

20.29 Residential/Limited Commercial (ZMU29) – Neighbourhood Village Centre (Hamilton) [Bylaw 9262, Jun 12/17]

20.29.1 Purpose

This **zone** provides for a mixed-use **development** consisting of **apartment housing** and **commercial uses** with a maximum **floor area ratio** of 0.40 that may be increased to 1.5 with a **density bonus** that would be used for rezoning applications in order to help achieve the **City's** affordable housing and **community amenity space** objectives.

20.29.2 Permitted Uses

- animal grooming
- child care
- education, commercial
- government service
- health service, minor
- housing, apartment
- library and exhibit
- neighbourhood public house
- office
- restaurant
- retail, convenience
- service, business support
- service, financial
- recreation, indoor
- recycling drop-off
- retail, general
- service, business support
- service, financial
- service, household repair
- service, personal
- studio
- veterinary service

20.29.3 Secondary Uses

- community care facility minor
- home business

20.29.4 Permitted Density

1. The maximum **floor area ratio** is 0.40.
2. Notwithstanding Section 20.29.4.1, the reference to “0.40” is increased to a higher **density** of “1.5” if, at the time Council adopts a zoning amendment bylaw to include the **owner's lot** in the ZMU29 **zone**, the **owner**:
 - a) pays \$49.50 per square meter of total residential **floor area** into the **Hamilton Area Plan community amenity capital reserve**; and
 - b) prior to occupancy of any **building** on the **lot**, the **owner**:
 - i) has constructed on the **lot**, or on another **lot** to the satisfaction of the **City**, not less than three (3) **affordable housing units**, with a combined **habitable space** of the **affordable housing units** comprising at least 159 m²; and

- ii) 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.

20.29.5 Maximum Lot Coverage

1. The maximum **lot coverage** is 55%.

20.29.6 Yards & Setbacks

1. The minimum **setbacks** are:
 - a) 6.0 m for the **front yard**;
 - b) 1.5 m from Gilley Road;
 - c) 6.0 m for the **rear yard**; and
 - d) 3.0 m for the north **interior side yard**.
2. Common entry features, staircases and unenclosed **balconies** may project into any **setback**, except that for Gilley Road, for a maximum distance of 1.5 m.
3. Notwithstanding the above **setbacks**, enclosed parking **structures** may project into the **setbacks** provided that the **structure** includes transparent glazing, or is not visible from the exterior of the **building**, or is landscaped or screened by a combination of trees, shrubs, ornamental plants or lawn as specified by a Development Permit approved by the **City**.

20.29.7 Maximum Heights

1. The maximum **height** for **principal buildings** is 17.0 m (not to exceed four (4) **storeys**).
2. The maximum **height** for **accessory buildings** and **accessory structures** is 6.0 m.

20.29.8 Subdivision Provisions/Minimum Lot Size

1. The minimum **lot width** is 30.0 m and minimum **lot depth** is 80.0 m.
2. The minimum **lot area** is 4,000 m².

20.29.9 Landscaping and Screening

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

20.29.10 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.

20.29.11 Other Regulations

1. With the exception of **housing, apartment**, the **uses** specified in Section 20.29.2 must be located on the **first storey** of the **building**.

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.

