



Hamilton

STAFF COMMENTS

HEARING DATE: February 13, 2025

A-25:007 — 754 Cannon Street East, Hamilton

Recommendation:

Table — Development Planning

Proposed Conditions:

1. That the proposed variances in the Notice for Public Hearing for file A-25:007 for February 13, 2025, generally apply to the provided site sketch titled site plan and apply to the proposed porch and exterior staircase dated December 19, 2024 to the satisfaction of the Director of Development Planning.

Proposed Notes:

A building permit is required for the construction of the proposed porch and exterior staircase in the front yard of a dwelling.

Be advised that Ontario Building Code regulations may require specific setback and construction types. (Building Engineering)



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Development Planning:

Background

The proposed variances are to permit the construction of a porch and an exterior staircase in the front yard of a dwelling.

The following variances are requested:

1. A porch, including steps, at the front of the dwelling shall be permitted to encroach a maximum distance of 2.72 metres into the minimum required 4.0 metre front yard setback instead of the maximum permitted encroachment of 1.5 metres into a required yard.
2. An exterior staircase shall be permitted to encroach 2.82 metres into the minimum required 4.0 metre front yard setback whereas an exterior staircase is not permitted to encroach into a minimum required front yard.

Urban Hamilton Official Plan

The subject property is designated Neighbourhoods on Schedule E1 - Urban Land Use Designations in the Urban Hamilton Official Plan. Policy E.3.2.3 a) permits residential dwellings, including second dwelling units and housing with supports. Policy E.3.4.3 a) permits single detached, semi detached, duplex, triplex, fourplex, and street townhouse dwellings. The subject property is not identified as being within a secondary plan found in Volume 2 of the Urban Hamilton Official Plan. The proposed land use is permitted in the Neighbourhoods land use designation.

The following Urban Hamilton Official Plan policies among others are applicable:

Established Historical Neighbourhoods

Established historical neighbourhoods are neighbourhoods that were substantially built prior to 1950. These neighbourhoods exhibit unique character, provide examples of historical development patterns, and contain concentrations of cultural heritage resources.

Policy B.3.4.3.6 states that the City shall protect established historical neighbourhoods, as identified in the cultural heritage landscape inventory, secondary plans and other City initiatives, by ensuring that new construction and development are sympathetic and complementary to existing cultural heritage attributes of the neighbourhood, including lotting and street patterns, building setbacks and building mass, height, and materials.

B.3.4.3.7 states that Intensification through conversion of existing built heritage resources shall be encouraged only where original building fabric and architectural features are retained and where any



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new additions, including garages or car ports, are no higher than the existing building and are placed to the rear of the lot or set back substantially from the principal façade. Alterations to principal façades and the paving of front yards shall be avoided.

Based on the forgoing policies the subject property is identified as being within the Stipleby Established Historical Neighbourhood, and the above policies identify that these areas shall be protected. The proposal is to be complementary to the existing cultural heritage attributes including building setbacks, mass, height and materials. Staff defer further concerns related to cultural heritage to Cultural Heritage Planning staff.

Policy E.3.2.4 states that the existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan.

Based on the forgoing policies the proposal seeks to add a porch and exterior staircase in the front yard in support of additional dwelling units in the existing single detached dwelling. Policy E.3.2.4 seeks to ensure that the established character of the neighbourhood is maintained including compatible scale and character. In staff's opinion the proposed staircase on the front of the dwelling, as designed, is not in keeping with the established character of the neighbourhood. In staff's opinion a redesign of the proposal is necessary to address concerns related to cultural heritage and neighbourhood compatibility.

Infill Design Guidelines

“Policy 12. a. streetscape appearance, which shall be achieved by designing front and side yard setbacks that are consistent with the established setbacks along the street;”

In staff's opinion, the proposed setback and staircase, as designed, is not consistent with the existing streetscape appearance of the neighbourhood. Staff recommend a redesign of the proposal that sees the proposed exterior staircase be located in the rear of the existing dwelling or interior to the building. Staff request a table of the application to work with the applicant to address these concerns through a redesign of the proposed porch and exterior staircase.

