
Haldimand County Committee of Adjustment

Consent



File Number: PLB-2025-023

Property Roll Number: 2810-332-005-0128-00000

Applicant: Allan Williamson

Agent: Doug Mcintosh, NEO Architecture

Property Location: Walpole Concession 8, Part Lot 6, No Municipal Address
(Southwest Corner of Haldimand Road 55 and Nanticoke Creek Parkway), Jarvis

For consideration on: March 25, 2025

Summary

The purpose of this Consent application is to sever a 4 hectare (9.9 acre) parcel of land within the Urban Area of Jarvis, to facilitate the future location of the Norfolk Haldimand Community Hospice.

Recommendation

THAT application PLA-2024-023 be APPROVED, subject to the attached conditions. The application is consistent with the Provincial Planning Statement, 2024 and conforms to the intent and purpose of the Haldimand County Official Plan and Haldimand County Zoning By-law HC 1-2020.

Prepared by: Jassie Cleaver, Secretary-Treasurer, Committee of Adjustment

Reviewed by: Mark Andrews, M.A., MCIP, RPP, Senior Planner

Reviewed by: Krystina Wheatley, Acting Supervisor, Planning & Development

Details of the Submission:

Proposal:

The applicant proposes to sever a 4 hectare (9.9 acre) parcel from the subject lands to create a viable parcel to facilitate the future location of the Norfolk Haldimand Community Hospice. The proposed Norfolk Haldimand Community Hospice is anticipated to be a 1,486 square metre (16,000 square feet) building with ten (10) private bedrooms with private and accessible washrooms. At this time, formal Planning applications to facilitate this use have not yet been received. The proposed severed lands will have a frontage of 181.53m (595.57 ft) on Nanticoke Creek Parkway, and an area of 4 hectares (9.9acres). The retained lands, specifically the portion located above the former rail line which bisects the subject lands to the south, will have a frontage of 449.25 meters (1,473.92 feet), and an area of 11.5 hectares (28.42 acres).

Site Features and Land Use:

The Subject Lands are located on the southwest corner of Nanticoke Creek Parkway and Haldimand Road 55, within the Urban Area of Jarvis. The subject lands are part of a larger parcel that is bisected by the former rail line that runs in a general southwesterly/north-easterly direction, which creates a

natural severance of the retained parcel. The remainder of that parcel maintains frontage and access from Highway 3 to the south (known municipally as 2189 Highway 3). The general surroundings of the subject lands are consistent of agricultural uses and associated residential uses. The subject lands are approximately 1km (0.6 miles) north-east of the designated built-up portion of Jarvis. The proposed severed lands (Part 1) contain a small woodlot, that fronts onto Nanticoke Creek Parkway, and a treeline that straddles the proposed rear lot line. The remainder of the proposed severed lands are vacant. The retained lands are currently actively farmed and contain a single detached dwelling and accessory structures (likely farm buildings) to the south towards Highway 3.

The subject lands are zoned 'General Industrial "(MG)"' in accordance with Haldimand County Zoning By-law HC 1-2020 and designated "Industrial" with the 'Excess lands" overlay in the Haldimand County Official Plan. Accordingly, a future Zoning By-law Amendment (ZBA) and Official Plan Amendment (OPA) applications are required to facilitate the proposed hospice. These have been included as conditions of the subject application.

Existing Intensive Livestock Operations:

No intensive livestock operations.

Agency & Public Comments

Haldimand County Building & Municipal Enforcement Services:

Property is zoned General Industrial (MG), which does not permit a hospice, Zoning Amendment will be required.

Haldimand County Planning & Development Services – Development Technologist:

Partial grading plan will be required, entrance permit for the severed lands and proof of entrance for the retained lands will be required.

Forestry – Facilities, Parks, Cemeteries & Forestry Operations

The property's treed area is Woodlands regulated under the Forest Conservation By-law and classified as a Supporting Natural Environment Area (Other Woodlands and Other Treed Areas) under the Official Plan.

Since the creation of a new lot is defined as development under the Provincial Planning Statement (PPS), 2024 the treed area is subject to the Supporting Natural Environment Area policies of the Official Plan. Section 2.A.2.2 It is the overall intent that these features be retained, but flexibility for development and site alteration may be contemplated based on the findings of an EIS. Where development and site alteration is seen to be unavoidable, the County, in consultation with the conservation authority, may consider adequate compensation through naturalization, restoration and/or enhancement for the loss or impact to the Supporting NEA features taking into consideration good ecological offsetting practices and the goal of no net loss of Supporting NEAs.

We need more information on what the proposed use is for the severed lot. It appears that the only access to the new lot will be through the treed area which will require the removal of trees for an entrance/driveway. An EIS is required to demonstrate that that proposed development for the property will have no negative impacts on the Other Woodlands or its ecological functions.

The benchmark for the EIS is to demonstrate no negative impacts as there must be no degradation that threatens the health and integrity of the natural features or the natural processes, products or services that living and non-living environments provide or perform; including biological, physical and socio-economic interactions within or between species, ecosystems and landscapes for which an area is identified due to single, multiple or successive development or site alteration activities.

Installing an entrance/driveway through the Other Woodlands threatens the integrity of the natural feature and its processes so it would be unlikely to be supported by the EIS or staff.

