



Hamilton

COMMITTEE OF ADJUSTMENT

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

Telephone (905) 546-2424, ext. 4221, 3935

E-mail: cofa@hamilton.ca

NOTICE OF PUBLIC HEARING
Consent/Land Severance

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.:	FL/B-23:77	SUBJECT PROPERTY:	2133 Concession 4 West RR #1, Flamborough
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APPLICANTS: Owner: Huntsdale Farm Limited
Purchaser/ Applicant: Jacob and Janet Ringelberg

PURPOSE & EFFECT: To permit the conveyance of a vacant agricultural parcel of land to be added to property Part of Lot 12, Concession 4 Flamborough.

	Frontage	Depth	Area
SEVERED LANDS:	211 m [±]	1000 m [±]	14 ha [±]
RETAINED LANDS:	292 m [±]	1000 m [±]	15.6 ha [±]

Associated Planning Act File(s): N/A

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, December 7, 2023
TIME:	11:15 a.m.
PLACE:	Via video link or call in (see attached sheet for details)
	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
- Email Committee of Adjustment staff at cofa@hamilton.ca

FL/B-23:77

- Call 905-546-CITY (2489) or 905-546-2424 extension 4221, 4130, or 3935

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, including deadlines for submitting to be seen by the Committee.

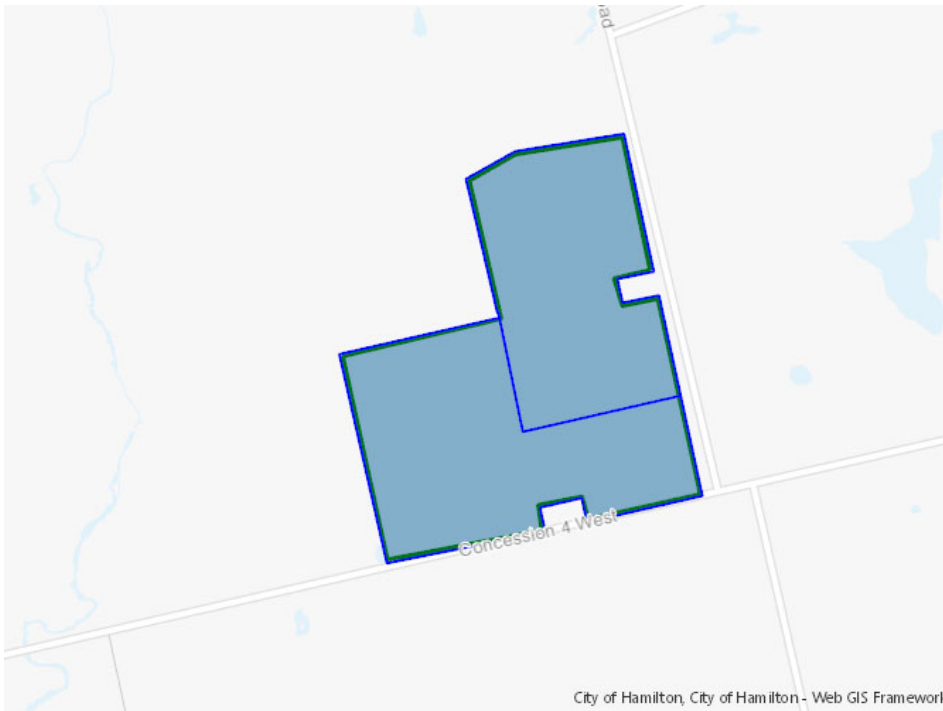
Orally: If you would like to speak to this item at the hearing you may do so via video link or by calling in. Please see attached page for complete instructions, including deadlines for registering to participate.

FURTHER NOTIFICATION

If you wish to be notified of future Public Hearings, if applicable, regarding FL/B-23:77, 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.

If a person or public body that files an appeal of a decision of The City of Hamilton Committee of Adjustment in respect of the proposed consent does not make written submissions to The City of Hamilton Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.



DATED: November 21, 2023

Jamila Sheffield,
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.



