



Town of The Blue Mountains
Zoning By-law Amendment Application Package

Planning Services
Town of The Blue Mountains
P.O. Box 310, 32 Mill Street
Thornbury, ON N0H2P0
Tel.: (519) 599-3131
Fax: (519) 599-7723
Email: planning@thebluemountains.ca

NOTICE TO ALL APPLICANTS FOR ZONING BY-LAW AMENDMENT
APPLICATIONS TO THE TOWN OF THE BLUE MOUNTAINS

1. All applicants **shall** consult with Planning Services prior to preparing and submitting an application to amend the zoning by-law. Pre-consultation is mandatory and provides an opportunity to discuss the proposal with Planning Staff and to determine specific application requirements including any additional reports/studies that may be required. Pre-consultation application forms can be found on the Town of the Blue Mountains website at the following link: <https://www.thebluemountains.ca/development-applications.cfm>. Please return the completed form to planning@thebluemountains.ca and a meeting date will be scheduled within approximately ten (10) business days.

In order to provide meaningful comments, the following information is required to be submitted with any pre-consultation request:

- i) Key Map/ Aerial Photo;
 - ii) Brief overview of the proposal (sketch, drawing, illustration, as applicable);
 - iii) Relevant project data (lot area, lot size, number of units proposed, as applicable);
 - iv) General commentary on the nature or relief or action sought;
 - v) Overview of public agency/government consultation completed to date;
 - vi) Basic servicing scheme (as applicable); and
 - vii) Completed studies to date
2. Application fees are due at the time of submission. Fees may be paid by cash, debit card, or by cheque made payable to "Town of The Blue Mountains". For up-to-date application fee information please visit <https://www.thebluemountains.ca/development-process.cfm>. In addition to the payment of any application fee and security deposits, all costs incurred by the municipality to advertise a Notice of Public Meeting regarding this application in a local newspaper shall also be borne by the applicant.
3. A separate application review fee may be required by the Conservation Authority if the subject property is within a regulated area. To determine if your property is within a regulated area please visit:

The Nottawasaga Valley Conservation Authority Permit Information:
<https://www.nvca.on.ca/Shared%20Documents/NVCA%20Planning%20Fees.pdf>

The Grey Sauble Conservation Authority Permit Information:
<https://www.greysauble.on.ca/submitting-permit-and-planning-applications/#>

If your property is within the Development Control area of the Niagara Escarpment Plan, you will need separate approval from the Niagara Escarpment Commission, **prior to** applying for Consent to sever land. To determine if your property is within the Niagara Plan Area, please visit: www.escarpment.org/DevelopmentPermits.

4. Should the Municipality require any or all documents submitted to the Municipality by either the Applicant or their Agent, including any third-party documents, to be made accessible, the Applicant and/or their Agent agree to provide the Municipality with accessible copies at the Applicant and/or their Agent's sole expense.

<p>INSTRUCTIONS AND INFORMATION REGARDING THE ZONING BY-LAW AMENDMENT PROCESS PLEASE READ ALL OF THIS INFORMATION PRIOR TO SUBMITTING YOUR</p>

What is a Zoning By-law Amendment?

The Town's Zoning By-law implements the community development goals and objectives outlined in the Municipal Official Plan. The Zoning By-law also provides a legal way of managing land use and future development in order to prevent conflicting and potentially dangerous land uses from being located in inappropriate areas within the community. The Zoning By-law outlines how land may be used, where buildings may be located, the types of buildings permitted on a property, as well as lot sizes, dimensions, parking requirements, building heights, and applicable setbacks from the street.

If a property owner wishes to use or develop land in a manner that is not permitted by the By-law then a zoning amendment is required prior to establishing the proposed use.

Submitting Your Application

Before submitting an amendment application, it is mandatory that a pre-consultation meeting be held with Planning Staff. This consultation helps to identify complete application requirements, the associated fees, and an approximate timeline for processing the application.

The standard requirements for a complete zoning by-law amendment application are listed on the application checklist on page five (5) of this package. If the application is submitted by a property owner, all owners must sign the application forms. If the application is signed by an agent on behalf of an applicant, the attached agent authorization form must accompany the submission. If the applicant is a corporation acting without agent or solicitor, the application must be signed by an officer of the corporation and the corporation's seal (if any) must be affixed.

