

ISSUE DATE:

December 12, 2013



PL130678

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

IN THE MATTER OF subsection 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Appellant: Harold King
Subject: By-law No. 2013-046
Municipality: Township of Middlesex Centre
OMB Case No.: PL130678
OMB File No.: PL130678

APPEARANCES:

Parties

Counsel

Harold King

Middlesex Mutual Insurance Co.

A. Patton

Municipality of Middlesex Centre

P. Lombardi

**MEMORANDUM OF ORAL DECISION DELIVERED BY BLAIR S. TAYLOR
NOVEMBER 15, 2013 AND ORDER OF THE BOARD**

[1] Harold King (the "Appellant") had appealed a decision of the Council of Middlesex Centre ("Middlesex") approving a rezoning application by Middlesex Mutual Insurance Co. ("the "Applicant") for a property legally described as Plan Lot 25, Concession 11, in Ilderton.

[2] The Board set the matter down for a hearing on November 15, 2013.

HEARING

[3] At the hearing, the Appellant was unrepresented and requested time to speak with the Applicant and Middlesex with regard to a possible resolution of the matter.

[4] The Board recessed the hearing to allow the discussions to take place.

[5] At the resumption of the hearing, the Board was advised by the Appellant that he had had the chance to speak with the other parties and their planners and that he had been enlightened by that discussion and that he wished to withdraw his appeal.

[6] The Board asked the Appellant if he was aware that the matter would be final and binding if the appeal were withdrawn. He replied that he understood that and still wished to withdraw his appeal.

[7] On that basis, the Board accepted the withdrawal of the appeal by the Appellant and pursuant to the *Planning Act* the rezoning is in force and of effect as of the date of approval by Middlesex.

“Blair S. Taylor”

BLAIR S. TAYLOR
MEMBER