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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 or via email in 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 two days before the Hearing.**

Comments can also be placed in the drop box which is located at the back of the 1st Floor of City Hall, 71 Main Street West. All comments received by noon two business days before the meeting will be forwarded to the Committee members.

Comments are available two days prior to the Hearing and are available on our website: www.hamilton.ca/committeefadjustment

Oral Submissions During the Virtual Meeting

Members of the public are also able to provide oral comments regarding Committee of Adjustment Hearing items by participating through Webex via computer or phone. Participation in this format requires pre-registration in advance. **Interested members of the public must register by noon the day before the hearing.**

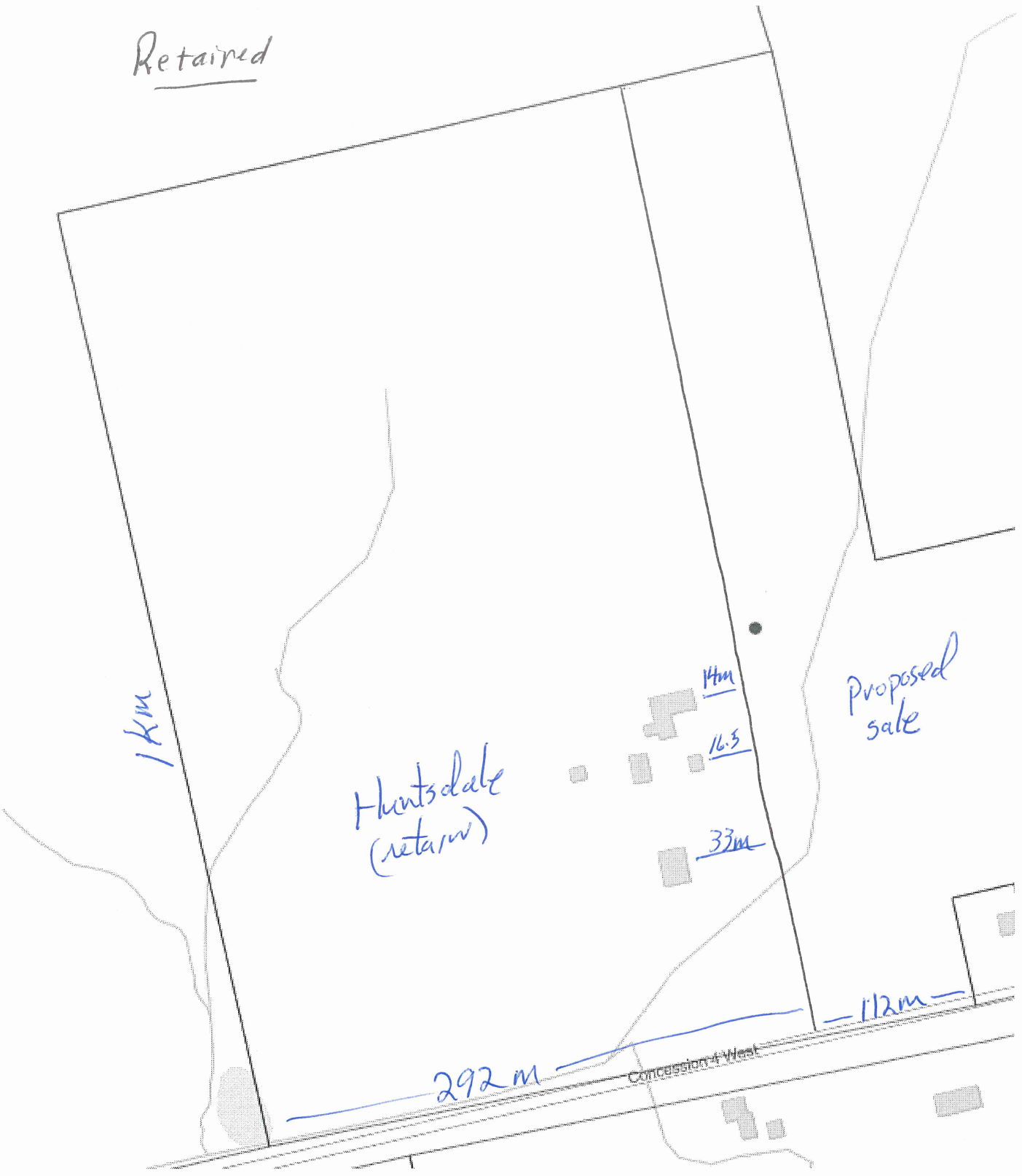
To register to participate by Webex either via computer or phone, please contact Committee of Adjustment staff by email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221. The following information is required to register: Committee of Adjustment file number that you wish to speak to, the hearing date, name and address of the person wishing to speak, if they will be connecting via 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 the Wednesday afternoon before the hearing. The link must not be shared with others as it is unique to the registrant.

