

**To: Mayor and Members of Tillsonburg Council**

**From: Laurel Davies Snyder, Development Planner, Community Planning**

## **Zoning By-law 7-23-10 – Harvest Ave Inc.**

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The proposal submitted by Harvest Ave Inc. is to develop four apartment dwellings comprising up to 506 new residential units, together with approximately 789 m<sup>2</sup> (8,500 ft<sup>2</sup>) of commercial space within the building nearest to Simcoe Street, indoor and outdoor amenity space, and on-site parking for the residential and commercial uses.

At the April 22, 2024 Town of Tillsonburg Council Meeting, Council recommended support to amend the Official Plan (File No. OP 23-13-7) and approved-in-principle the Zoning By-law Amendment (File No. ZN 7-23-10) to rezone the lands from 'Service Commercial Zone (SC)' and 'Future Development Zone (FD)' to 'Special High Density Residential Zone (RH-sp) including "H" holding provisions on those lands identified as Phases 2, 3, and 4, as described in [Report CP 2024-128](#).

Oxford County Council approved Amendment No. 317 to the County Official Plan on June 14, 2024, and the amending By-law to implement Town Council's approval of the zoning amendment is included in the August 12, 2024 Town of Tillsonburg Council Meeting Agenda for Council's consideration.

For Council's information, after reviewing the Draft By-law, the Applicant and Owner requested that the maximum building height of 32.68 m (107.22 ft) be increased by 0.15 m (0.49 ft). The height had been calculated by measuring from the finished floor to the top of the parapet, and not from the surrounding average grade to the top of the parapet as required by the definition of building height in the Town's Zoning By-Law.

Planning Staff note that this edit does not change the design or impact of the buildings; the change is required to address how building height is calculated to ensure consistency with the Town of Tillsonburg's Zoning By-law. Town Building and Engineering staff have no concerns with the additional 0.15 m of relief to permit a maximum building height of 33 m (108.29 ft) as reflected in the original building design and drawings. Planning Staff consider the change very minor and are of the opinion that no additional public notice is required as the intent of the original public notice and building design was clear. It is recommended that Council adopt the proposed Zoning By-law.