To:	COUNCIL
Meeting Date:	**3/19/2024**
Subject:	**24-019-CD Recommendation Report-102 Fountain Street South-Official Plan and Zoning By-law Amendment**
Submitted By:	Lisa Prime, MCIP RPP, Chief Planner
Prepared By:	Laura Dewar - Supervisor, Development Planning
Report No.:	24-019-CD
File No.:	OR09/23
Wards Affected:	Ward 1

RECOMMENDATION(S):

THAT Report 24-019-CD – Recommendation Report for Official Plan Amendment and Zoning By-law Amendment – 102 Fountain Street South be received;

AND THAT Council refuse the proposed Official Plan Amendment to expand the Preston Towne Centre with site specific policies, and the Zoning By-law Amendment to rezone the lands to C1 RM1 ‘Commercial One Mixed-Use Multiple Residential One’ with site specific provisions to facilitate a phased mixed-use development with a maximum permitted height of 26 storeys;

AND THAT Council adopts Official Plan Amendment No.77 as recommended by staff to redesignate a portion of the Subject Lands from Low/Medium Density Residential to High Density Residential and to add Site-Specific 8.10.113 to the Subject Lands with new site-specific policies and that the adopted Official Plan Amendment be submitted to the Regional Municipality of Waterloo for approval;

AND THAT Council approves the Zoning By-law Amendment as recommended by staff to rezone the subject lands from R3 / N3RM3 ‘Residential Three / Institutional Mixed-Use Multiple Residential Three’ to (H) R3 / RM2 ‘(Holding) Residential Three / Mixed-Use Multiple Residential Two’ S. 4.1.448 to facilitate a phased mixed-use development with a maximum permitted height of 22 storeys;

AND THAT Council is satisfied that the requirements for a public meeting in accordance with subsections 17(15) and 34(17) of the Planning Act have been met;

AND FURTHER THAT that the By-laws attached to report 24-019-CD be passed.

EXECUTIVE SUMMARY:

Purpose

The purpose of this report is to provide a recommendation on the Official Plan Amendment and Zoning By-law Amendment Application for a mixed-use development proposal of a single building with 3 towers, containing 753 dwelling units, with commercial uses at grade.

Key Findings:

- The proposed infill development is located on a vacant, underutilized site wholly within the Regionally adopted Major Transit Station Area, and predominantly within the Preston Towne Centre, where intensification is encouraged.
- The proposed development would support the Region's objective of directing 65 percent of new development within the built-up area as well as contributing to the City's 2031 Housing Pledge.
- The recommended site-specific zoning by-law introduces new regulations to guide the development of a new mixed-use building, with 3 towers above a single podium.

Financial Implications:

- A planning application fee in the amount of $40,000 has been paid to the City of Cambridge to process the Official Plan and Zoning By-law Amendment.
- A 50% refund of the Zoning By-law Amendment Application fee in the amount of $8,400 was issued in accordance with the Planning Act, as a decision had not been rendered on the application by the March 15, 2024 deadline.

STRATEGIC ALIGNMENT:

☐ Strategic Action; or
☒ Core Service

Objective(s): VIBRANT NEIGHBOURHOOD - Promote, facilitate and participate in the development of safe and healthy neighbourhoods with a range of housing options

Strategic Action: Increase housing options

Program: Development Approvals

Core Service: Official Plan and Zoning By-law Amendments

BACKGROUND:

Subject Property

The Subject Site (the “Site”) is comprised of four separate properties totalling 1.15 hectares: 102 Fountain Street South, 199 Abraham Street, 134 Fountain Street North and 144 Fountain Street North as shown on Figure 1 below. Located on the west side of the T-intersection of King Street West and Fountain Street, south of Jacob Street and north of Shantz Hill Road, the Site has frontage on both Fountain Street and Abraham Street.

There is a significant grade change from Fountain Street up to Abraham Street of approximately 23 metres or 7 storeys. Buildings at 134 and 144 Fountain Street North were demolished in 2021. 199 Abraham Street is heavily treed and also vacant. 102 Fountain Street South is the Site of the former Preston Springs Hotel which was constructed in 1888 and was converted to a long-term care facility in the 1960’s. The operation was closed in 1990. In 2020, the former hotel was deemed to be in an unsafe condition by the Chief Building Official (Report 20-033-CD) and subsequently demolished in 2021. A Council Report was prepared by the CBO on the Emergency Order (Report 21-056-CD). In 2022, the Designation By-law was repealed (Report 22-123-CD) through By-law No. 22-064. The property was subsequently removed from the City’s Heritage Register. The Heritage Easement Agreement was also removed from the property in 2022, through By-law No. 22-065.