All members of the public who register will be contacted by Committee Staff to confirm details of the registration prior to the Hearing and provide an overview of the public participation process.

We hope this is of assistance and if you need clarification or have any questions, please email cofa@hamilton.ca or by phone at 905-546-2424 ext. 4221.

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.

Retained



Huntsdale
(return)

Proposed
sale

1 km

292 m

Concession + West

14m

16.5

33m

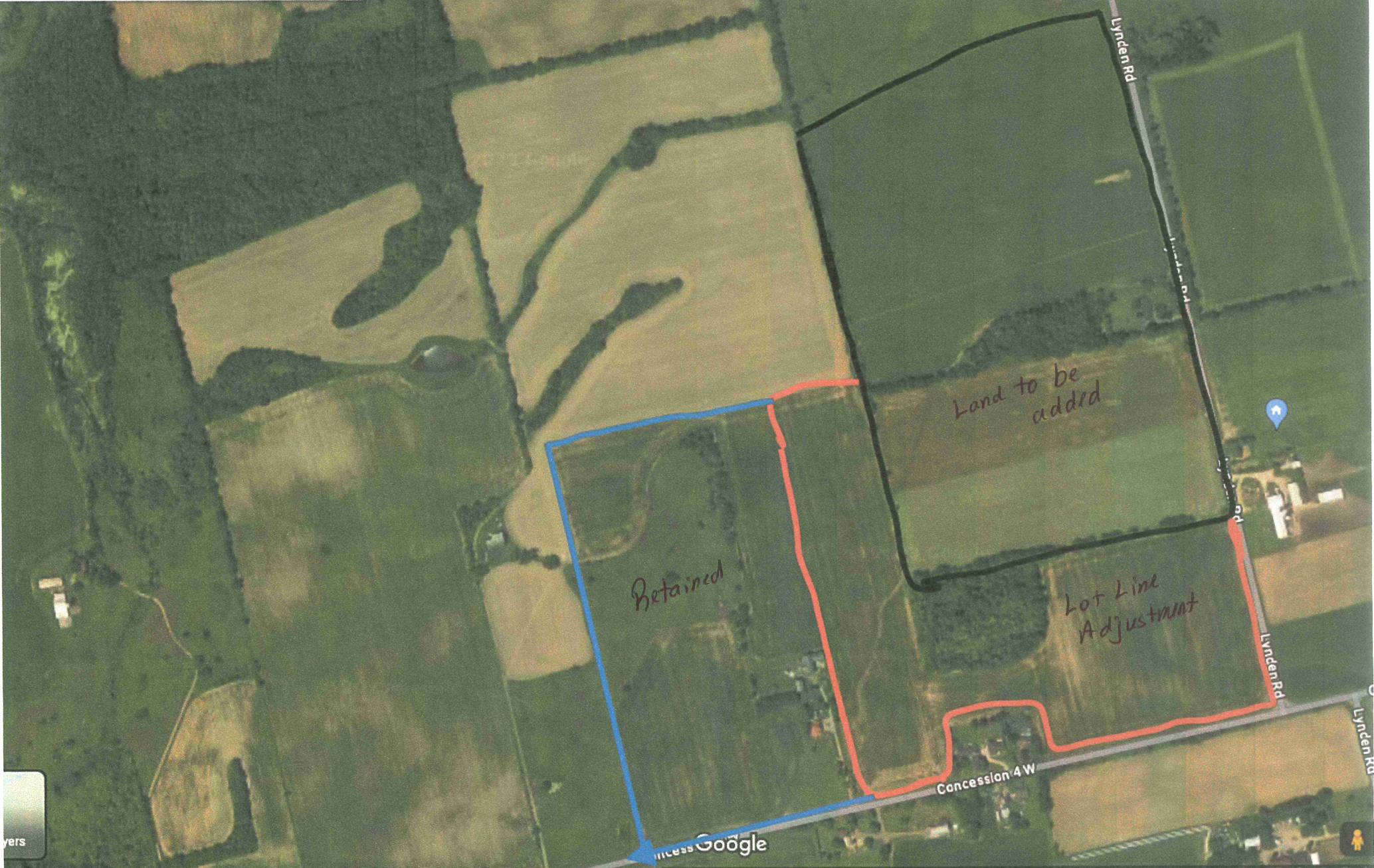
112m





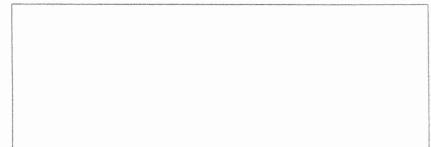
Search Google Maps

- Restaurants
- Hotels
- Things to do
- Museums
- Transit
- Pharmacies
- ATMs





Lot Line Adjustment - 2133
Concession 4 West



Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
 - Engineered
 - Estimated
 - Approximate
 - Special Policy Area
- Slope Valley (GRCA)
 - Steep
 - Oversteep
 - Steep
- Slope Erosion (GRCA)
 - Oversteep
 - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.
The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/Sources-and-Citations.pdf>



GRCA

HUNTSDALE FARMS LTD

2133 Concession 4 West

RR# 1 Troy, ON, L0R 2B0

To: City of Hamilton, Agricultural and Rural Affairs Advisory Committee

From: Murray and Karen Hunt

We wish to provide you with comments as you review the application for the transfer of land from Huntsdale to Jake and Janet Ringelberg.

The Ringelberg's, our neighbours, are skilled farmers and community leaders. They have made and will continue to make very positive contributions to both the dairy farming industry in Flamborough-Hamilton-Ontario and to our communities.

We welcomed their approach to us to sell them adjoining land in order to best position their family and farming enterprise for the future. As they reported to your committee their reasons include business and environmental reasons.

