



Hamilton

**STAFF COMMENTS**

**HEARING DATE: February 27, 2024**

HM/A-24:06 – 168 Cannon Street West, Hamilton

**Recommendation**

- Deny

**Proposed Conditions**

N/A

**Proposed Notes**

N/A



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**Development Planning:**

**Background**

To facilitate the conversion of a single detached dwelling to contain one secondary dwelling unit.

**Analysis**

**Urban Hamilton Official Plan**

The subject property is located within the West Harbour (Setting Sail) Secondary Plan Area which is subject to Ontario Land Tribunal Non-Decision No. 113. The Regional Official Plan is referred to in evaluating this application.

**Hamilton – Wentworth Regional Official Plan**

The subject property is designated “Urban Area” on Map 1 of the Hamilton – Wentworth Regional Official Plan.

**West Harbour (Setting Sail) Secondary Plan**

The subject property is designated “Low Density Residential” on Schedule M-2 General Land Use within the West Harbour (Setting Sail) Secondary Plan. Policy A.6.3.3.1.12 ii), amongst others, is applicable and permits a single detached dwelling.

**Archeology**

No comment.

**Cultural Heritage**

No comment.

**Former City of Hamilton Zoning By-law No. 6593**

The subject lands are zoned “D” (Urban Protected Residential – 1 & 2 Family Dwellings Etc.) District, Modified under Former City of Hamilton Zoning By-law No. 6593. Single detached dwellings and secondary dwelling units are permitted uses.

**Variance 1**

1. A minimum of zero (0) parking spaces shall be required whereas the Zoning By-law requires a minimum of two (2) parking spaces.



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The intent of this provision is to ensure adequate private parking is provided on-site to minimize potential impacts on traffic within the public right of way and on neighbouring properties.

Staff note that the proposed secondary dwelling unit includes converting the existing attached garage into part of the living space for the secondary dwelling unit. Staff also note that there are two sections of Cannon Street West, divided buy a boulevard and public sidewalk. Main traffic along Cannon Street West is routed to the south of the boulevard and on-street parking and local access is routed to the north side of the boulevard. Additionally, there are two Hamilton Street Railway (HSR) bus routes (Routes 8 York and 9 Rock Gardens) are partially routed along Cannon Street West, including a stop just east of the Cannon Street West and Hess Street North intersection.

Regarding Variance 1, Staff are of the opinion that the reduction in required parking is not minor in nature, is not desirable for the proposed development and does not maintain the intent of the Zoning By-law as no on-site parking is being provided for two residential dwelling units. Staff are not supportive of this variance.

**Variance 2**

2. A maximum of two entrances shall be permitted on the front façade of the dwelling containing a secondary dwelling unit instead of the permitted maximum of one entrance on the front façade of a dwelling containing a secondary dwelling unit.

The intent of this provision is to ensure a consistent streetscape and building façades to preserve the character of the existing neighbourhood.

In regard to Variance 2, Staff are of the opinion that the requested variance to permit two entrances on the front façade of the building does not maintain the intent of the Zoning By-law and is not in keeping with the character of the neighbourhood as the front façades of the neighbourhood predominantly contain one dwelling entrance. Staff are not supportive of the variance.

Staff are of the opinion the variances do not meet the four tests of a minor variance. Based on the foregoing, **staff recommend denial.**

**Zoning:**

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	<ol style="list-style-type: none"> <li>1. Please be advised that a building permit was submitted May 10<sup>th</sup>, 2023 for the proposed Secondary Dwelling Unit.</li> <li>2. The City of Hamilton is continuing to develop Hamilton Zoning By-law 05-200 which encompasses the former City of Hamilton and the five (5) outlying municipalities. Please be advised that the next</li> </ol>



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	<p>phase is the Residential Zones Project which will include Low Density Residential Zones. The subject property may be impacted by upcoming changes to be heard at the Planning Committee meeting of February 23, 2024.</p> <p>Please visit <a href="https://www.hamilton.ca/build-invest-grow/planning-development/zoning/residential-zones-project">https://www.hamilton.ca/build-invest-grow/planning-development/zoning/residential-zones-project</a> or email <a href="mailto:reszoning@hamilton.ca">reszoning@hamilton.ca</a> for further information.</p>
Notes:	