The applicant should consider if there is enough space to install an entrance/driveway within the maintained area (adjacent to 826 Nanticoke Creek Parkway) along the eastern boundary to install the entrance/driveway so there is no encroachment within the Other Woodlands. The impacts of an entrance/driveway adjacent to the Other Woodlands could be shown to be mitigated through the EIS and supported by staff.

Planning Comment: A scoped Environmental Impact Study (EIS) will be required through the future Zoning By-law Amendment/Official Plan Amendment phase. This has also been included as a condition of Consent.

Haldimand County Emergency Services:

No comments.

Hydro One:

No comments.

Municipal Property Assessment Corporation:

No comments received.

Mississaugas of the Credit:

No comments received.

Six Nations:

No comments received

Public:

No comments received.

Planning Analysis

Provincial Planning Statement, 2024 (PPS)

The Provincial Planning Statement, 2024 (PPS), came into effect on October 20, 2024 and combined the previous Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan). The policies contained within the new PPS are similar to the previous provincial documents with respect to encouraging and focusing growth and development within existing settlement areas

Section 2.3 of the PPS provides the policy framework for growth and development within settlement areas. Specifically, Sections 2.3.1.1 and 2.3.1.3 of the PPS encourage and use patterns that efficiently use land and resources, optimize existing and planned infrastructure and public service facilities and support general intensification and redevelopment to support the achievement of complete communities.

Planning Comment: While the proposed severance which will contain the future Norfolk Haldimand Community Hospice is within the settlement area boundary (i.e., Urban Area of Jarvis), it does not have access to municipal services (i.e., water and sanitary sewer). However, the proposal is utilizing an underdeveloped parcel of land that will require private services, will not impact the existing municipal infrastructure in Jarvis and establishes much needed palliative care resources in the County.

It is the opinion of Planning staff that the proposal is consistent with and conforms to the PPS.

Haldimand County Official Plan (OP)

The subject lands are Designated “Industrial” with the “Excess Lands” overlay in the Haldimand County Official Plan. While the “Industrial” designation permits a range of industrial uses, the “Excess lands” overlay prohibits any form of development. Accordingly, as noted above, an Official Plan Amendment (OPA) application will be required in order to redesignate the subject lands from the “Industrial” with the “Excess Lands” overlay to the “Institutional” designation, which will permit health and social services uses, including community hospices.

Planning Comment: Lands Designated “Excess Lands” overlay in the OP are not permitted for development, and must go through an Official Plan Amendment to redesignate the lands to an appropriate designation. As previously indicated, the subject lands will be subject to future Planning applications to bring the lands into full compliance with the Zoning By-law and Official Plan to facilitate the proposal. At this time, the purpose of this application is to create the lot fabric to facilitate the future development proposal. No development is to occur at this time.

Further, Section 2.A of the Official Plan discusses Haldimand County’s natural environment policies. A woodlot has been identified on the subject lands which may contribute to the County’s Natural Environment Area (NEA) as a supporting NEA Feature. Accordingly, development and site alteration should not be considered within these features and areas unless it has been demonstrated that there will be no negative impacts on the features and its ecological function(s). As such, an Environmental Impact Study (EIS) will be required to assess the feature to determine its significance and to minimize and or mitigate any negative impacts the proposal may have on the feature and it’s ecological functions, in accordance with Sections 2.A.9 and 2.A.10 of the Haldimand County Official Plan.

Planning Comment: As noted above, an EIS will be required to analyze and assess the woodlot to determine its significance. The EIS will be required as part of the complete application through the Zoning and Official Plan Amendment stage. An approved Terms of Reference will also be required prior to undertaking the EIS, to the satisfaction of Haldimand County.

Based on the foregoing, the proposal generally conforms to the intent and purpose of the Haldimand County Official Plan and through the future Planning applications, the proposal will be in full compliance through redesignation of the subject lands.

Haldimand County Zoning By-law HC 1-2020

The “Subject Lands” are Zoned ‘General Industrial “(MG)”’ in the Haldimand County Zoning By-Law HC 1-2020. The proposed Hospice is not a permitted use of the General Industrial Zone.

Planning Comment: As previously discussed, the purpose of this application is to simply create the lot fabric to initiate the development approvals process. As a condition of Consent, a Zoning by-law Amendment and Official Plan Amendment applications will be required in order to redesignate and rezone the subject lands to facilitate the proposed hospice. In addition, the subject lands will also be subject to Site Plan Control, which will address all technical and detailed-design matters pertaining to the development proposal. The proposed Consent will result in lots (i.e., both the severed and retained) that comply with the existing provisions of the “(MG)” Zone.

It is the opinion of Planning staff that the proposal complies with the applicable provisions of the Zoning By-law and through the future Zoning By-law Amendment, will comply with the provisions of the applicable zone.

Planning staff recommend approval of the proposed Consent application for reasons outlined in this report

Notice Sign and Applicant Discussion

A public notice sign was posted in accordance with the Planning Act, R.S.O. 1990, c. P.13 on March 8, 2025.

The applicant has satisfied the public consultation requirements as per the Provincial legislation.

A copy of the staff report has been provided to the applicant.

Attachments:

1. PLB2025023_Attach1_Condition Sheet
2. PLB2025023_Attach2_Map_Location
3. PLB2025023_Attach3_Map_OwnersSketch