

NOTICE OF PUBLIC HEARING
Minor Variance

You are receiving this notice because you are either:

- Assessed owner of a property located within 60 metres of the subject property
 - Applicant/agent on file, or
 - Person likely to be interested in this application
-

| | | | |
|-------------------------|------------------------------|--------------------------|--|
| APPLICATION NO.: | A-25:107 | SUBJECT PROPERTY: | 9 Kings Forest Drive, Hamilton |
| ZONE: | R1 (Low Density Residential) | ZONING BY-LAW: | Hamilton Zoning By-law 05-200, as Amended by By-law 24-051 |

APPLICANTS: Owner: Salvatore Rizzo
Agent: Jenny Bogнар

The following variances are requested:

1. A Rear Yard Setback of 3.15 metres shall be provided instead of the minimum required Rear Yard Setback of 7.5 metres.

PURPOSE & EFFECT: To facilitate the construction of an attached garage in the rear yard of the existing Single Detached Dwelling.

Notes:

- i. Please be advised that insufficient information was provided to determine zoning compliance with Section 4.6 Permitted Yard Encroachments and Section 4.9 Mechanical and Unitary Equipment of Hamilton Zoning By-law 05-200. Additional variances may be required if zoning compliance cannot be achieved.

This Notice must be posted by the owner of any land which contains seven or more residential units so that it is visible to all residents.

This application will be heard by the Committee as shown below:

| | |
|---------------|---|
| DATE: | Thursday, July 17, 2025 |
| TIME: | 1:30 p.m. |
| PLACE: | Via video link or call in (see attached sheet for details) |
| | City Hall Council Chambers (71 Main St. W., Hamilton) |

| | |
|--|--|
| | To be streamed (viewing only) at www.hamilton.ca/committeeofadjustment |
|--|--|

For more information on this matter, including access to drawings illustrating this request and other information submitted:

- Visit www.hamilton.ca/committeeofadjustment
- Visit Committee of Adjustment staff at 5th floor City Hall, 71 Main St. W., Hamilton

PUBLIC INPUT

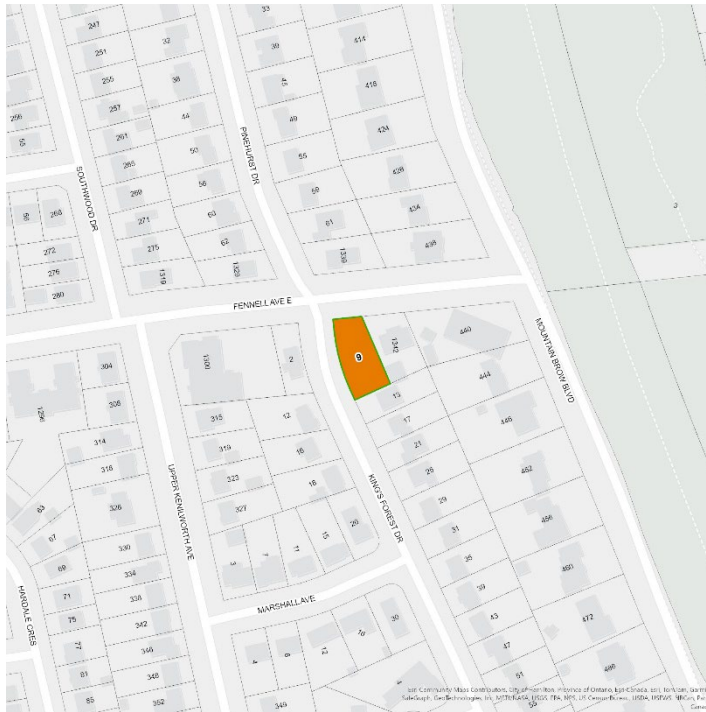
Written: If you would like to submit written comments to the Committee of Adjustment you may do so via email or hardcopy. Please see attached page for complete instructions, written comments must be received no later than noon July 15, 2025

Orally: If you would like to speak to this item at the hearing you may do so via video link, calling in, or attending in person. Please see attached page for complete instructions, registration to participate virtually must be received no later than noon July 16, 2025

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding A-25:107, you must submit a written request to cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.

If you wish to be provided a Notice of Decision, you must attend the Public Hearing and file a written request with the Secretary-Treasurer by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5.