Our ancestors purchased the land of Huntsdale Farms about 120 years ago. Five generations have improved the soil, the livestock and farming practices. Initially our ancestors did mixed farming, followed by seventy years as dairy farmers and now as cash crop farmers. The Hunt family has been awarded many county, provincial and national awards including Holstein Canada's Master Breeder, Ontario Soil and Crop Recognition and Hamilton-Wentworth Farmer of the Year. For service to community and agriculture the Hunt family has been recognized with two Wentworth Country Citizens of the Year awards, two Queen's Jubilee Medals and numerous Rockton Agricultural Society awards.

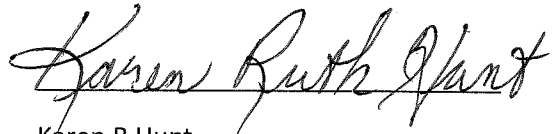
We personally have held numerous off-farm jobs in agriculture and an antique business, in addition to farming part-time and full-time after semi-retiring. Our three children are professionals in agriculture in Canada, USA and globally and will not be coming back to Huntsdale to farm. Knowing that, we wish to see others use our land to farm productively. To that end the Ringelberg's have proactive and progressive plans for effective and efficient farming.

Respectfully provided,



Murray S Hunt

October 31, 2023



Karen R Hunt

OCTOBER 31, 2023

October 2023

Dear City of Hamilton Planning Staff and City of Hamilton Agricultural and Rural Affairs Advisory Committee,

Please find attached our application and a site sketch drawing of a proposed lot line adjustment. The land is currently used in agriculture to grow crops and it would continue in agriculture. There is also a reply and mapping from the Grand River Conservation Authority showing the land involved does not have any areas of concern for the GRCA. Minimum Distance Separation (MDS) does not apply to this request as it is unserviced vacant land that will remain in agriculture growing crops and no buildings or livestock are involved.

