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Ball back in Grimsby's court on Viking Drive

**By Mike Williscraft
NewsNow**

A request for a review of an Ontario Land Tribunal finding - which allows four minor variances at 30 Viking Drive after the fact - has been rejected.

In submitting his disposition to the Town of Grimsby in April, OLT chair Michael Kraljevic said the appeal

did not meet the criteria required for a review.

"I find that the Request does not raise a compelling and convincing case that one of the grounds enumerated under Rule 25 is present in the Decision," Kraljevic wrote.

At issue is an application for four minor variances by Mario Glavina to legalize a

larger footprint and smaller setbacks for his single detached home. The issue for the Town and neighbours - all the work was already done long before an application was submitted.

Regardless, Kraljevic noted - when reviewing "the four tests" for minor variances - that Official Plan documents developed by

municipalities really don't need to be followed.

"Planning Law in Ontario has long recognized that official plans are not statutes, and that they should not be treated as such, and that furthermore, the assessment of maintaining their general intent and purpose is a far less rigorous test than conforming to the official plan, wrote

Kraljevic.

"I see no error in the Member's reading of the OP in a broad manner, as the Divisional Court has directed the Tribunal and its predecessor institutions to do."

The Town has one last option - to take the matter to court but no decision has been made as to whether or not that happens.



Navigating obstacles

Elora Cooper, 5, emerges from the firefighters' obstacle course in a dash to the finish line - one of many features of Grimsby's Community Safety Day held on Saturday at Southward Park. For more coverage of the event, please turn to Page 6. Loree - Photo