Subject Lands

DATED: June 30, 2025

Justin Leung,
Secretary-Treasurer
Committee of Adjustment

Information respecting this application is being collected under the authority of the Planning Act, R.S.O., 1990, c. P. 13. All comments and opinions submitted to the City of Hamilton on this matter, including the name, address, and contact information of persons submitting comments and/or opinions, will become part of the public record and will be made available to the Applicant and the general public, and may include posting electronic versions.



Hamilton

COMMITTEE OF ADJUSTMENT

City Hall, 5th floor, 71 Main Street West, Hamilton, ON L8P 4Y5

Telephone (905) 546-2424, ext. 4221

E-mail: cofa@hamilton.ca

PARTICIPATION PROCEDURES

Written Submissions

Members of the public who would like to participate in a Committee of Adjustment meeting are able to provide comments in writing advance of the meeting. Comments can be submitted by emailing cofa@hamilton.ca or by mailing the Committee of Adjustment, City of Hamilton, 71 Main Street West, 5th Floor, Hamilton, Ontario, L8P 4Y5. **Comments must be received by noon on the date listed on the Notice of Public Hearing.**

Comments are available the Tuesday prior to the Hearing and are available on our website: www.hamilton.ca/committeeofadjustment

Oral Submissions

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating Virtually through Webex via computer or phone or by attending the Hearing In-person. Participation Virtually requires pre-registration in advance. Please contact staff for instructions if you wish to make a presentation containing visual materials.

1. Virtual Oral Submissions

Interested members of the public, agents, and owners **must register by noon on the day listed on the Notice of Public Hearing** to participate Virtually.

To register to participate Virtually by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca. The following information is required to register: Committee of Adjustment file number, hearing date, name and mailing address of each person wishing to speak, if participation will be by phone or video, and if applicable the phone number they will be using to call in.

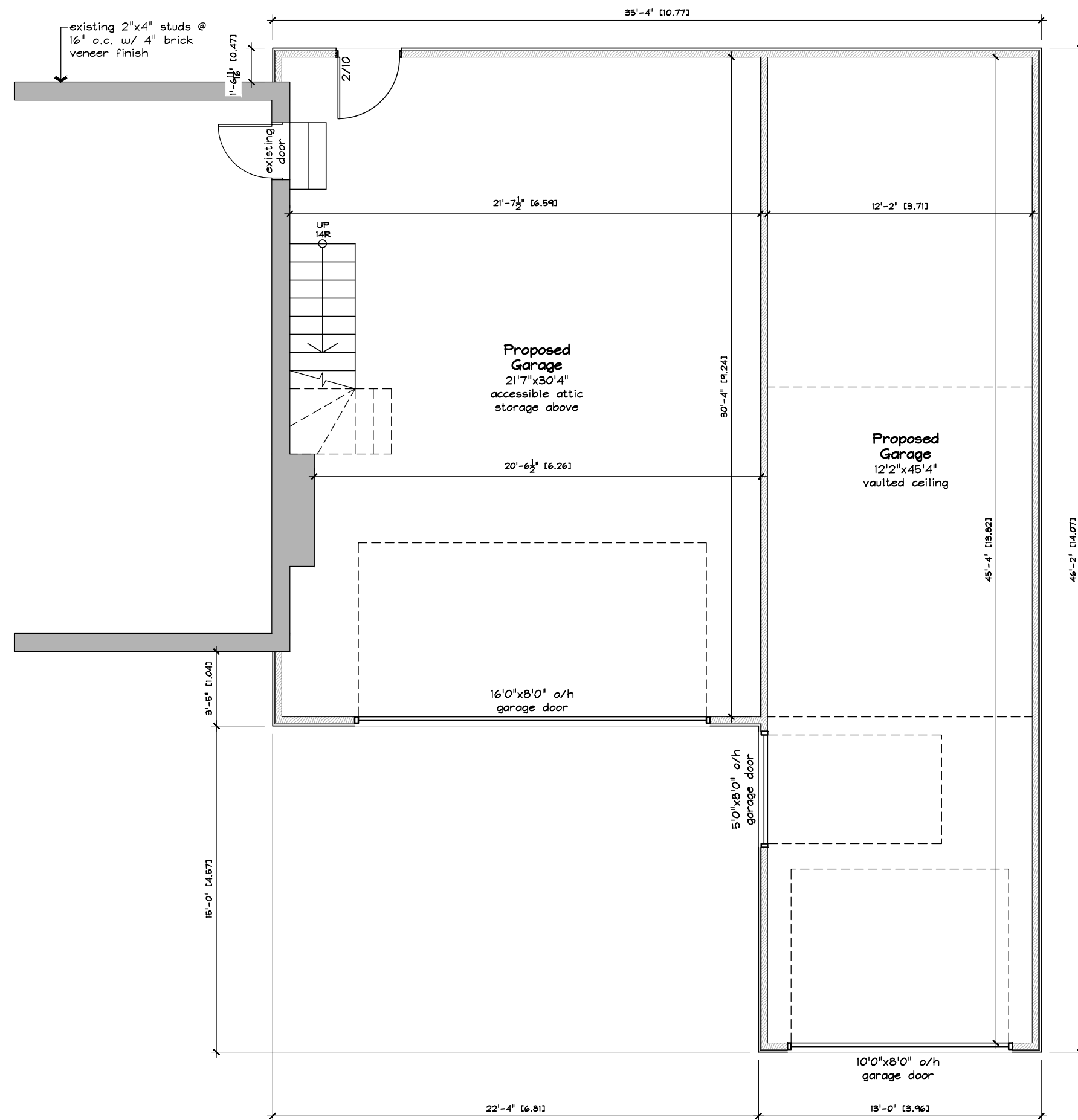
A separate registration for each person wishing to speak is required. Upon registering for a meeting, members of the public will be emailed a link for the Webex meeting one business day before the Hearing. Only those registered will be called upon to speak.