Archaeological:

No comments.

Cultural Heritage:

The subject property located at 754 Cannon Street East is comprised of an early-twentieth century dwelling of heritage interest that is located in the Stipleby Established Historical Neighbourhood. Extant historic features of the Edwardian Classicism influenced building include the 2.5 storey massing, front



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gable roof, three-sided projecting central bay window in the second storey with 16-pane hung wood windows, ground-floor window with multi-pane wood transom, and covered front porch with a shed roof, wood fascia with dentilated cornice and brick piers supporting wooden columns.

Accordingly, the following sections of the Urban Hamilton Official Plan, Volume 1, apply:

- “B.3.4.3.6 The City shall protect established historical neighbourhoods, as identified in the cultural heritage landscape inventory, secondary plans and other City initiatives, by ensuring that new construction and development are sympathetic and complementary to existing cultural heritage attributes of the neighbourhood, including lotting and street patterns, building setbacks and building mass, height, and materials.
- B.3.4.3.7 Intensification through conversion of existing built heritage resources shall be encouraged only where original building fabric and architectural features are retained and where any new additions, including garages or car ports, are no higher than the existing building and are placed to the rear of the lot or set back substantially from the principal façade. Alterations to principal façades and the paving of front yards shall be avoided.”

The applicant is requesting variances to permit the conversion of an existing dwelling into four dwelling units, which proposes significant modifications to the front façade of the existing dwelling. Staff are of the opinion that the proposed third storey addition and multi-level front staircase will compromise the heritage interest of the historic building and will also detract from the historic character of the Stipley Established Historical Neighbourhood and this stretch of Cannon Street East between Sherman Avenue and Barnsdale Avenue, which is comprised of a relatively intact concentration of early-twentieth century dwellings with similar massing, design and details that collectively contribute to the sense of place and character of the area.

As such, staff recommend denial of the subject application as proposed because it does not conform to Urban Hamilton Official Plan policies B.3.2.3.6 and B.3.4.3.7. Staff recommend that the proposed design be modified to maintain the design and massing of the front façade and to facilitate any new additions and required egress and access points at the rear of the building.

City of Hamilton Zoning By-law No. 05-200 as Amended by By-law 22-197 Analysis

The subject property is zoned R1a (Low Density Residential Small Lot) Zone in Zoning By-law No. 05-200. The R1a zone permits the use of Single Detached Dwelling and Additional Dwelling Units.

Variances 1 and 2

1. A porch, including steps, at the front of the dwelling shall be permitted to encroach a maximum distance of 2.72 metres into the minimum required 4.0 metre front yard setback instead of the maximum permitted encroachment of 1.5 metres into a required yard.



- 2. An exterior staircase shall be permitted to encroach 2.82 metres into the minimum required 4.0 metre front yard setback whereas an exterior staircase is not permitted to encroach into a minimum required front yard.

The intent of the maximum encroachment of a porch and steps into the minimum front yard setback is to prevent development from overcrowding the streetscape and to preserve a sufficient front yard for other site features such as landscaping and pedestrian access. This provision also serves to maintain a consistent streetscape by establishing consistent setbacks along the street. Furthermore, the intent of the provision to not allow an exterior staircase to project into the front yard is to ensure such features are sufficiently setback from the street or located on non street-facing façades. Staff have analysed the proposed encroachment into the front yard and recommend the application be tabled so concerns related to cultural heritage can be addressed as the subject property is identified to be within an area of cultural heritage significance and within the Stipley Established Historical Neighbourhood. Staff recommend that the proposed exterior staircase be relocated to the rear of the existing dwelling, and that the proposed massing be reconsidered. Staff defer further concerns of site drainage to Development Engineering staff.

Based on the forgoing analysis staff recommend the **application to be tabled** so that discussions can be had between the applicant and City staff to address the concerns identified above.

