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January 8, 2025

Bruce County Planning
30 Park Street
PO Box 70
Walkerton, ON
N0G 2V0

To Whom it may concern

Property Owner: 1221058 Ontario Inc.
2024 Spitzig subdivision severance 2024-12-04

I write you on behalf of my client, 1221058 Ontario Inc. (Jim Spitzig). Through correspondence with Dana Kieffer of Cobide Engineering Inc., I understand the county requires the parcel described as PIN 33196-0070 be merged with the adjoining property being the westerly part of Block 10 3M225. I understand that if the properties do not merge, it will inadvertently create a lot to the rear of the subdivision with no road access.

As you may be aware, title to Block 10 is in Land Titles Absolute (LTA). By contrast, title to 33196-0070 is in Land Titles Conversion Qualified (LTCQ). Because of the different land estates, a consolidation application cannot be registered to merge the two properties. That being said, the Planning Act stipulates that two abutting lots held in the same name will merge, provided that neither is a whole lot on a registered plan. The Planning Act does not require both parcels be in the same legal estate.

It is my opinion that as long as title to both lands (33196-0070 and the westerly portion of Block 10 3M225) remains in the same names, and as long as a portion of the retained lands abuts PIN 33196-0070, a severance of Block 10 will render both parcels as part lots, neither of which were not created by subdivision or by consent. As such, the parcels will merge by operation of the Planning Act, and any further conveyance of either parcel will require a Planning Act Consent.

Yours Very Truly,

Sean E. Kelly
SEK/sk

cc. Client, Dana Kieffer