

**Authority:** Item , Planning Committee  
Report PED22145  
CM: September 6, 2022  
Ward: 13

**Bill No.**

**CITY OF HAMILTON  
BY-LAW NO. 05-200**

**To Amend Zoning By-law No. 05-200,  
with respect to lands located at 125 Pirie Drive, Dundas**

**WHEREAS** Council approved Item \_\_\_ of Report \_\_\_\_\_ of the Planning Committee, at its meeting held on September 6, 2022;

**WHEREAS** the Council of the City of Hamilton, in adopting Item \_\_\_ of Report 22\_\_\_- \_\_\_ of the Planning Committee, at its meeting held on the 6 day of September 2022, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

**AND** this By-law conforms with the Urban Hamilton Official Plan;

**NOW THEREFORE** Council of the City of Hamilton enacts as follows:

1. That Map No. 941 and 942 of Schedule "A" – Zoning Maps appended to and forming part of Zoning By-law No. 05-200 be amended by adding the lands known as 125 Pirie Drive, Dundas, the boundaries of which are shown on plans hereto annexed as Schedule "A", to this By-law.
2. That Schedule "C" – Special Exceptions is amended by adding the following new Special Exception:
  - "800. Within the lands zoned Community Institutional (I2, 814, H126) Zone, identified on Maps 941 and 942 of Schedule "A" – Zoning Maps and described as 125 Pirie Drive, the following special provisions:
    - a) Notwithstanding Section 3: Definitions of Front Lot Line, Governor's Road shall be deemed the Front Lot Line;
    - b) In addition to uses permitted in Section 8.2.1, a Multiple Dwelling with a maximum of 84 dwelling units shall be permitted in conjunction with the development of a Retirement Home;
    - c) Notwithstanding Section 8.2.3.1 e) and g, the following regulations shall apply to a Retirement Home and a Multiple Dwelling:

- (i) Maximum Height 21.5 metres for a Retirement Home and Multiple Dwelling; and,
- (ii) Maximum Capacity Shall not exceed 100 residents for a Retirement Home.

3. That Schedule "D" – Holding Provisions be amended by adding the additional Holding Provision as follows:

126. Notwithstanding Section 8.2 of this By-law, within lands zoned Community Institutional (I2, 814) Zone, identified on Maps 941 and 1942 of Schedule "A" – Zoning Maps and described as 125 Pirie Drive, development shall be restricted in accordance with the following:

- a) The Holding Provision shall, upon application by the landowner, be removed by way of an amending Zoning By-law, from all or part of the lands subject to this provision when the following condition have been satisfied:
  - (i) That the Owner shall receive conditional site plan approval for the site to the satisfaction of the Manager of Heritage and Design;
  - (ii) The Owner shall enter into with the City and register on title a development agreement and/or site plan agreement to the satisfaction of the Manager of Heritage and Design;
  - (iii) That the Owner shall submit and received approval of a Fire Protection Design and Analysis Report to demonstrate that the system complies with the Ontario Building Code and applicable National Fire Protection Association (NFPA) 13 and NFPA 14 standards, all to the satisfaction of the Chief Building Official and Chief Fire Protection Officer;
  - (iv) That the Owner shall submit and receive approval of a Risk Assessment Report to demonstrate how the proposed fire protection system will have no negative impact to the existing municipal system to the satisfaction of Public Works;
  - (v) That the Owner shall submit and received approval of an Operational and Maintenance Report/Plan that demonstrates how the proposed fire protection system will be maintained and outline the specific inspection details for the system, and that the proposed system complies with the *Building Code Act* and *Fire Protection and Prevention Act*, 1997 all to the satisfaction of the Chief Fire Protection Officer and Chief Building Official;

- (vi) The Owner shall submit and received approval of a Fire Safety Plan to the satisfaction of the Chief Building Official and Chief Fire Protection Officer; and,
- (vii) That the Owner shall provide increased capital reserve funds in order to cover the costs of yearly maintenance records, all to the satisfaction of the Chief Fire Protection Officer and the Chief Building Official.

4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*.

