

ISSUE DATE:

Apr. 22, 2010



PL050647

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF subsection 53(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant/ Applicant: Magnolia Tree Holdings Ltd.
Subject: Consent
Property Address/Description: Part Lot 6 Conc. 10
Municipality: Municipality of Dutton-Dunwich
OMB Case No.: PL050647-C050222
OMB File No.: PL050647-C050222
Municipal No. E 53/05

APPEARANCES:

Parties

Counsel*/Agent

Magnolia Tree Holdings Ltd.

W. Houghton

County of Elgin

S. Gibson*

**MEMORANDUM OF ORAL DECISION DELIVERED BY J. CHEE-HING ON
APRIL 19, 2010 AND ORDER OF THE BOARD**

This is the second teleconferencing ("TCC") event into these appeals. Mr. Houghton advised that the notice under the *Land Titles Act* for the subject property was published in the local newspaper and the notice period ended on March 29, 2010. This legal notice was done at the direction of the Office of the Deputy Director of Land Titles.

The Board directs Mr. Houghton to undertake to contact the Deputy Director of Land Titles to seek a hearing date into these matters as expeditiously as possible. Mr. Houghton will in writing confirm with the County of Elgin and this Board the hearing date. Until the land titles dispute is resolved with the Registry Office, the appeal by Magnolia Tree Holdings Ltd. which was filed in 2005 remains in abeyance. The Applicant is directed to advise the Deputy Director of Land Titles of the Ontario Municipal Board's concerns respecting the inordinate length of time that has transpired since the filing of the appeal and that the Board wishes to deal with this matter in an expeditious manner.

The next TCC into these matters is set for July 14, 2010 at 9:00 a.m., at which time the Board may proceed to set a hearing date into this Appeal. The telephone number is 1-866-355-2663 and the access code is 6251#. No further notice is required and this Member will remain seized of the next TCC.

So Orders the Board.

“J. Chee-Hing”

J. CHEE-HING
MEMBER