Please take note that “**DECLARATION OF OWNER OR AUTHORIZED AGENT**” section of the application must be signed in the presence of a Commissioner of Oaths. The Town provides this service free of charge, provided the application is submitted in person.

The complete application package and fees should be submitted to:

Planning Services
The Town of The Blue Mountains
P.O. Box 310, 32 Mill Street
Thornbury, Ontario N0H 2P0

Applications may also be submitted electronically by sending the completed application to planning@thebluemountains.ca. Note that the fees must then be forwarded and the application processing will not start until the fees are received.

Please note that the application form, signatures and site sketch must be fully completed and legible in order to be processed. Failure to provide complete or legible information will result in a delay in processing the application. Information regarding the Grey County Official Plan, the Municipal Official Plan, and Zoning By-law can be found at the following links:

- Grey County Official Plan: <https://www.grey.ca/planning-development>
- Town of The Blue Mountains Official Plan: <https://www.thebluemountains.ca/official-plan.cfm>
- Town of The Blue Mountains Zoning By-law: <https://www.thebluemountains.ca/zoning-information.cfm>

After Submitting Your Application

Once your application has been submitted, Town planning staff will review the submission for completeness. The application will not be processed unless the submission is complete and all prescribed or required information is provided.

Notice of Application and Notice of Public Meeting

When the application is deemed “complete” staff will begin to process the submission and prepare a “Notice of Application” and/or “Notice of Public Meeting”, which will be sent to all property owners within 120m (400 feet) of the subject property.

The application will be circulated to Town Departments, external agencies, and public bodies who may have an interest in the proposal for review and comment. It is important to consider that commenting agencies have their own requirements and may require separate planning review fees and/or additional reports or studies in order to process the application. The pre-consultation meeting with Town Staff will help to determine if these requirements will apply.

The Public Meeting will be held no earlier than 20 days after the “Notice of Public Meeting” has been completed. Applicants, agents, and members of the public are invited to make representations with respect to the proposal at the Public Meeting.

Please note that in some cases Council may deem that a public open house is required in addition to the public meeting to ensure that the public has been adequately informed of the proposal and to obtain their views prior to making a decision on the Zoning By-law Amendment. The open house shall be held a minimum of 7 days prior to the public meeting, should it be required.

The Town of The Blue Mountains also has a Planning Review Committee (PRC) consisting of Town Staff from various Town Departments that review development applications on a monthly basis. Zoning By-law Amendments that are considered by the Planning Review Committee (PRC) will be reviewed and staff comments will be provided for consideration. The availability for a Public Meeting date can be made at the conclusion of the Planning Review Committee (PRC) meeting.

Application Review and Council Decision

Based on the comments received at the Public Meeting from Town Departments, external Agencies, and the Public, Town Staff will prepare a recommendation report for consideration at a Committee of the Whole meeting. The recommendation adopted by the Committee of the Whole is then sent to Town Council for a final decision. A copy of the recommendation report will also be provided to the applicant.

Following consideration of any information presented at the Public Meeting, as well as the recommendations contained in the report prepared by Planning Staff, Council may make one of the following decisions with respect to the application:

- 1) To approve the application;
- 2) To approve the application with modifications;
- 3) To refuse the application; or
- 4) To defer the application pending further review or action.