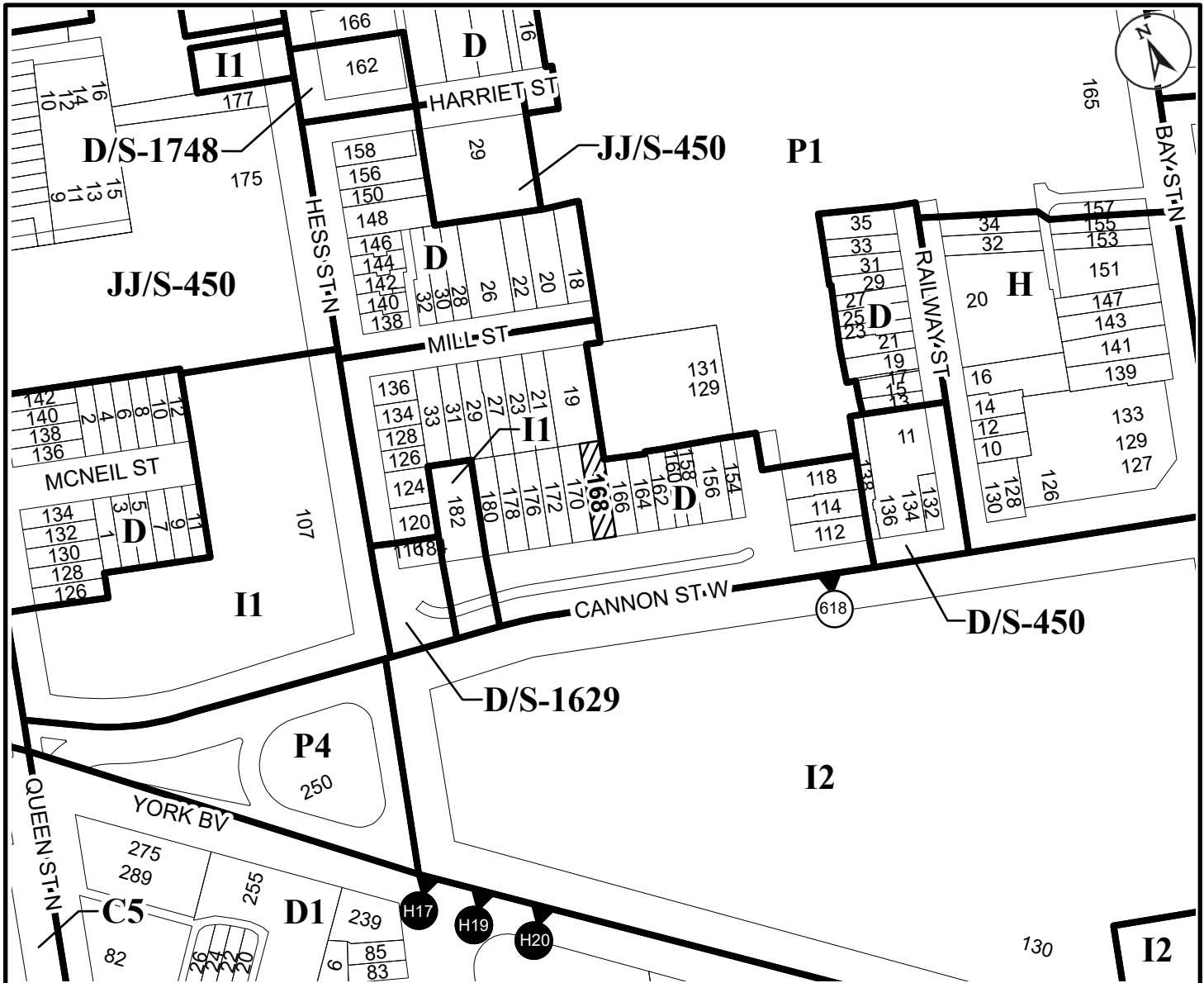
**Development Engineering:**

Recommendation:	Approve
Proposed Conditions:	N/A
Comments:	None
Notes:	

**Building Engineering:**

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	
Notes:	A building permit is required for the conversion of the proposed Two-Family Dwelling

Please Note: Public comment will be posted separately, if applicable.



● Site Location



## Committee of Adjustment

### Subject Property



168 Cannon Street West, Hamilton  
(Ward 2)

File Name/Number:

HM/A-24:06

Date:

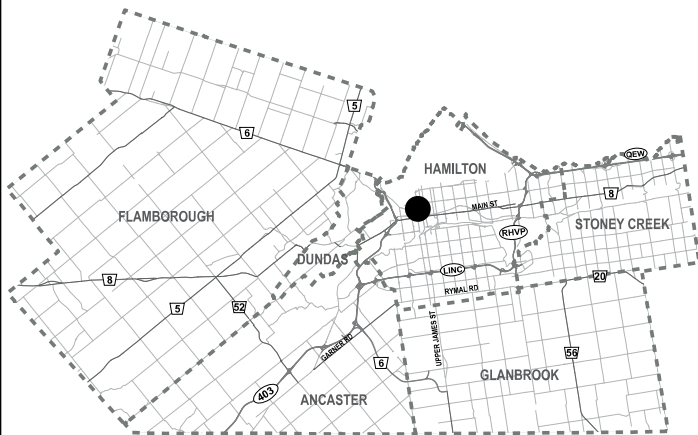
February 12, 2024

Technician:

AL

Map Not To Scale

Appendix "A"



**City of Hamilton**



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PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT