

Part 2 - Residential Two Zone (R-2)

8.2.1 Permitted Uses

In the R-2 Zone, the following uses are permitted and all other uses are prohibited except as otherwise noted in this bylaw:

- (1) *Single residential dwelling or duplex*
- (2) *Accessory buildings and structures*
- (3) *Home occupation*
- (4) Notwithstanding any provisions of this bylaw, the following is a *permitted use* on Lot 1, District Lot 127, Comox District, Plan 27453 (1279 Fifth Street):
Food preparation business for delivery and service off the premises, provided the following conditions are met:
 - (a) The activity carried on at the premises therein shall not produce noise, vibration, smoke, odour, litter, or heat, other than normally associated with a dwelling, nor shall it create or cause a fire hazard, glare, electrical interference or traffic congestion on the *street*.
 - (b) No part of the premises shall be used as a warehouse or *retail* outlet.
 - (c) The activity must be carried on wholly within the *building*.
 - (d) The premises must give no exterior indication of the activity either by stored materials, displays, floodlighting, or otherwise, or by any variation from the residential character of the *building*, provided, however, that such business may have one un-illuminated name plate not exceeding one square foot (0.09 m²) in an area placed within, or flat against the *building* and that the said name plate be permitted to include the name of the business as well as that of the license holder.
 - (e) Materials and commodities shall not be delivered to or from the *building* in such bulk or quantity as to require regular or frequent delivery by commercial vehicle or trailer.
- (5) *“Secondary Suite”*
- (6) *“Secondary Residence”* means an additional *dwelling unit*:
 - (a) which is accessory to a single residential dwelling
 - (b) having a total *floor area* of not more than 90.0 m² in area
 - (c) located on a property of residential occupancy containing only one other *dwelling unit*
 - (d) located on a property which is a single real estate entity
 - (e) located on a property over 1,250 m² in *lot area*
 - (f) must meet *setbacks* as specified in Section 8.2.7
- (7) *“Carriage House”* means an additional *dwelling unit*:
 - (a) which is accessory to a single residential dwelling
 - (b) having a total *floor area* of not more than 75 m²
 - (c) located on a property over 1,250 m² in *lot area*
 - (d) notwithstanding the required lot size in (c), a *carriage house* is permitted on Lot 2, District Lot 104, Comox District, Plan 4723 (1253 Cumberland Road)
- (8) Notwithstanding any provisions of this bylaw no more than two residential units shall be permitted on a lot.

8.2.2 Minimum Lot Size

For the purpose of subdivision a lot shall have an area of not less than the following:

- (1) *Single Residential*: 750 m²
- (2) *Duplex*: 900 m²

8.2.3 Minimum Lot Frontage

A *lot* shall have a frontage of not less than 20.0 m except for a *corner lot* where the frontage shall be not less than 21.5 m. In the case of a lot fronting the bulb of a cul-de-sac, the frontage is measured from the front yard setback line.

8.2.4 Minimum Lot Depth

A *lot* shall have a depth of not less than 35.0 m.

8.2.5 Lot Coverage

A *lot* shall not be covered by buildings and *accessory* buildings to a greater extent than 40% of the total area of the lot.

8.2.6 Regulations for a Duplex

- (1) Duplexes are not allowed on a *panhandle lot*.
- (2) *Secondary suite* or a *secondary residence* is not permitted on a lot with a duplex.
- (3) *Carriage House* is not permitted on a lot with a duplex.

8.2.7 Setbacks

Except where otherwise specified in this bylaw the following minimum *building setbacks* shall apply:

(a) Single Family Residence or Duplex

- (1) *Front yard*: 7.5 m
- (2) *Rear yard*: 9.0 m
- (3) *Side yard*: The *side yard setbacks* shall total 4.5 m with a minimum *side yard setback* on one side of 1.5 m except where a *side yard* flanks a *street* in which case the minimum distance shall be 4.5 m.

(b) Secondary Residence

- (1) *Front yard*: 7.5 m
- (2) *Rear yard*: 6.0 m
- (3) *Side yard*: 3.0 m (except where a *side yard* flanks a *street* in which case the minimum distance shall be 4.5 m)

(c) Carriage House

- (4) *Front yard:* 7.5 m
- (5) *Rear yard:* 4.0 m (except where *carriage house* is accessed from a lane in which case the setback may be reduced to 1.5 m)
- (6) *Side yard:* 3.0 m (except where a *side yard* flanks a street in which case the minimum distance shall be 4.5 m)

8.2.8 Height of Buildings

- (1) The height of a principal building shall not exceed 8.0 m.
- (2) The height of a secondary residence building shall not exceed 5.5 m.
- (3) The height of a *Carriage House* shall not exceed 6.5 m.

8.2.9 Accessory Buildings and Structures

- (1) Shall not exceed 4.5 m in *height*.
- (2) Shall have a total *building area* not exceeding 50.0 m² or 10% of the *rear yard*, whichever is greater.
- (3) Shall be permitted in the *side* and *rear yard* provided they shall conform to all relevant siting regulations of this bylaw.
- (4) Shall be permitted at the front of a principal *residence* provided they shall conform to all relevant siting regulations of this bylaw.
- (5) Shall not be located within 1.5 m from the side and rear *lot line* except where the side or *rear yard* flanks a *street*, excluding a lane, in which case the minimum *yard* distance shall be 4.5 m.

8.2.10 Off-Street Parking

Off-*street* parking shall be provided and maintained in accordance with the requirements of Division 7 of this Bylaw. No more than 50% of any *yard* area or frontage on a *street* or lane shall be used for off-*street* parking.