In black, you will see the current 65 acres vacant land owned by Jacob and Janet **Ringelberg** at **Lot 12, Concession 4 Flamborough**. The land in red is owned by **Huntsdale at 2133 Concession 4 West** and is approximately 35 acres. It shares a large border with the adjoining property and uses the laneway at 2133 Concession 4 as a natural divider. The land in blue is what would be retained with the buildings at 2133, leaving a square property or approximately 40 acres.

The Ringelberg family operates a dairy farm at 678 and 676 Lynden Road and would like additional land to continue a necessary steady expansion for continued viability with the 4th generation showing interest in the farm business and for manure management and environmental sustainability. Please note that the Ringelberg property was previously owned by Peter and Joanne Fennema (Janet's parents) and prior to that by Janet's grandfather and his sons including her Dad since 1955. In the early 2000s, a similar lot line adjustment was made increasing that land base from 25 to 65 acres for the same reason. That land has been in the family since 1955 and having land close by is the preferred method of growth and convenience. The proposal would increase that land base at Lot 12 Concession 4 to approximately 100 acres.

Some sections of the application form do not seem to be applicable to a lot line adjustment request so they have been left blank. Should you require further clarification do not hesitate to contact us.

Thank you,



Jacob and Janet Ringelberg
678 Lynden Road
RR# 1
Troy, ON
L0R2B0
Janet's cell 519-761-2547
Home 519-647-2547
j.ringelberg@silomail.com



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71 Main St. W.,
Hamilton, ON L8P4Y5

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**APPLICATION FOR CONSENT TO SEVER LAND
and VALIDATION OF TITLE
UNDER SECTION 53 & 57 OF THE PLANNING ACT**

Please see additional information regarding how to submit an application, requirements for the required sketch and general information in the Submission Requirements and Information.

1. APPLICANT INFORMATION

	NAME
Purchaser*	Jacob and Janet Ringelberg
Registered Owners(s)	Huntsdale Farm Limited
Applicant(s)**	Jacob and Janet Ringelberg
Agent or Solicitor	

*Purchaser must provide a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application.

** Owner's authorisation required if the applicant is not the owner or purchaser.

1.2 All correspondence should be sent to Purchaser Owner
 Applicant Agent/Solicitor

1.3 Sign should be sent to Purchaser Owner
 Applicant 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.

2. LOCATION OF SUBJECT LAND

2.1 Complete the applicable sections:

Municipal Address	2133 Concession 4 West RR#1 Troy ON L0R2B0		
Assessment Roll Number	301410326000000		
Former Municipality	Flamborough		
Lot	11 and 12	Concession	4
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

3.1 Type and purpose of proposed transaction: (check appropriate box)

- | | |
|---|--|
| <input type="checkbox"/> creation of a new lot(s) | <input type="checkbox"/> concurrent new lot(s) |
| <input checked="" type="checkbox"/> addition to a lot | <input type="checkbox"/> a lease |
| <input type="checkbox"/> an easement | <input type="checkbox"/> a correction of title |
| <input type="checkbox"/> validation of title (must also complete section 8) | <input type="checkbox"/> a charge |
| <input type="checkbox"/> cancellation (must also complete section 9) | |
| <input type="checkbox"/> creation of a new non-farm parcel (must also complete section 10)
(i.e. a lot containing a surplus farm dwelling
resulting from a farm consolidation) | |

3.2 Name of person(s), if known, to whom land or interest in land is to be transferred, leased or charged:

Jacob and Janet Ringelberg

3.3 If a lot addition, identify the lands to which the parcel will be added:

Lot 12 Concession 4 Flamborough

3.4 Certificate Request for Retained Lands: Yes*

* If yes, a statement from an Ontario solicitor in good standing that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Act. (O. Reg. 786/21)

4 DESCRIPTION OF SUBJECT LAND AND SERVICING INFORMATION

4.1 Description of subject land:

All dimensions to be provided in metric (m, m² or ha), attach additional sheets as necessary.