2. In person Oral Submissions

Interested members of the public, agents, and owners who wish to participate in person may attend Council Chambers on the date and time listed on the Notice of Public Hearing. Please note, you will be required to provide your name and address for the record. It is advised that you arrive **no less than 10 minutes** before the time of the Public Hearing as noted on the Notice of Public Hearing.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca.

Please note: Webex (video) participation requires either a compatible computer or smartphone and an application (app/program) must be downloaded by the interested party in order to participate. It is the interested party's responsibility to ensure that their device is compatible and operating correctly prior to the Hearing.



1 PROPOSED FLOOR PLAN
A2 3/16" = 1'-0"

THE RIZZO
RESIDENCE
9 KINGS FOREST DRIVE
HAMILTON, ON
L9T 4J4

**drafting
+ design**
193 East 43rd Street
Hamilton, ON L8T 3C3
info@rizzodrafting.com
905.517.6027

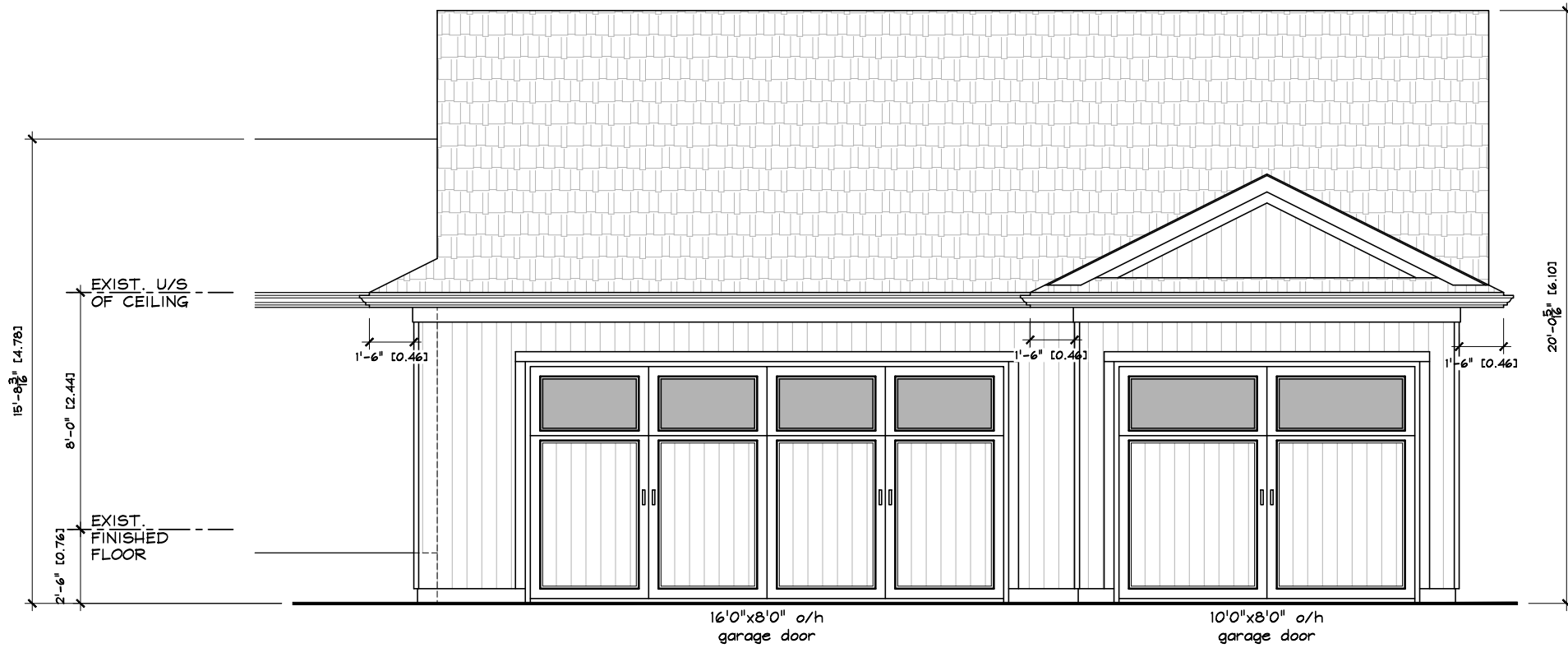
FOR C. OF A.
05.27.25
signature required
Jennifer Rizzo reviews and takes responsibility for the
design work described in this document
firm bcjn 103416 individual bcjn 33001

