



FAQ



SMALL-SCALE MULTI-UNIT HOUSING SUBDIVISION



LAST UPDATED: JANUARY 2025

The purpose of this FAQ is to provide information on frequent questions on how subdivision regulations are impacted by 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 now allow up to four units on a lot, where historically only one or two housing units were allowed (example: single residential dwelling or duplex).

2. **Now that up to four units are permitted on a lot, can I stratify? (i.e. create separate title to each unit to sell the units individually, the lot remains as common property to the strata units).**

Yes. However, only 'principal' units can be stratified; i.e. not suites, carriage houses, accessory dwelling units, etc. Stratification must also occur at the time of construction, before the units are occupied, and all units must be stratified at the same time (unless a Phased Strata has been approved, see questions 5 for information on Phased Stratas).

3. **Do I have to stratify the units on my lot?**

All units can remain under the same ownership and used as rental units, or for other personal use.

4. **Can I stratify the units on my lot if one (or more) is an existing dwelling (i.e. previously occupied)?**

Potentially. This process would require a 'Strata Conversion' for the existing dwelling(s), which is an application process through the City. This process requires that the previously occupied units are brought up to substantially comply with current Building Code standards, which may be difficult. You can find more information about the strata conversion process on the Subdivision page of our website.

5. **Can I develop my strata units in phases (Phased Strata)?**

Potentially. In order to phase the strata, the first phase must contain two or more units, and the first and last phases must meet the minimum lot area/dimension/setback requirements of the zone.



SMALL-SCALE MULTI-UNIT HOUSING | SUBDIVISION

6. Can I subdivide my lot?

The process to subdivide land has not change based on SSMUH. To subdivide, new parcels must meet the minimum lot area requirements of the zone and other subdivision requirements may apply, such as road dedication, park dedication, road construction including the reconstruction of existing road frontages, service installation, etc.

However, the ability to meet the minimum lot area does not guarantee that land can be subdivided. Other considerations may restrict subdivision such as viable buildable area, servicing, and environmental and other site constraints, may restrict subdivision. More information about the subdivision process can be found on the [Subdivision page](#) of our website.

7. My parcel is over 4,050m², so it was exempt from the SSMUH rezoning and is still zoned R1 (Single Dwelling Residential), can I subdivide based on the R1 zone?

For parcels that were exempt from the SSMUH zoning changes (e.g. the area of the parcel was greater than 4,050m², there are no services to the lot, etc.) and which, following subdivision, will be required to be rezoned to a non-restricted zone (R5 or other) after subdivision, pursuant to Section 418.3 of the Local Government Act, the following will apply:

- Owners will be required to apply to rezone the parent parcels prior to, or concurrently with, a subdivision application.
- Rezoning applications will be subject to the applicable rezoning application fees.
- Rezoning for the parent parcels must be finalized prior to an application for Design Stage Acceptance (DSA)

By requiring the owners to rezone the lands prior to subdivision, a more fulsome review of the proposal can occur, considering City Plan, other bylaws, the surrounding context, etc., and Council can have the opportunity to properly consider the proposal.

WHERE TO LEARN MORE

250-755-4429 

planning@nanaimo.ca 

www.nanaimo.ca/goto/housinglegislation 