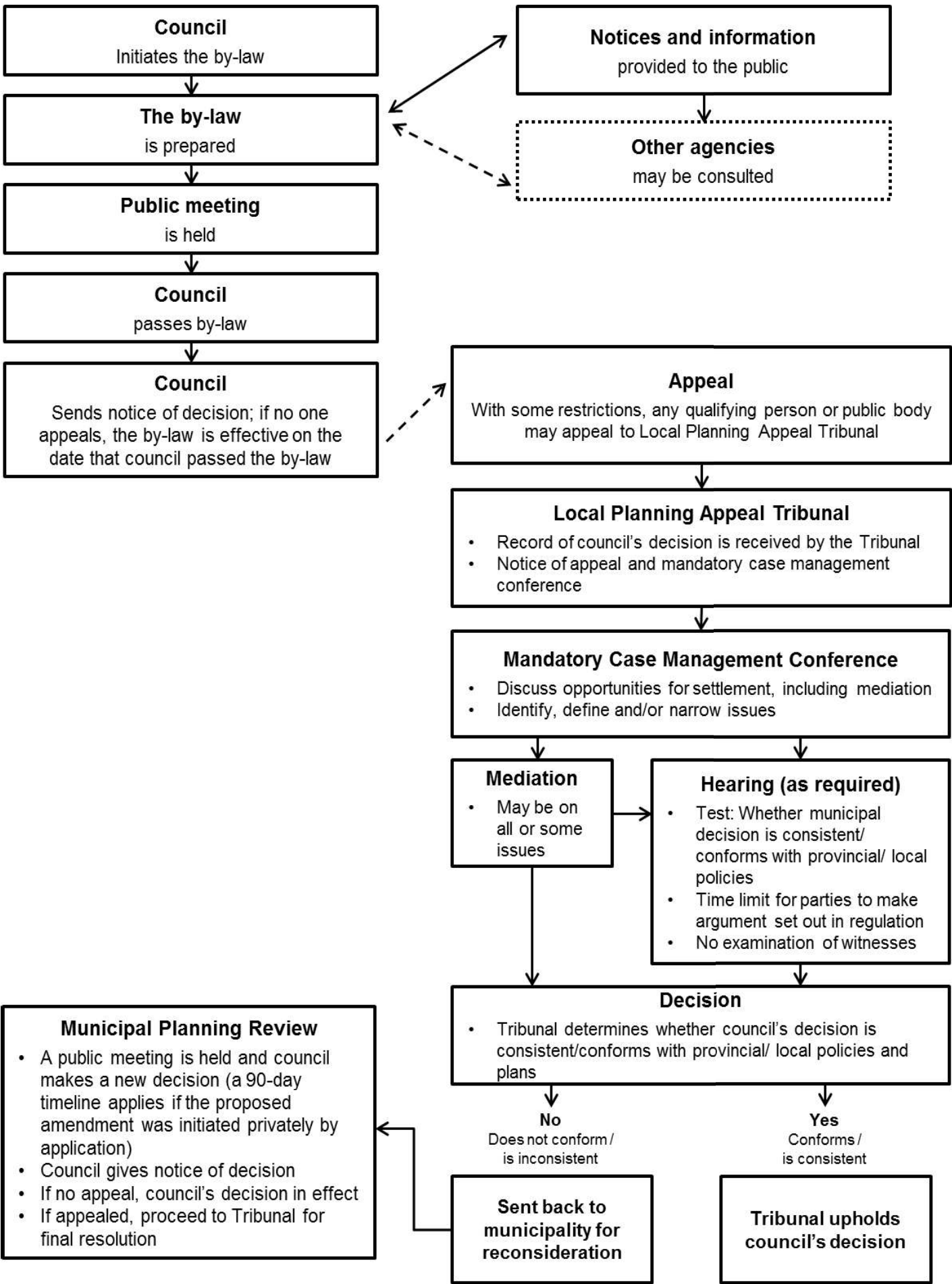
Where Council approves an application, the amending Zoning By-law is presented to Council for enactment and a Notice of Passing of the By-law is issued by the Planning Department.

Appeals

A decision of Council is subject to a 20-day appeal period measured from the date of the Notice of Passing of the By-law.

Provided no appeals are filed with the Town Clerk within the appeal period, the decision of Council on the By-law comes into force and effect retroactive to the date of enactment. Where an appeal is filed with the Clerk, the matter is forwarded to the Local Planning Appeal Tribunal.

To file an appeal, the required Local Planning Appeal Tribunal forms, a letter outlining the reasons of the appeal, and the appeal fee being a cheque payable to Minister of Finance in the amount of \$300.00 must be forwarded to the Office of the Clerk of the Town of the Blue Mountains.



Source: Citizens' Guide 3: Zoning By-laws, Ministry of
Municipal Affairs and Housing, May 2018

Zoning By-law Amendment Complete Application Submission Checklist

- ☒ Complete and executed application form and required application fee;
- ☒ A signed letter of authorization for an agent or applicant (where the applicant is not the Owner) from all registered Owners of the lands affected by the proposed amendment;
- ☒ A zoning chart that identifies where modifications to the existing zoning regulations or other By-law provisions are proposed to be amended;`
- ☒ Three (3) copies of a fully dimensioned and scaled site plan in METRIC UNITS, which includes the following information:
 - ☒ a) The boundaries and dimensions of the subject land;
 - ☒ b) The location, size, and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the buildings or structures from the front, rear, and side lot lines;
 - ☒ c) The approximate location of all natural and artificial features on the subject land and adjacent to the subject land that, in the opinion of the applicant, may affect the application (such as buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells, and septic beds);
 - ☒ d) The current use of land that is adjacent to the property;
 - ☒ e) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road, or a right of way;
 - ☐ f) If access to the subject land will be by water only, the location of the parking and docking facilities to be used; and
 - ☐ g) The location and nature of any easement affecting the subject land.
- ☒ One (1) copy of the Pre-consultation comments received from Town Planning Services Staff;
- ☒ Three (3) hardcopies of all supporting technical and background studies/reports identified by Town Planning Services Staff as a result of a pre-consultation meeting; and
- ☒ A covering letter that briefly describes the proposal.