	Retained (remainder)	Parcel 1	Parcel 2	Parcel 3*	Parcel 4*
--	-------------------------	----------	----------	-----------	-----------

Identified on Sketch as:	<i>Retained</i>	<i>Severed</i> See sketch			
Type of Transfer	N/A	lot line adjustme			
Frontage	<i>292 m</i>	<i>211 2 m</i>			
Depth	<i>1 km su map</i>	<i>1 km</i>			
Area	<i>38.5 acres</i>	14 ha =35 acres			
Existing Use	<i>Agricultural</i>	Agricultural			
Proposed Use	<i>Agricultural</i>	Agricultural			
Existing Buildings/ Structures	<i>- House - older bank barn - one car garage</i>	none vacant land			
Proposed Buildings/ Structures	<i>none</i>	none			
Buildings/ Structures to be Removed	<i>none</i>	none			

* Additional fees apply.

4.2 Subject Land Servicing

a) Type of access: (check appropriate box)

- provincial highway
 municipal road, seasonally maintained
 municipal road, maintained all year

- right of way
 other public road

b) Type of water supply proposed: (check appropriate box)

- publicly owned and operated piped water system
 privately owned and operated individual well

- lake or other water body
 other means (specify)

n/a vacant land

c) 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) n/a vacant land

4.3 Other Services: (check if the service is available)

- electricity telephone school bussing garbage collection

5 CURRENT LAND USE

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

Rural Hamilton Official Plan designation (if applicable): Agricultural

Rural Settlement Area: Flamborough

Urban Hamilton Official Plan designation (if applicable) _____

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

Lot line adjustment - land is agricultural and will be sold and added to an agricultural parcel to allow for growth and encourage the next generation to farm and for environmental sustainability and manure management

5.2 Is the subject land currently the subject of a proposed official plan amendment that has been submitted for approval?

Yes No Unknown

If YES, and known, provide the appropriate file number and status of the application.

5.3 What is the existing zoning of the subject land? agricultural

If the subject land is covered by a Minister's zoning order, what is the Ontario Regulation Number?

5.4 Is the subject land the subject of any other application for a Minister's zoning order, zoning by-law amendment, minor variance, consent or approval of a plan of subdivision?

Yes No Unknown

If YES, and known, provide the appropriate file number and status of the application.

5.5 Are any of the following uses or features on the subject land or within 500 metres of the subject land, unless otherwise specified. Please check the appropriate boxes, if any apply.

Use or Feature <i>Retained</i>	On the Subject Land	Within 500 Metres of Subject Land, unless otherwise specified (indicate approximate distance)
An agricultural operation, including livestock facility or stockyard * Submit Minimum Distance Separation Formulae (MDS) if applicable	<input type="checkbox"/>	<i>retained has no active livestock only an old bank barn.</i>
A land fill	<input type="checkbox"/>	
A sewage treatment plant or waste stabilization plant	<input type="checkbox"/>	
A provincially significant wetland	<input type="checkbox"/>	
A provincially significant wetland within 120 metres	<input type="checkbox"/>	
A flood plain	<input type="checkbox"/>	
An industrial or commercial use, and specify the use(s)	<input type="checkbox"/>	
An active railway line	<input type="checkbox"/>	
A municipal or federal airport	<input type="checkbox"/>	

severed parcel = vacant land no buildings.

6 HISTORY OF THE SUBJECT LAND

6.1 Has the subject land ever been the subject of an application for approval of a plan of subdivision or a consent under sections 51 or 53 of the *Planning Act*?

Yes No Unknown

If YES, and known, provide the appropriate application file number and the decision made on the application.

6.2 If this application is a re-submission of a previous consent application, describe how it has been changed from the original application.

6.3 Has any land been severed or subdivided from the parcel originally acquired by the owner of the subject land?

Yes No

If YES, and if known, provide for each parcel severed, the date of transfer, the name of the transferee and the land use.

6.4 How long has the applicant owned the subject land?

Been in the applicant's family since 1955

6.5 Does the applicant own any other land in the City? Yes No

If YES, describe the lands below or attach a separate page.