| DATE | DESCRIPTION |
|----------|---------------------|
| 05.27.25 | PROPOSED FLOOR PLAN |
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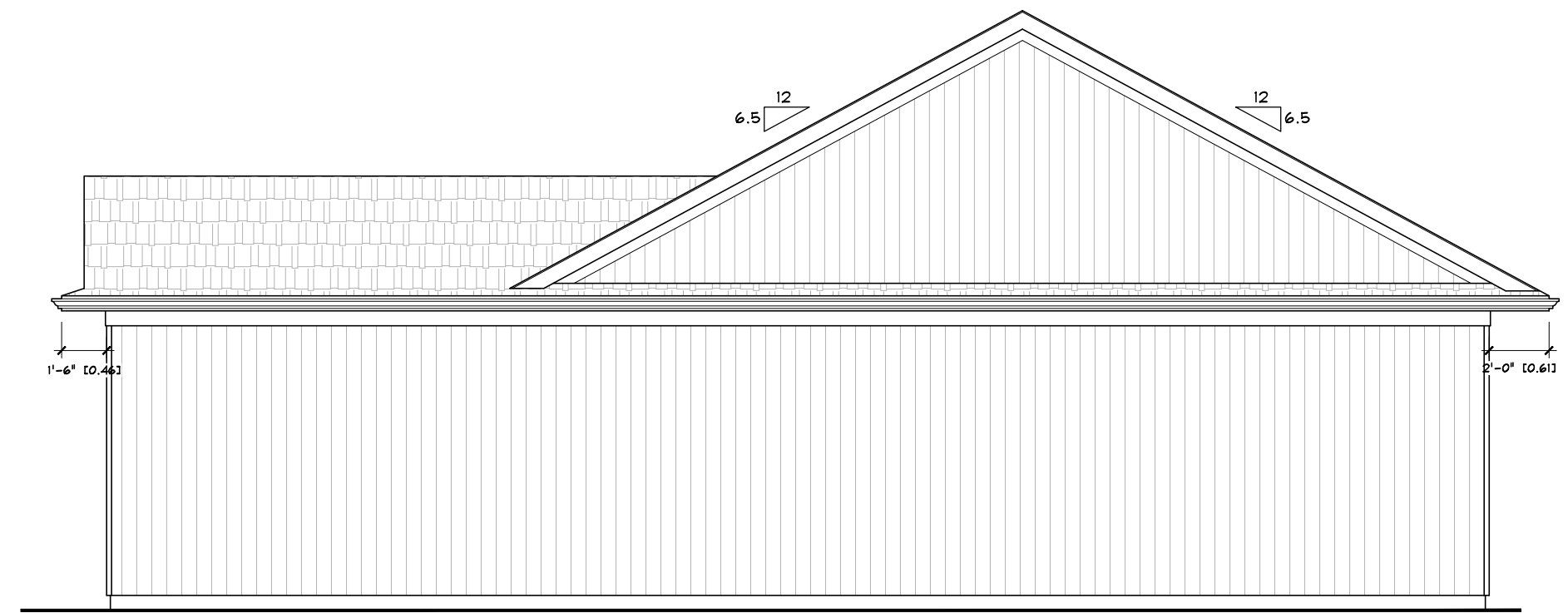
ALL INFORMATION ON THIS DRAWING IS THE PROPERTY OF THE FIRM. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE FIRM. THE FIRM ASSUMES NO LIABILITY FOR ANY DAMAGE, LOSS, OR INJURY, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS DRAWING, WHETHER OR NOT SUCH DAMAGE, LOSS, OR INJURY IS CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE OF THE FIRM OR ANY OF ITS AGENTS, EMPLOYEES, OR SUBCONTRACTORS. THE FIRM'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT SPECIFICALLY IDENTIFIED HEREON. THE FIRM'S LIABILITY DOES NOT EXTEND TO ANY OTHER PROJECTS OR TO ANY OTHER USES OF THIS DRAWING. THE FIRM'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT SPECIFICALLY IDENTIFIED HEREON. THE FIRM'S LIABILITY DOES NOT EXTEND TO ANY OTHER PROJECTS OR TO ANY OTHER USES OF THIS DRAWING.

