



**DEVELOPMENT VARIANCE PERMIT APPLICATION NO. PL2025-085
990 ENGLISHMAN RIVER ROAD, ELECTORAL AREA F**

Please note: Recommendation #2 has been fulfilled.

RECOMMENDATIONS

1. That the Board approve Development Variance Permit No. PL2025-085 to increase the secondary suite maximum floor area to permit the conversion of an existing dwelling to a detached secondary suite subject to the terms and conditions outlined in Attachment 2.
2. That the Board direct staff to complete the required notification for Development Variance Permit No. PL2025-085.

BACKGROUND

The Regional District of Nanaimo (RDN) has received an application from PRISM Land Surveying Ltd. on behalf of David Turner and Nancy, Michael and Christina Aylen to permit the conversion of an existing single-family dwelling into a secondary suite. The subject property, legally described as Lot 17, Block 544, Nanoose District, Plan 33998, is approximately 2.02 hectares in area and is zoned Rural 1 Zone (R-1), pursuant to “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002” (Bylaw 1285). The property is bound by Englishman River to the east, Englishman River Road to the north and is surrounded by rural residential zoned properties (see Attachment 1 – Subject Property Map).

The property contains two single family dwellings, a shop and shed and is serviced by onsite water and wastewater disposal.

Proposed Development and Variance

The property currently contains two existing dwelling units, both of which exceed 90 m² in floor area. The property owner is seeking a variance to increase the maximum permitted floor area for an accessory building containing a detached secondary suite—from 90 m² to 99.98 m². Additionally, the property owner is also seeking a variance to increase the maximum number of bedrooms permitted in a secondary suite from two to three. These variances would facilitate the conversion of one of the existing dwelling units into a detached secondary suite, thereby allowing the construction of a new single-family dwelling on the property. The applicant proposes to vary the following regulations from the “Regional District of Nanaimo Electoral Area ‘F’ Zoning and Subdivision Bylaw No. 1285, 2002”:

- **2.18(3)(f) – Secondary Suites** to increase the maximum number of bedrooms from two to three.

- **2.18(4)(b) – Secondary Suites** to increase the maximum floor area for an accessory building containing a secondary suite from 40% of the habitable floor space of the principle dwelling unit which it is associated with or 90 m² of total floor space to 99.98 m².

Land Use Implications

The property is currently zoned Rural 1 (R-1) as per Bylaw 1285. The R-1 zone permits one dwelling unit per hectare to a maximum of two dwelling units per lot and permits secondary suites as an accessory use. Bylaw 1285 currently stipulates a minimum site area requirement for detached secondary suite of 800 m² when a property has both a community sewer and water connection, and 8,000 m² (0.8 ha) in all other cases. The subject property is approximately 2.02 hectares and would be permitted to have two dwelling units and two secondary suites, one of which may be detached.

The property is owned by a family who purchased it approximately one year ago with the intention of sharing it between two households. The applicants occupy one half of the property, while their son and his family reside on the other half. There are currently two existing single-family dwellings on the property: the applicant's residence is approximately 119.05 m² and the son's residence is approximately 99.8 m². The proposal is to reduce the size of the 119.05 m² dwelling to 99.98 m². The result would be two dwelling units of 99.8 m² and 99.98 m².

The applicants recently submitted a building permit application to construct a new dwelling on the property. The proposed new dwelling would be approximately 212.0 m² in size. However, the permit cannot be issued at this time, as the two existing dwellings exceed the maximum permitted floor area for a detached secondary suite of 90 m² as stipulated in Bylaw 1285.

To proceed with the construction, the applicants are applying for a Development Variance Permit to increase the maximum floor area permitted for an accessory building containing a secondary suite from 90 m² to 99.98 m² and to increase the maximum number of bedrooms permitted in a secondary suite from two to three. In support of the requested variance, the applicants have submitted a site survey prepared by PRISM Land Surveying Ltd. and dated May 29, 2025 and building plans and a letter prepared by owner David Turner. These plans and letter outline the proposed renovations and necessary steps to ensure the existing dwelling meets the proposed variances. The proposed variance aligns with the secondary suite regulations in "Regional District of Nanaimo Zoning Bylaw No. 2500, 2024" (Bylaw 2500), which applies to Electoral Areas A, C, E, G, and H. Under Bylaw 2500, detached secondary suites are permitted up to 100 m² in floor area and may contain up to three bedrooms, regardless of the size of the principal dwelling.

If the variance is approved, a condition of the permit will require the applicants to obtain a building permit to reduce the size of the existing 119.05 m² dwelling to 99.98 m². Once this renovation is completed and the building permit is finalized, the permit for the new dwelling may be issued. Sewage disposal system compliance will be verified at the time of building permit application to ensure all Island Health servicing regulations are met.

"Board Policy B1.5 Development Variance Permit and Development Permit with Variance Application Evaluation" (Policy B1.5) for the evaluation of development variance permit applications requires that there is an adequate demonstration of an acceptable land use justification prior to the Board's consideration. In support of this application, the applicant has provided a letter of rationale for the requested variance. The letter outlines that the variance is minor in nature as it aligns with other Electoral Areas under Bylaw 2500 with respect to secondary suite regulations. The letter further outlines that the variance is not anticipated to result in negative implications for adjacent property owners. As the applicants have made reasonable effort to address Policy B1.5 and the variance is not anticipated to impact adjacent property owners, it is recommended that the requested variance be approved subject to the terms and conditions outlined in Attachment 2 – Draft Development Variance Permit.

Public Consultation Implications

Pending the Electoral Area Services Committee's recommendation and pursuant to the *Local Government Act* and the "Regional District of Nanaimo Development Application, Notification Procedures and Fees Bylaw No. 1845, 2022", property owners and tenants of parcels located within a 100 metre radius of the subject property will receive a direct notice of the proposal and will have an opportunity to comment on the proposed variance prior to the Board's consideration of the application.

FINANCIAL IMPLICATIONS

The proposed development has been reviewed and has no implications related to the Board 2025– 2029 Financial Plan.

STRATEGIC PLAN ALIGNMENT

The proposed development has been reviewed and the proposal is consistent with Policy 3 - Planning and Managing for Growth goal to plan for and manage growth in our region to meet the needs of our communities within the means of the environment and to improve quality of life in the 2023 – 2026 Board Strategic Plan.

REVIEWED BY:

P. Thompson, Manager, Current Planning
L. Grant, General Manager, Development and Emergency Services
D. Holmes, Chief Administrative Officer

ATTACHMENTS:

1. Subject Property Map
2. Draft Development Variance Permit