A 105 acre parcel of farmland used for dairy across the road from the 65 acre parcel of vacant land to which we wish to add 35 acres from Huntsdale

7 PROVINCIAL POLICY

7.1 Is this application consistent with the Policy Statements issued under Section 3 of the *Planning Act*?

Yes No (Provide explanation)

7.2 Is this application consistent with the Provincial Policy Statement (PPS)?

Yes No (Provide explanation)

7.3 Does this application conform to the Growth Plan for the Greater Golden Horseshoe?

Yes No (Provide explanation)

7.4 Are the subject lands subject to the Niagara Escarpment Plan?

Yes No (Provide explanation)

7.5 Are the subject lands subject to the Parkway Belt West Plan?

Yes No (Provide explanation)

7.6 Are the subject lands subject to the Greenbelt Plan?

Yes No (Provide explanation)

Land is in the greenbelt

7.7 Are the subject lands within an area of land designated under any other provincial plan or plans?

Yes No (Provide explanation)

8 ADDITIONAL INFORMATION - VALIDATION

8.1 Did the previous owner retain any interest in the subject land?

Yes No (Provide explanation)

8.2 Does the current owner have any interest in any abutting land?

Yes No (Provide explanation and details on plan)

8.3 Why do you consider your title may require validation? (attach additional sheets as necessary)

9 ADDITIONAL INFORMATION - CANCELLATION

9.1 Did the previous owner retain any interest in the subject land?

Yes No (Provide explanation)

9.2 Does the current owner have any interest in any abutting land?

Yes No (Provide explanation and details on plan)

9.3 Why do you require cancellation of a previous consent? (attach additional sheets as necessary)

10 ADDITIONAL INFORMATION - FARM CONSOLIDATION

10.1 Purpose of the Application (Farm Consolidation)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate if the consolidation is for:

- Surplus Farm Dwelling Severance from an Abutting Farm Consolidation
- Surplus Farm Dwelling Severance from a Non-Abutting Farm Consolidation

10.2 Location of farm consolidation property:

Municipal Address			
Assessment Roll Number			
Former Municipality			
Lot		Concession	
Registered Plan Number		Lot(s)	
Reference Plan Number (s)		Part(s)	

10.3 Rural Hamilton Official Plan Designation(s)

If proposal is for the creation of a non-farm parcel resulting from a farm consolidation, indicate the existing land use designation of the abutting or non-abutting farm consolidation property.

10.4 Description of farm consolidation property:

Frontage (m):	Area (m ² or ha):
---------------	------------------------------

Existing Land Use(s): _____ Proposed Land Use(s): _____

10.5 Description of abutting consolidated farm (excluding lands intended to be severed for the surplus dwelling)

Frontage (m):	Area (m ² or ha):
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Existing Land Use: _____ Proposed Land Use: _____

10.7 Description of surplus dwelling lands proposed to be severed:

Frontage (m): (from Section 4.1)	Area (m ² or ha): (from Section 4.1)
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Front yard set back: _____

a) Date of construction:

- Prior to December 16, 2004 After December 16, 2004

b) Condition:

- Habitable Non-Habitable

11 COMPLETE APPLICATION REQUIREMENTS

11.1 All Applications

- Application Fee
- Site Sketch
- Complete Application Form
- Signatures Sheet

11.2 Validation of Title

- All information documents in Section 11.1
- Detailed history of why a Validation of Title is required
- All supporting materials indicating the contravention of the Planning Act, including PIN documents and other items deemed necessary.

11.3 Cancellation

- All information documents in Section 11.1
- Detailed history of when the previous consent took place.
- All supporting materials indicating the cancellation subject lands and any neighbouring lands owned in the same name, including PIN documents and other items deemed necessary.

11.4 Other Information Deemed Necessary

- Cover Letter/Planning Justification Report
 - Minimum Distance Separation Formulae (data sheet available upon request)
 - Hydrogeological Assessment
 - Septic Assessment
 - Archeological Assessment
 - Noise Study
 - Parking Study
-
-