PROPOSED
FLOOR PLAN

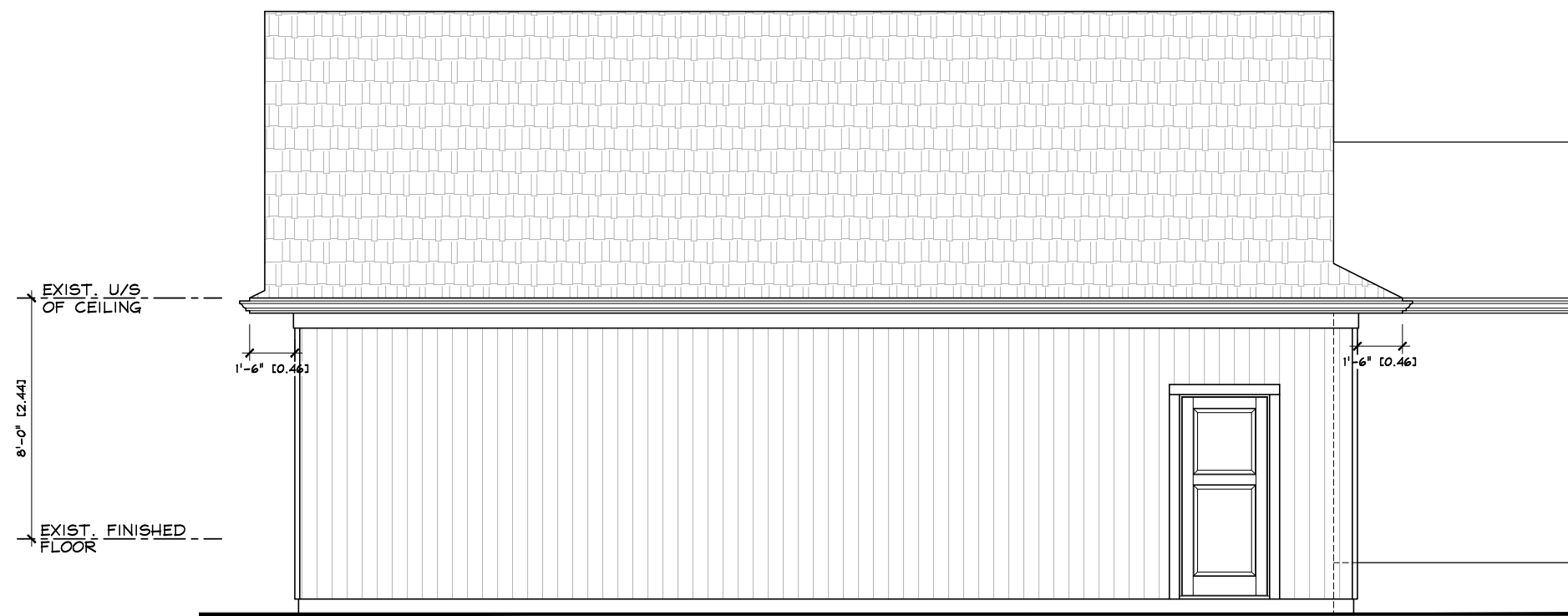
SHEET
A2
OF 3



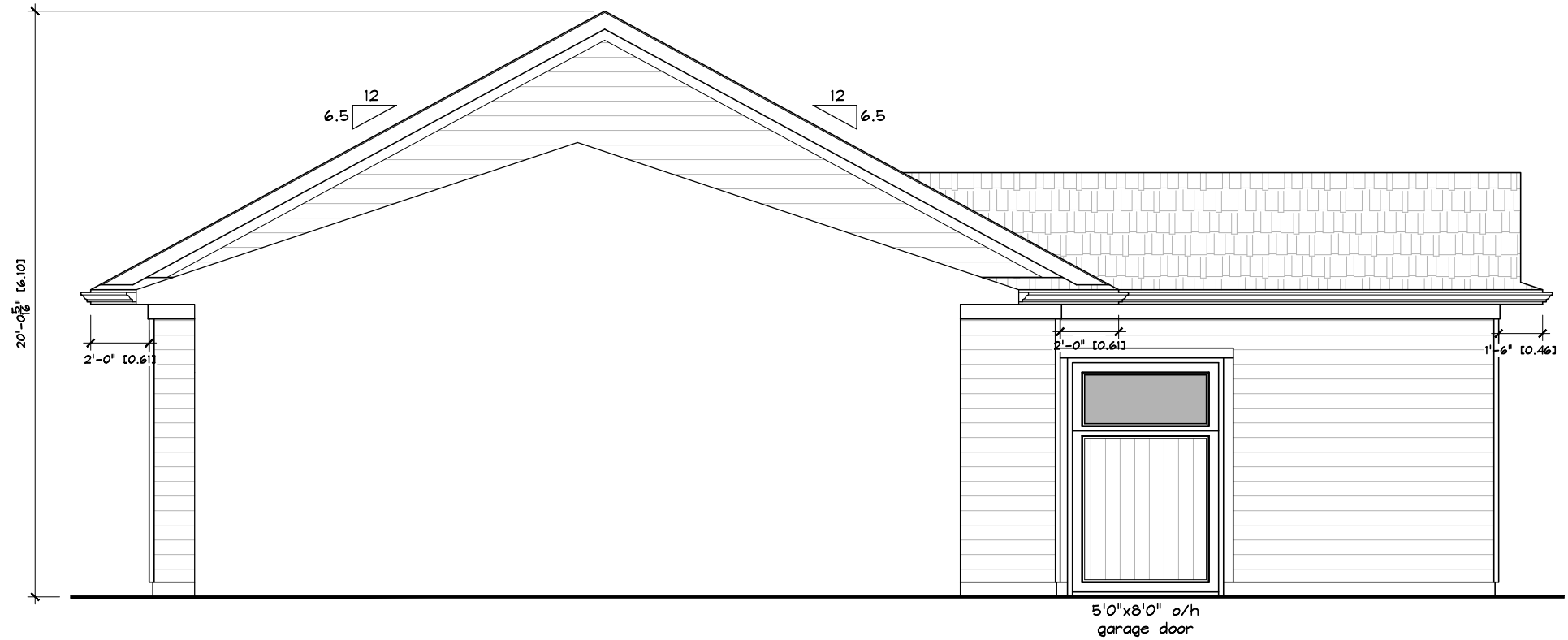
1 PROPOSED FRONT ELEVATION
A3 3/16" = 1'-0"



2 PROPOSED RIGHT SIDE ELEVATION
A3 3/16" = 1'-0"



3 PROPOSED REAR ELEVATION
A3 3/16" = 1'-0"



4 PROPOSED LEFT SIDE ELEVATION
A3 3/16" = 1'-0"

THE RIZZO
RESIDENCE
9 KINGS FOREST DRIVE
HAMILTON, ON
L9T 4J4

**drafting
+ design**
193 East 43rd Street
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FOR C. OF A.
05.27.25
signature required
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design work described in this document.
firm bcjn 103416 individual bcjn 33001

| DATE | DESCRIPTION |
|----------|-------------|
| 05.27.25 | 05.27.25 |

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PROPOSED
ELEVATIONS

SHEET
A3
OF 3

Minor Variance Application

Project: 9 Kings Forest Drive

To whom it may concern,

We are kindly requesting consideration for one minor variance to facilitate the construction of an attached garage on the “rear” or south side of the existing single-family dwelling.