Zoning:

Recommendation:	Comments Only
Proposed Conditions:	
Comments:	A Corridor Development Permit is required from Metrolinx to construct any buildings, structure, road, utility infrastructure, or to conduct any excavation, dewatering or other Prescribed Work pursuant to the Building Transit Faster Act and its Regulation.
Notes:	

Development Engineering:

Recommendation:	Comments Only
Proposed Conditions:	N/A
Comments:	Provided that the existing drainage pattern is maintained, we have no issues with the proposed variances.
Notes:	N/A

Building Engineering:

Recommendation:	Comments and Conditions/Notes
Proposed Conditions:	



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Comments:	
Notes:	<p>A building permit is required for the construction of the proposed porch and exterior staircase in the front yard of a dwelling.</p> <p>Be advised that Ontario Building Code regulations may require specific setback and construction types.</p>

Transportation Planning:

Recommendation:	No Comments
Proposed Conditions:	
Comments:	
Notes:	

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

February 4, 2025

City of Hamilton
Planning and Economic Development Department
71 Main St W
Hamilton, Ontario
L8P 4Y5

Attention: Committee of Adjustment

File# A-25:007

Re: 754 Cannon St E

In response to your correspondence dated January 27, 2025, please be advised that our Engineering Design Department has reviewed the information concerning the above noted Consent Application and our comments are as follows:

- For Residential/Commercial electrical service requirements, the Developer needs to contact our ICI and Layouts Department at 905-798-2634 or 905-798-3370 or visit our web site @ www.alectrautilities.com. To make a service request, [Make a Service Request | Alectra Utilities](#)
- Minimum 4m horizontal clearance from existing O/H line(s) must be maintained at all times as per Alectra Utilities Standard 3-105. Please consult with Alectra Utilities if further clarification is required.
- Relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense. Please contact Alectra Utilities to facilitate this.
- Developers shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.
- In order for Alectra Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of 6 months notification is required. It would be advantages for the developer if Alectra Utilities were contacted at the stage where the new site plan becomes available. Please note that it takes approximately 36-52 weeks to purchase a transformer.
- Existing O/H secondary service conductor may be in conflict with proposed exterior front egress by being accessible to the public from the landing. Contact our ICI group to discuss new service location and possible service upgrade if required.

We would also like to stipulate the following:

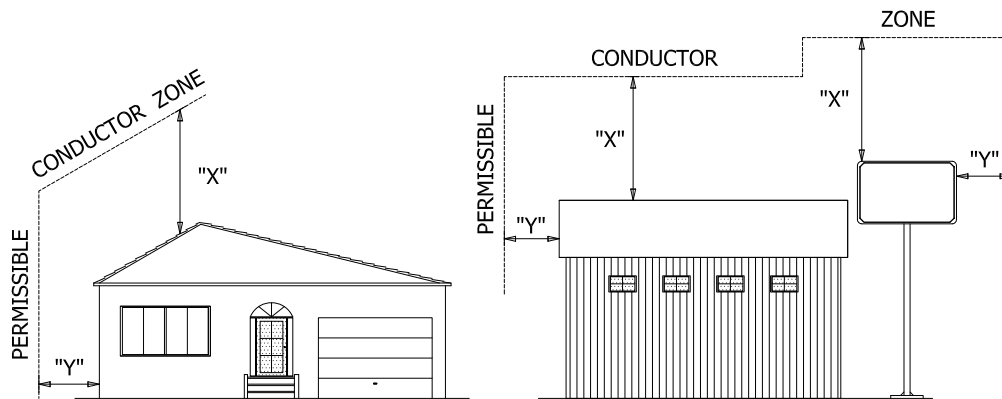
- Do not excavate within two metres of hydro poles and anchors.
- Excavation within one metre of underground hydro plant is not permitted unless approval is granted by an Alectra Utilities representative and is present to provide direct supervision. Cost associated with this task shall be at the owner's expense.
- Alectra Utilities must be contacted if the removal, isolation or relocation of existing plant is required, all cost associated with this work will be at the owners expense.
- CALL BEFORE YOU DIG, arrange for underground hydro cable locate(s) before beginning construction by contacting Ontario One Call @ 1-800-400-2255.
- Clearances from Overhead and Underground existing electrical distribution system on our adjacent to the property must be maintained in accordance to:
 - Ontario Building Code (1997) Section 3.1 (3.1.18.1)
 - Electrical Safety Code Rule 75-312
 - Occupational Health and Safety Act (OH&SA) – Construction Projects (Electrical Hazards)
 - CSA Standard C22.3 No. 1:20, Overhead System
 - CSA Standard C22.3 No. 7:20, Underground Systems

We trust that you will find this information satisfactory and that the information contained within will be provided to the owner of this project. Should you have any questions regarding this response, please contact Charles Howell at 905-798-2517 in our Engineering Design Department.