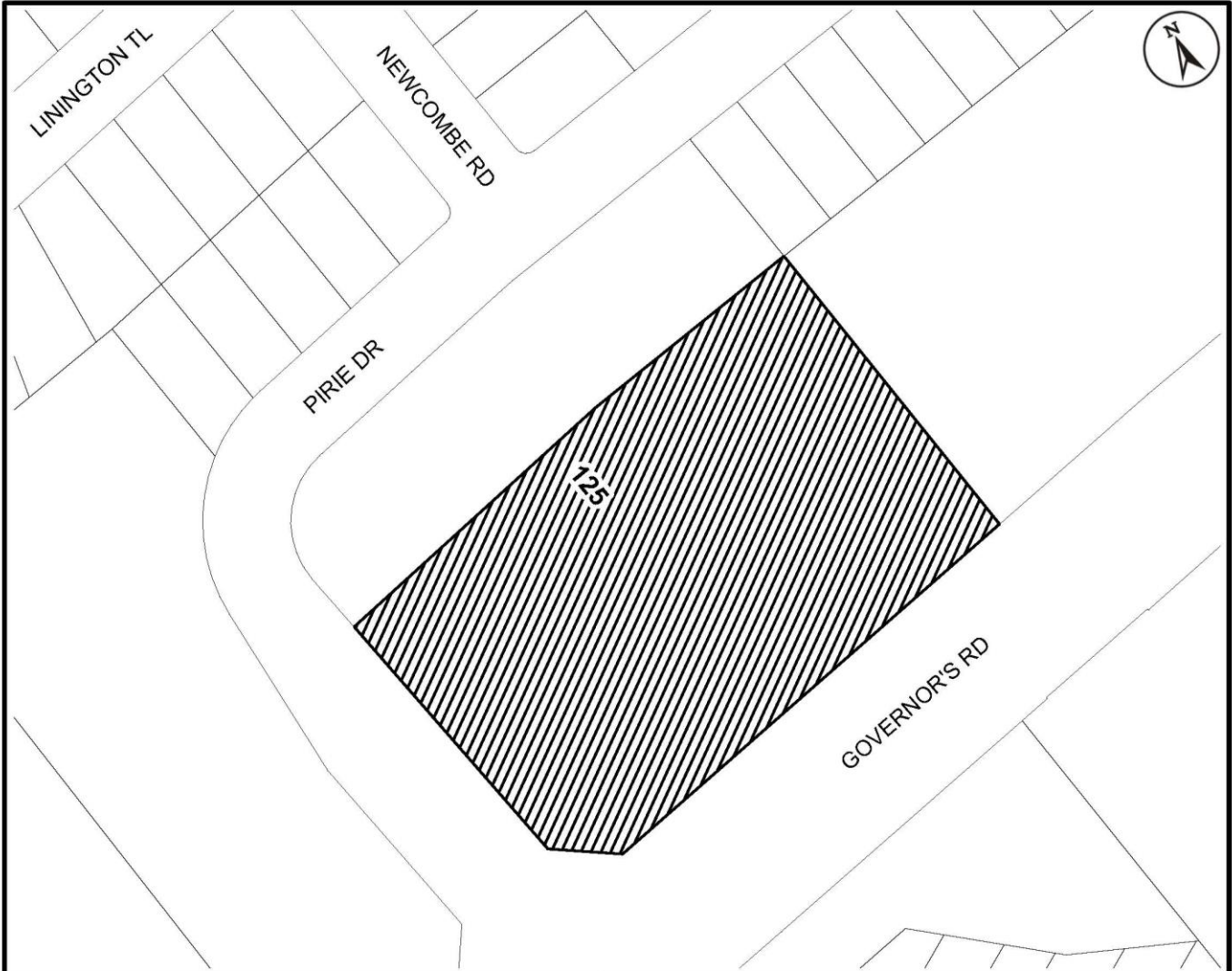
**PASSED** this \_\_\_\_\_ , \_\_\_\_\_

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F. Eisenberger  
Mayor

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A. Holland  
City Clerk



This is Schedule "A" to By-law No. 22-  
Passed the ..... day of ....., 2022

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Mayor  
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Clerk


## Schedule "A"

Map forming Part of  
By-law No. 22-\_\_\_\_\_

to Amend By-law No. 05-200  
Maps 941 & 942

### Subject Property

125 Pirie Drive, Dundas (Ward 13)

 Lands to be added to Zoning By-law No. 05-200 as  
Community Institutional (I2, 814, H126) Zone

Scale:  
N.T.S

File Name/Number:  
ZAC-21-003

Date:  
July 8, 2022

Planner/Technician:  
AB/AL



Hamilton