The area has quite a mix of house types that include carports, single car garages and double car garages.

Variance Required

1. To permit a rear yard setback of 3.12m. instead of the required 7.5m. for a proposed attached garage addition.

This corner lot is similar to many in the city, where the front of the house faces the flankage lot line (Kings Forest Drive), but the lot line flanking Fennell Avenue East is in fact the front lot line, as per the bylaw definitions.

The location where we are proposing to put the garage is where the current driveway and approach is located and the current situation leaves an awkward and unusable yard that the client only uses for storage, including a current shed that will be removed.

This attached garage provides safety and security for their vehicles, which include some vintage/collectable cars, that the homeowner likes to work on. We are hoping to provide a car lift in the deeper garage so that he can do his personal car repairs.

The new garage still maintains a 3.0m+ setback to the neighbouring properties and street line.

The garage addition abuts the narrow side yard of #13 Kings Forest Drive, there for it is not encroaching on any of their amenity space, ensuring very little impact to their lot and it's use.

It also abuts the rear yard of 1342 Fennell Avenue East, however their lot currently has a large accessory building in this abutting location in their yard, also ensuring little to no impact on the use of their property.

We also feel we are maintaining plenty of amenity space on this property in the current “front” yard that abuts Fennell Avenue East.

We have provided multiple jogs in the addition to provide interest to the streetscape and changes to the massing of the building.

For these reasons, we feel this request is quite minor in nature and does not cause any overbuilding of the site. We also feel that this is in keeping with the intent of the official plan and fits in well with the many other homes in this area that also have attached garages.

We appreciate your time and consideration in this manner.

APPLICATION FOR A MINOR VARIANCE/PERMISSION
UNDER SECTION 45 OF THE *PLANNING ACT*

1. APPLICANT INFORMATION

| | NAME | MAILING ADDRESS |
|-----------------------------|------------------|-----------------|
| Registered Owners(s) | Salvatore Rizzo | |
| Applicant(s) | Jenny Bognar | |
| Agent or Solicitor | As per applicant | |

1.2 Primary contact ☒ Applicant ☐ Owner
☐ Agent/Solicitor

1.3 Sign should be sent to ☒ Applicant ☐ Owner
☐ Agent/Solicitor

1.4 Request for digital copy of sign ☐ Yes* ☒ No

If YES, provide email address where sign is to be sent _____

1.5 All correspondence may be sent by email ☒ Yes* ☐ No

If Yes, a valid email must be included for the registered owner(s) AND the Applicant/Agent (if applicable). Only one email address submitted will result in the voiding of this service. This request does not guarantee all correspondence will sent by email.

1.6 Payment type ☐ In person ☒ Credit over phone*
☐ Cheque _____

*Must provide number above

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

| | | | |
|---------------------------|----------------------|------------|--|
| Municipal Address | 9 Kings Forest Drive | | |
| Assessment Roll Number | | | |
| Former Municipality | Hamilton | | |
| Lot | | Concession | |
| Registered Plan Number | | Lot(s) | |
| Reference Plan Number (s) | | Part(s) | |

2.2 Are there any easements or restrictive covenants affecting the subject land?

☐ Yes ☒ No

If YES, describe the easement or covenant and its effect:

3. PURPOSE OF THE APPLICATION

Additional sheets can be submitted if there is not sufficient room to answer the following questions. Additional sheets must be clearly labelled

All dimensions in the application form are to be provided in metric units (millimetres, metres, hectares, etc.)