Sincerely,

Mark Jakubowski

Mark Jakubowski
Supervisor, Design, Customer Capital



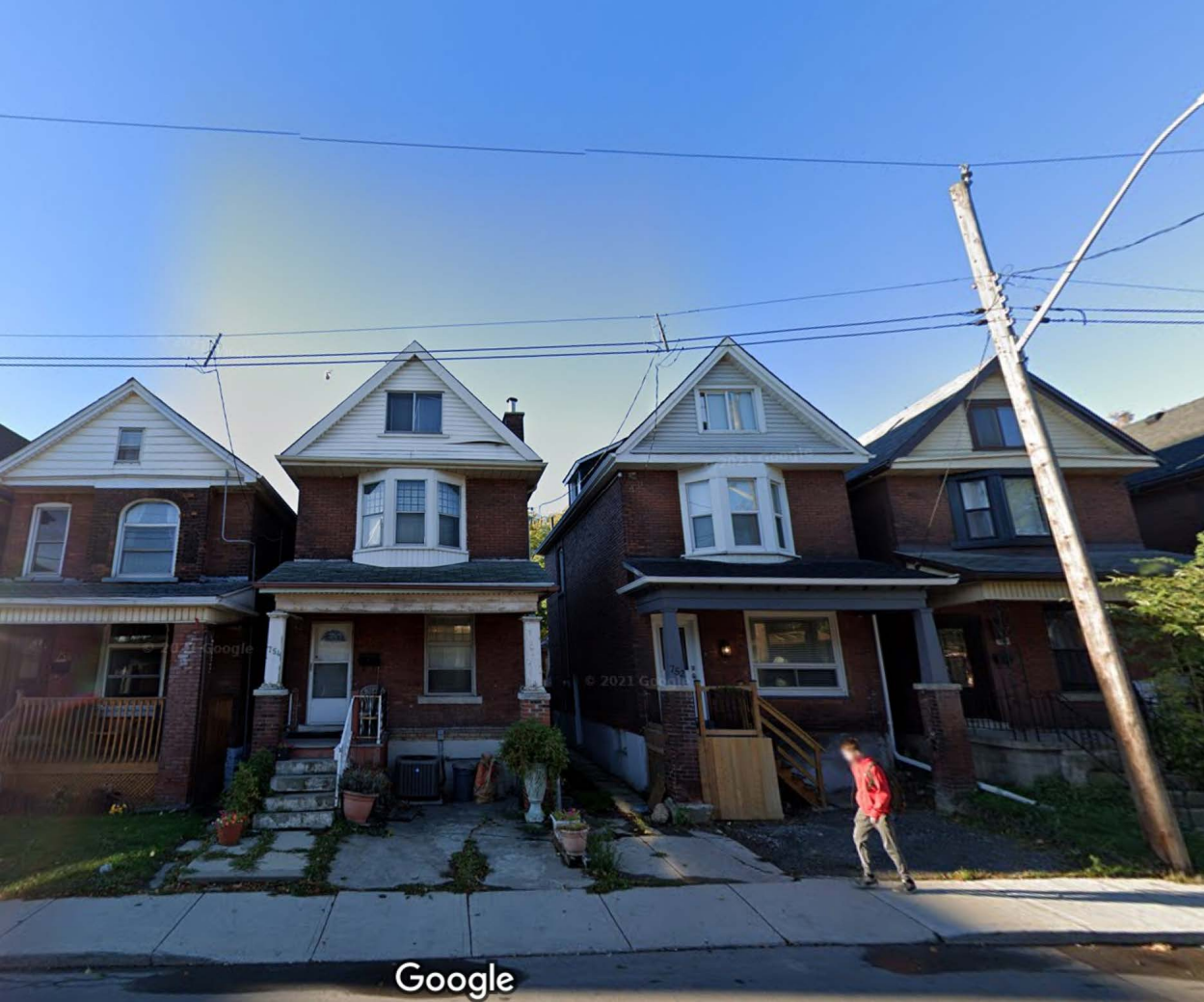
- UNDER NO CIRCUMSTANCES SHALL A CONDUCTOR BE PERMITTED TO PENETRATE THE ENVELOPE SHOWN BY THE DOTTED LINE.

