

8.8 High Density Townhouses (RTH1, RTH2, RTH3, RTH4)

8.8.1 Purpose

The **zone** provides for high **density town housing** and other compatible **uses** in the **City Centre** and other selected areas of the **City**. The **zone** is divided into 4 sub-**zones**, each provides for a **density bonus** that would be used for rezoning applications in order to help achieve the **City's** affordable housing objectives either at a **density** of 0.75 **floor area ratio** (RTH1), 0.80 **floor area ratio** (RTH2), 0.85 **floor area ratio** (RTH3) or 0.90 **floor area ratio** (RTH4).

8.8.2 Permitted Uses

- **child care**
- **housing, town**
- **live/work dwelling**

8.8.3 Secondary Uses

- **boarding and lodging**
- **community care facility, minor**
- **home business**
- **home-based business**
- **secondary suite** [Bylaw 9715, May 15/17]

8.8.4 Permitted Density

1. The maximum **floor area ratio** is 0.6, together with an additional 0.1 **floor area ratio** provided that it is entirely used to accommodate **amenity space**. [Bylaw 9681, Oct 15/19]
2. Notwithstanding Section 8.8.4.1, in **Hamilton** the maximum **floor area ratio** for the RTH1 **zone** is 0.4, together with an additional 0.1 **floor area ratio** provided that it is entirely used to accommodate **amenity space**. [Bylaw 9681, Oct 15/19]
3. Notwithstanding Sections 8.8.4.1 and 8.8.4.2, the respective references to “0.6” and “0.4” are increased to a higher **density** of: [Bylaw 9681, Oct 15/19]
 - a) “0.75” in the RTH1 **zone**, [Bylaw 9681, Oct 15/19]
 - b) “0.80” in the RTH2 **zone**, [Bylaw 9681, Oct 15/19]
 - c) “0.85” in the RTH3 **zone**; and [Bylaw 9681, Oct 15/19]
 - d) “0.90” in the RTH4 **zone**, [Bylaw 9681, Oct 15/19]if the following conditions occur: [Bylaw 9681, Oct 15/19]
 - i) the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner's lot** in the RTH1, RTH2, RTH3 or RTH4 **zone**, pays into the **affordable housing reserve** the sum specified in Section 5.15 of this bylaw; or [Bylaw 9681, Oct 15/19]
 - ii) prior to first occupancy of any **building**, the **owner**: [Bylaw 9681, Oct 15/19]
 - has constructed on the **lot** to the satisfaction of the **City** **affordable housing units** with a combined **habitable space** of the **affordable housing units** comprising at least 5% of the buildable **floor area** resulting from the maximum permitted **floor area ratio**; and [Bylaw 9681, Oct 15/19]
 - enters into a **housing agreement** with respect to the **affordable housing units** and registers the **housing agreement** against the title to the **lot**, and files a notice in the Land Title Office; and [Bylaw 9681, Oct 15/19]

- f) for rezoning applications within **Hamilton**, if the **owner**, at the time **Council** adopts a zoning amendment bylaw to include the **owner's lot** in the **RTH1 zone**, pays into the **Hamilton Area Plan community amenity capital reserve**, a sum based on \$70.50 per square meter of total residential **floor area**.

8.8.5 Permitted Lot Coverage

1. The maximum **lot coverage** is 45% for **buildings**.
2. No more than 70% of the **lot** may be occupied by **buildings, structures and non-porous surfaces**. [Bylaw 8743, Jun. 20/11]
3. 20% of the **lot area** is restricted to **landscaping** with live plant material. [Bylaw 8743, Jun. 20/11]

8.8.6 Yards & Setbacks

1. The minimum **front yard, exterior side yard or road setback** is 4.5 m.
2. The minimum **interior side yard and rear yard setback** is 2.0 m.
3. The minimum **setback** from a **lane** is 1.2 m.

8.8.7 Permitted Heights

1. The maximum **height** for **buildings** is 12.0 m (3 **storeys**).
2. The maximum **height** for **accessory buildings** is 5.0 m.
3. The maximum **height** for **accessory structures** is 9.0 m.

8.8.8 Subdivision Provisions/Minimum Lot Size

1. The minimum **lot width** is:
 - a) 20.0 m in the **City Centre**, not including the McLennan North and McLennan South areas, on **sites** zoned RTH1;
 - b) 50.0 m on major **arterial roads**; and
 - c) 40.0 m on local **arterial roads** and all other areas.
2. The minimum **lot depth** is 30.0 m.
3. The minimum **lot area** is:
 - a) 600.0 m² in the **City Centre**, not including the McLennan North and McLennan South areas, on **sites** zoned RTH1; and
 - b) 1,800.0 m² in all other areas or **zones**.

8.8.9 Landscaping & Screening

1. **Landscaping** and **screening** shall be provided according to the provisions of Section 6.0.

8.8.10 On-Site Parking and Loading

1. On-site **vehicle** and bicycle parking and loading shall be provided according to the standards set out in Section 7.0.

8.8.11 Other Regulations

1. The following **uses** are only allowed in the **City Centre**:
 - a) **live/work dwelling**; and
 - b) **home-based business**.
2. In addition to the regulations listed above, the General Development Regulations in Section 4.0 and the Specific Use Regulations in Section 5.0 apply.