3.1 Nature and extent of relief applied for:

See attached

☐ Second Dwelling Unit

☐ Reconstruction of Existing Dwelling

3.2 Why it is not possible to comply with the provisions of the By-law?

See attached

3.3 Is this an application 45(2) of the Planning Act.

☐ Yes

☒ No

If yes, please provide an explanation:

4. DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Dimensions of Subject Lands:

| | | | |
|--------------|-----------|---------------|-----------------|
| Lot Frontage | Lot Depth | Lot Area | Width of Street |
| 16.54 m. | 44.94 m. | 939.78 sq. m. | 20.0m./26.0m. |

4.2 Location of all buildings and structures on or proposed for the subject lands:
(Specify distance from side, rear and front lot lines)

Existing:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|--------------------|-------------------|--------------------|----------------------|
| Dwelling | 14.33 m. | 13.65 m. | 3.78 m./8.48 m. | 1950's |
| | | | | |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Front Yard Setback | Rear Yard Setback | Side Yard Setbacks | Date of Construction |
|-------------------|--------------------|-------------------|--------------------|----------------------|
| Dwelling Addition | N/A | 3.12 m. | 3.05m/5.37 m. | ASAP |
| | | | | |
| | | | | |
| | | | | |

4.3. Particulars of all buildings and structures on or proposed for the subject lands (attach additional sheets if necessary):

Existing:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------|-------------------|------------------|-------------------|---------|
| Dwelling | 118.55 sq. m. | 118.55 sq. m. | 1 | 4.78 m. |
| | | | | |
| | | | | |
| | | | | |

Proposed:

| Type of Structure | Ground Floor Area | Gross Floor Area | Number of Storeys | Height |
|-------------------|-------------------|------------------|-------------------|---------|
| Dwelling Addition | 236.50 sq. m. | 236.50 sq. m. | 1 | 6.10 m. |
| | | | | |
| | | | | |
| | | | | |

- 4.4 Type of water supply: (check appropriate box)
- ☒ publicly owned and operated piped water system
- ☐ privately owned and operated individual well

- ☐ lake or other water body
- ☐ other means (specify)
- _____

- 4.5 Type of storm drainage: (check appropriate boxes)
- ☒ publicly owned and operated storm sewers
- ☐ swales

- ☐ ditches
- ☐ other means (specify)
- _____

4.6 Type of sewage disposal proposed: (check appropriate box)

☒ publicly owned and operated sanitary sewage

☐ system privately owned and operated individual

☐ septic system other means (specify) _____

4.7 Type of access: (check appropriate box)

☐ provincial highway

☐ right of way

☒ municipal road, seasonally maintained

☐ other public road

☐ municipal road, maintained all year _____

4.8 Proposed use(s) of the subject property (single detached dwelling duplex, retail, factory etc.):

Single detached dwelling

4.9 Existing uses of abutting properties (single detached dwelling duplex, retail, factory etc.):

Single detached dwelling

7 HISTORY OF THE SUBJECT LAND

7.1 Date of acquisition of subject lands:

April 2025

7.2 Previous use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

Single detached dwelling

7.3 Existing use(s) of the subject property: (single detached dwelling duplex, retail, factory etc)

Single detached dwelling

7.4 Length of time the existing uses of the subject property have continued:

Always

7.5 What is the existing official plan designation of the subject land?

Rural Hamilton Official Plan designation (if applicable): _____

Rural Settlement Area: _____

Urban Hamilton Official Plan designation (if applicable) Neighbourhoods

Please provide an explanation of how the application conforms with the Official Plan.

See attached

7.6 What is the existing zoning of the subject land? R1

7.8 Has the owner previously applied for relief in respect of the subject property?

(Zoning By-law Amendment or Minor Variance)

☐ Yes

☒ No

If yes, please provide the file number: _____

7.9 Is the subject property the subject of a current application for consent under Section 53 of the *Planning Act*?

☐ Yes

☒ No

If yes, please provide the file number: _____

8 ADDITIONAL INFORMATION

8.1 Number of Dwelling Units Existing: 1

8.2 Number of Dwelling Units Proposed: 0

8.3 Additional Information (please include separate sheet if needed):

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- ☒ Application Fee
- ☒ Site Sketch
- ☒ Complete Application form
- ☒ Signatures Sheet

11.4 Other Information Deemed Necessary

- ☐ Cover Letter/Planning Justification Report
 - ☐ Authorization from Council or Director of Planning and Chief Planner to submit application for Minor Variance
 - ☐ Minimum Distance Separation Formulae (data sheet available upon request)
 - ☐ Hydrogeological Assessment
 - ☐ Septic Assessment
 - ☐ Archeological Assessment
 - ☐ Noise Study
 - ☐ Parking Study
-
-