTED IN THE R5 ZONE



SINGLE RESIDENTIAL DWELLING



SINGLE RESIDENTIAL DWELLING WITH SECONDARY SUITE AND DETACHED SUITE



DUPLEX (ATTACHED OR DETACHED)



DUPLEX WITH SECONDARY SUITE



THREE DWELLING UNITS ON LOTS < 280m<sup>2</sup> IN 1 OR 2 BUILDINGS



SINGLE RESIDENTIAL DWELLING WITH SECONDARY SUITE (OR DETACHED SUITE)



SINGLE RESIDENTIAL DWELLING WITH DETACHED SUITE



FOUR DWELLING UNITS ON LOTS ≥ 280m<sup>2</sup> IN 1 OR 2 BUILDINGS



**BUILDING FORMS NOT PERMITTED IN THE R5 ZONE**



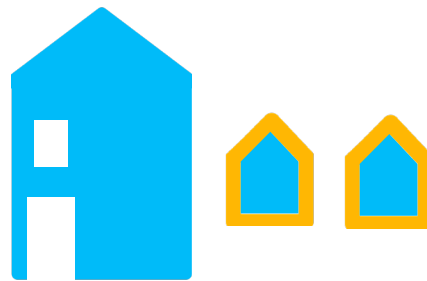
SINGLE RESIDENTIAL DWELLING WITH TWO SECONDARY SUITES IN THE SAME BUILDING



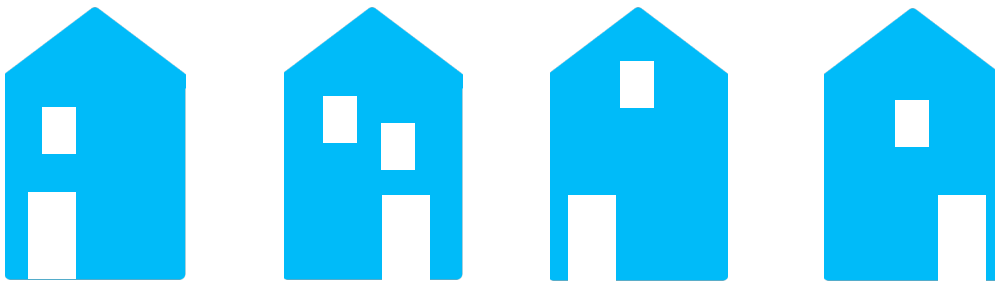
THREE OR FOUR DWELLING UNITS WITH SECONDARY SUITES



DUPLEX WITH A DETACHED SUITE



SINGLE RESIDENTIAL DWELLING WITH MORE THAN ONE DETACHED SUITE



THREE OR FOUR DWELLING UNITS IN MORE THAN 2 BUILDINGS