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# Haldimand County Committee of Adjustment



## Memorandum

**File Number:** PLB-2024-239

**Property Roll Number:** 2810-023-001-0840-00000

**Applicant:** Harold Kelly

**Agent:** Kim Hessels

**Property Location:** Moulton Concession 1, Canborough Part Lot 6, Reference Plan 18R6738 Parts 1 and 2, Known Municipally as 398 Diltz Road

**Previously Deferred from the Committee of Adjustment meeting on: December 17, 2024**

**And resubmitted for consideration on March 25, 2025**

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## Summary

The applicant proposes to adjust a lot line (i.e., boundary adjustment) of the subject lands, which are to be severed and added to the adjacent benefitting lands to the northeast. The purpose and intent of the boundary adjustment is to allow the applicant to remove the single residential dwelling and accessory building from the subject lands, with the remainder of the subject lands which are actively farmed to be added to the adjacent agricultural lands. The boundary adjustment will essentially result in a surplus farm dwelling lot, and a larger agricultural parcel, all of which will continue to maintain frontage and direct access to Diltz Road.

## Recommendation

THAT application PLB-2024-239 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:** Chris Tang, MCIP, RPP, Planner, Planning and Development

**Reviewed by:** Mark Andrews, M.A., MCIP, RPP, Senior Planner, Planning and Development

**Reviewed by:** Krystina Wheatley, Acting Supervisor, Planning and Development

## Background:

Application PLB-2024-239 was originally heard at the December 17, 2024 Committee of Adjustment meeting. The original application contemplated the severance of a surplus farm dwelling lot and the retention of the remainder of the subject lands which are actively farmed. However, the retained lands, as a result of the severance, would no longer maintain access (i.e., frontage) along Diltz Road and would become a landlocked parcel. The Haldimand County Official Plan and Zoning By-law does not permit the creation of a new parcel of land that does not maintain safe and direct access to a permanently maintained public road. Accordingly, the Committee of Adjustment deferred the application to give the applicant an opportunity to revise and resubmit the application as a boundary adjustment,

which would result in two adjusted parcels that continue to maintain safe and direct access to Diltz Road and to prevent any parcels from being landlocked. The applicants have amended the application as a boundary adjustment to add the retained agricultural lands to the parcel to the northeast, known municipally as 404 Diltz Road. As a condition of approval, the retained lands will be required to merge with the adjacent lot (included in the attached conditions), which will prevent the parcel from being landlocked.

Planning staff is satisfied that the amended application is now 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.

The staff report from December 17, 2024 is attached for reference and informational purposes.

### **Attachments:**

1. [PLB2024239 Attach1 December 17, 2024 ReportConditions](#)
2. [PLB2024239 Attach2 Condition SheetLocation Map](#)
3. [PLB2024239 Attach3 Map LocationOwner's Sketch 1](#)
4. [PLB2024239 Attach4 Map OwnSketch1Owner's Sketch 2](#)
5. [PLB2024239 Attach5 Map OwnSketch2December 17, 2024 Staff Report](#)