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APPLICATION TO AMEND THE ZONING BY-LAW

FOR OFFICE USE ONLY

DATE OF PRECONSULTATION: _____

APPLICATION RECEIVED: (date) _____ DATE ACCEPTED: _____

FILE NO. _____ ROLL NO. _____ FEE: _____

RECEIPT NO. _____ RECEIVED BY: _____

CONCURRENT APPLICATIONS: _____

OTHER FEES RECEIVED: _____

APPLICATION TYPE:

- ☒ Zoning By-law Amendment
- ☐ Request to remove Holding 'h' Symbol
- ☐ Request for Temporary Use By-law (Extension)
- ☐ Request for exemption to Part Lot Control
- ☐ Deeming By-law

APPLICANT INFORMATION

1. **Name of Registered Owner:** Botden Orchards Ltd.
Address: 67480 33rd Sideroad, Thornbury, ON, N0H 2P0

Tel. No.: 519-378-4480 **Email:** gerbebotden@gmail.com

Name of Applicant/Authorized Agent: Zelinka Priamo Ltd (c/o Danieli Sikelero Elsenbruch)
Address: 318 Wellington Road, London, ON, N6C 4P4

Tel. No.: 519-474-7137 **Email:** danieli.s@zpplan.com

2. **Indicate the primary contact for correspondence relating to this application:**

- Registered Owner ☐
- Applicant/Agent ☒

3. Encumbrances (i.e. mortgages, charge or encumbrance)

Name: Royal Bank of Canada

Address: 10 York Mills Rd. 3rd Floor, Toronto, ON M2P 0A2

Tel. No.: _____ Email: _____

PROPERTY INFORMATION

4. Description of the subject land:

Assessment Roll No.: 4242000015146010000

Concession No.: COLLINGWOOD CON 12 Lot No.: PT LOT 32

Registered Plan No.: RP 16R11205 PART 1 Lot(s)/Block(s): _____

Reference Plan No.: _____ Part(s): _____

Municipal Address: 357069 The Blue Mountains Meaford Townline Road

Date acquired by current owner: April 21, 2021

5. Subject Property Information:

a) Frontage (m): 218.8 Depth (m): 1359.3 Area (m²): 38.8ha

b) Type of Access:

Municipal ☒ Road Regional Road ☐ Provincial Highway ☐ Other ☐

If other, please specify:

c) If access is provided by water only, please indicate the parking and docking facilities (to be) used and the approximate distance from these facilities to the nearest public road.

N/A

6. What is the existing and proposed use of the subject lands?

Existing use of the subject lands: Apple Orchard

Length of time existing use has continued: Current orchard was planted June 2022

Proposed use of the subject lands: Apple Orchard and farm dwelling

7. For EXISTING buildings and structures on the subject land. Please Specify:

Building Type	Gross Floor Area or Dimension (m ²)	Front Yard Setback (m)	Side Yard Setback (m)	Side Yard Setback (m)	Rear Yard Setback (m)	Building Height (m)	Date Constructed
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

8. For PROPOSED buildings and structures on the subject land. Please Specify:

Building Type	Gross Floor Area or Dimension (m ²)	Front Yard Setback (m)	Side Yard Setback (m)	Side Yard Setback (m)	Rear Yard Setback (m)	Building Height (m)
Farm dwelling	TBD	>15.0	>8.0	>8.0	>15.0	<11.0

SITE SERVICING

9. Is water provided by a publicly owned and operated water system?

☐

YES

☒

NO

If no, please specify: New private well for the farm dwelling

10. Is sewage disposal provided by a publicly owned and operated sanitary sewage system?

☐

YES

☒

NO

If no, please specify: New septic system for the farm dwelling

**NOTE: If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4,500 litres of effluent would be produced per day, a servicing options report and a hydrogeological report must accompany this application.*