SYSTEM VOLTAGE	MINIMUM HORIZONTAL CLEARANCE DIMENSION "Y"	MINIMUM VERTICAL CLEARANCE DIMENSION "X"
0 - 750 V*	2.0 m (SEE NOTE 1)	4.5 m (SEE NOTE 3)
OVER 750 - 50000 V	4.0 m (SEE NOTE 2)	7.0 m (SEE NOTE 4)

* - INCLUDES MULTI-GROUNDED NEUTRALS

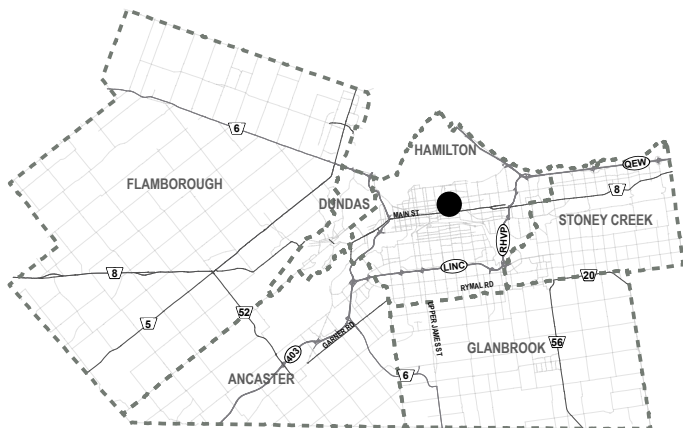
NOTES:

1. THIS CLEARANCE IS MADE UP OF A 1.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING. WHERE CONDUCTOR PASS IN FRONT OF A WINDOW OR OTHER OPENING, THIS 2.0 m CLEARANCE SHOULD BE INCREASED TO 2.5 m. WHERE BUILDINGS EXCEED 3 STOREYS OR 15.0 m IN HEIGHT, THE 2.0 m CLEARANCE SHOULD BE INCREASED TO 3.0 m TO ALLOW FOR RAISING OF LADDERS BY THE LOCAL FIRE DEPARTMENT.
2. THIS CLEARANCE IS MADE UP OF A 3.0 m MINIMUM APPROACH CLEARANCE PLUS A 1.0 m ALLOWANCE FOR CONDUCTOR SWING.
3. THIS DIMENSION PROVIDES 1.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 1.5 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m)
4. THIS DIMENSION PROVIDES 3.0 m MINIMUM APPROACH CLEARANCE FROM A 2.0 m TALL WORKMAN, PLUS A 2.0 m ALLOWANCE FOR CONDUCTOR SAG. (BASED ON AVERAGE SPAN OF 40 m).
5. THE ABOVE CLEARANCES ARE MINIMUM VALUES. EFFORTS SHOULD BE MADE TO INCREASE THESE CLEARANCES ABOVE THOSE SHOWN, WHERE POSSIBLE. TO KEEP WORKMEN AND THEIR EQUIPMENT ON THE BUILDING ETC., AT THE MINIMUM CLEARANCE SHOWN, DIMENSION "X" AND "Y" ARE TO BE INCREASED BY THE REQUIRED WORKING DISTANCE.





● Site Location



City of Hamilton

Committee of Adjustments

Subject Property



754 Cannon Street East, Hamilton
(Ward 3)

File Name/Number:
A-25:007

Date:
February 6, 2025

Technician:
DR

Scale:
N.T.S.

Appendix "A"



Hamilton

Planning and Economic Development Department