

ISSUE DATE:
**December 29,
2009**

09-088-OMB-02



PL090466

Ontario
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: Queendale Garden Homes Limited
Subject: By-law No. 09-088
Municipality: City of Hamilton
OMB Case No.: PL090466
OMB File No.: PL090466

B E F O R E:

J.E. SNIEZEK)
MEMBER) Tuesday, the 29th day
) of December, 2009

THIS MATTER having come on for public hearing, and the Board in its Decision issued December 18, 2009 ("Decision") having withheld its Order pending the confirmation that Section 4 of the Minutes of Settlement have been satisfied;

AND THE BOARD having been advised that section 4 of the Minutes of Settlement have been satisfied;

THE BOARD ORDERS that the Appeal is allowed and By-law 09-88 is amended as set out in Attachment "1" to the Decision.

SECRETARY