11. Is storm water drainage provided by:

☐

Sewers

☐

Ditches

☐

Swales

☒

Other

If other, please specify:

Tile drainage

PLANNING INFORMATION

12. What is the current Official Plan designation of the subject lands?

County of Grey Official Plan: Special Agricultural, Agricultural, and Hazards Lands

Permitted uses: Agricultural uses, including residential uses associated with farming operations

Town of The Blue Mountains Official Plan: Special Agricultural, Agricultural, and Hazard

Permitted uses: Agricultural uses, including farm residence

13. What is the current Zoning By-law classification applied to the subject lands?

Applicable Zoning By-law: Town of The Blue Mountains ZBL No. 2018-65

Existing Zone Category: 'SA' Zone, 'A' Zone, and 'H' Zone

Permitted uses: Range of agricultural uses, including single detached dwellings

14. Describe the nature and extent of the rezoning request:

The ZBA application seeks to implement a site-specific "Special Agricultural (SA) Zone" for the retained lands to bring the lot into compliance with the Zoning By-law

15. Proposed change to Zone Category:

From: Special Agricultural (SA) Zone

To: Special Agricultural (SA-) Zone

16. Please complete the following zoning chart where modifications to the existing zoning regulations or other By-law provisions are proposed. *Note: It is the Applicant’s responsibility to list all the required amendments to the By-law.*

ZONE REGULATION	BY-LAW SECTION NUMBER	EXISTING ZONE REGULATION (Retained Lands)	PROPOSED ZONE REGULATION (Retained Lands)
Minimum Lot Frontage (m)		150m	20.1m
Minimum Lot Area (m)			
Minimum Front Yard Setback (m)			
Minimum Side Yard Setback (m)			
Minimum Rear Yard Setback (m)			
Minimum Landscaped Open Space (%)			
Maximum Lot Coverage (%)			
Maximum Height (m)			
Maximum Number of Storeys			
Minimum Floor Area (m²)			
Minimum and Maximum Density			
Minimum Distance Between Buildings on the same Lot			
Minimum Number of Parking Spaces			

Minimum Number of Loading Spaces			
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Other (e.g. General Provisions, Holding Provisions)			

17. Existing Use of Adjacent Lands

North: Agricultural uses

South: Agricultural uses

East: Agricultural uses

West: Agricultural uses (west of The Blue Mountains Meaford Townline Road)

POLICY CONFORMITY

18. Please explain how the proposal is consistent with the Provincial Policy Statement

(<https://files.ontario.ca/mmah-provincial-policy-statement-2020-accessible-final-en-2020-02-14.pdf>)

Please refer to the enclosed Planning Justification Report

19. Are the subject lands within an area of land designated under any provincial plan?

☐ YES

☒ NO

If yes, please describe how the proposal is consistent with, or does not conflict with, the applicable provincial plans:

20. Please explain how the proposal conforms to the applicable policies of the County of Grey Official Plan and the Town of The Blue Mountains Official Plan:

Please refer to the enclosed Planning Justification Report

21. Does the proposal alter the boundary of a settlement area or implement a new area of settlement?

☐ YES

☒ NO

If yes, provide details of the Official Plan policies or Official Plan amendment that deals with the matter:

22. Does the proposal remove the subject land from an employment area, as defined by the Provincial Policy Statement?

☐ YES

☒ NO

If yes, describe the current Official Plan policies, if any, dealing with the removal of land from an employment area:

23. Are the lands subject to site specific or conditional zoning policies?

☒ YES

☐ NO

If yes, please describe how the application conforms to the Official Plan policies relating to zoning with conditions:

Please refer to the enclosed Planning Justification Report

ADDITIONAL INFORMATION

24. Has the property ever been the subject of any application under the *Planning Act* (such as a plan of subdivision, site plan application, minor variance, etc.)?

☒ YES

☐ NO

If yes, please provide the file number, status, and the decisions made on the application, or the Ontario Regulation number of the Minister’s Zoning Order:

The property in the north west corner (COLLINGWOOD CON 12 PT LOT 32;RP 16R2100 PT PART 1) was at one point joined to the farm holding.

25. If this application is a re-submission of a previous application, describe how it has been changed from the original submission:

N/A

26. Please describe any easements or restrictive covenants affecting the subject lands:

N/A

27. Please identify the file number, status, and details of any concurrent application(s) that have been submitted for approval for the subject lands (i.e. consent, site plan, plan of subdivision, etc).

Concurrent Consent to Sever applications for a proposed severance and access easement.

28. Please identify any reports or studies that are submitted with this application:

Planning Justification Report, including Agricultural Impact Assessment

DECLARATION OF OWNER OR AUTHORIZED AGENT



I/We Danieli Sikelero Elsenbruch of the City of London
(Name of ~~Owner~~ or Authorized Agent) (e.g. Town of the Blue Mountains)

in the County of Middlesex
(e.g. County of Grey)

make oath and solemnly declare that the information contained above and that the information contained in any documents that accompany this application is true and that I make this declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the **Canada Evidence Act**.

For the purposes of the Freedom of Information and Protection of Privacy Act, I hereby authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the PLANNING ACT for the purposes of processing this application and correspondence purposes. Questions about this collection should be directed to the Town Clerk of The Town of The Blue Mountains.

It is understood and agreed that the fee submitted with this application covers only routine processing costs (ie. review by municipality, a Public Meeting and Amendment documents, if approved). It is further understood and agreed that any additional costs or requirements with this application, including any additional information and processing requirements, or as may otherwise be required or incurred and charged to or by the municipality (ie: Planning, Legal or Engineering Fees, LPAT Hearing Costs, Agreements, Special Studies, other Approvals or Applications, and any other related matters), will be my responsibility to provide to and/or reimburse the municipality for same. Failure to pay all associated costs may result in refusal of this application and/or collection by the municipality in like manner as municipal taxes, or any other means legally available to the municipality.

EXECUTION OF THIS DECLARATION MUST BE WITNESSED BY A COMMISSIONER OF OATHS. A COMMISSIONER OF OATHS IS AVAILABLE AT TOWN HALL.

Sworn or declared before me at the City of London in the County of Middlesex this 16 day of May 2025


Applicant Signature

Danieli Sikelero Elsenbruch
Applicant Name (Print)

☐ I have authority to bind the Corporation


Commissioner of Oaths

Mathew Braden Campbell, a Commissioner, etc.,
Province of Ontario, for **Zelinka Priamo Ltd.**
Expires August 26, 2025.

Commissioners Seal

AUTHORIZATION OF APPLICANT/AGENT



I/We, the undersigned, being the registered owner(s) of

Please refer to the attached Authorization Form

(Legal description or municipal address)

in the Town of the Blue Mountains, hereby authorize

(Print name of agent and/or company)

as my/our agent for the purpose of submitting application(s) to the Town of The Blue Mountains and acting on my/our behalf with respect to the application. The authority granted by this authorization shall continue until I shall have revoked such authority in writing, and delivered such written revocation to The Town of The Blue Mountains Planning and Development Services Department. No such revocation shall invalidate any action taken by the authorized applicant prior to the date The Town of The Blue Mountains received such written revocation.

Dated the _____ day of _____, 20__.

(Signature of owner or signing officer)

(Please print the full name and position of the individual signing)

☐ I have authority to bind the Corporation _____
Name of Corporation, if applicable

(Signature of signing officer)

(Please print the full name and position of the individual signing)

☐ I have authority to bind the Corporation _____ (Name of corporation, if applicable)

PERMISSION TO ENTER



Date: 2025-05-26

Planning Services
The Town of the Blue Mountains
P.O. Box 310, 32 Mill Street
Thornbury, Ontario N0H 2P0
Tel.: (519) 599-3131
Fax: (519) 599-3018

To Whom It May Concern,

RE: Application to Amend the Zoning By-law
Location of Land: 357069 The Blue Mountains Meaford Townline Road
(Municipal Address)

I hereby authorize the members of Council and members of staff of the Town of The Blue Mountains to enter onto the above-noted property for the limited purposes of evaluating the merits of this application.


Signature of ~~owner or~~ authorized agent

Danieli Sikelero Elsenbruch

Please print name



Zelinka Priamo Ltd.

LAND USE PLANNERS

AUTHORIZATION AS AGENT

TO WHOM IT MAY CONCERN:

I/we hereby authorize Zelinka Priamo Ltd. as my/our agent in connection with all required municipal approvals associated with the lands known municipally as 357069 The Blue Mountains Meaford Townline Road, Thornbury, ON.

Borden Orchards Ltd. / Gerbe Borden

Property Owner



Authorized Signature

April 16, 2024

Date