The Site is substantially within the limits of the Preston Towne Centre, with the exception of 134 and 144 Fountain Street North, and a small western portion of 199 Abraham Street.

Surrounding Lands

The Site is surrounded to the north, south and west by an established low density residential neighbourhood, consisting primarily of single detached dwellings on large lots. The adjacent property to the south (138 Fountain Street South) is designated under Part IV of the Ontario Heritage Act and protected under Designation By-law No. 152-91.

To the east, on the opposite side of Fountain Street, there are several small-scale commercial businesses and a site approved for a new high density residential development (255 King Street West) with towers ranging in height from 14 to 16 storeys. Further east is the Grand River, Riverside Park (the City’s largest park), and a large-scale mill operation (P&H Milling).

Fountain Street is a Regionally owned arterial road, while Abraham Street is a city owned local street.

SUBJECT LANDS (the Site)

Figure 1 – Aerial Image of the Subject Lands

ANALYSIS

Development Proposal & Application Description

The proposed development involves a building complex to be constructed in three phases. The first 5 storeys visible from Fountain Street form the podium of the building, with one level of underground parking. The podium would be substantially constructed into the slope across the Site. Three towers above the podium range in height from 17 to 21 storeys. The proposed building would be up to 26 storeys, containing 753 dwelling units, 682 parking spaces, commercial uses at grade and a public courtyard area located along Fountain Street. Four driveway access points were proposed: a two-way access from Abraham Street, a two-way access opposite the intersection on Fountain Street, an in-only access from Fountain Street North, and an out-only access to Fountain Street South. The architectural renderings of the building as seen from Fountain Street and Abraham Street are contained in Appendix A and the Conceptual Site Plan and Ground Floor Plan are contained in Appendix B.

The Applicant has not yet confirmed whether the units will be for sale or for rent. The only mechanism available to the municipality to secure long term affordable units is through a registered agreement between the landowner, the Region, and possibly the City, or an alternative housing corporation. An affordable housing contribution may be collected as a condition of a future site plan and/or condominium application.

The subject lands are designated Urban Area and Built-Up Area and Major Transit Station Area within the Regional Official Plan and they are located within the Community Core Area / Preston Towne Centre and Low/Medium Density Residential designations in the City's Official Plan. The subject lands are zoned R3 / N3RM3 in the City's Zoning By-law No 150-85.

The applicant is proposing an Official Plan Amendment to designate all lands Preston Towne Centre, and apply a new site-specific policy area to permit a density and height increase. The applicant is requesting a corresponding Zoning By-law Amendment to rezone the site to the C1RM1 Zone with site-specific regulations to permit increased density and building height, reduced parking and reduced front and side yard setbacks.

Proposed Official Plan Amendment (OPA 77)

To implement the proposed development, the Applicant is requesting an Official Plan Amendment to:

a) Amend Map 2 (General Land Use Plan) to designate the small western portion of 199 Abraham Street and 134/144 Fountain Street North to 'Preston Towne Centre / Community Core Area'.
b) Amend Map 4 (Preston Towne Centre) to extend the limits of the Preston Towne Centre to include the small western portion of 199 Abraham Street and 134/144 Fountain Street North.

c) Amend Map 2A Site Special Policies to apply a Site-Specific Policy Area to the Lands. The requested SPA would introduce policies to:
    - Allow a maximum of 753 dwelling units
    - Allow a maximum FSI of 3.7
    - Allow a maximum building height of 26 storeys (89.2 metres) generally on the southern third portion of the site, 24 storeys (82.7 metres) generally on the central portion of the Site and 22 storeys (76.4 metres) generally on the northern third portion of the site.

Although staff agree the designation of the lands at 134 and 144 Fountain Street North should be amended to permit a higher density form of development than what is currently permitted, this can be achieved without expanding the Preston Towne Centre limits / Community Core Area designation at this time. Rather, staff recommend redesignating those lands as 'High Density Residential' on Map 2 (General Land Use Plan). The small western portion of 199 Abraham Street should retain its Low/Medium Density Designation on Map 2 and remain outside of the Preston Towne Centre limits / Community Core Area designation on Map 4.

Further, staff are supportive of the request to apply a Site-Specific Policy Area to the Lands to introduce more specific policies which will guide the implementation of an appropriate higher density mixed use development, to be further implemented through land use permissions and regulations in the site-specific zoning by-law.

However, having considered consistency with applicable Regional and City policies, feedback from public consultation, staff, agencies, and best practices from Cambridge and neighbouring municipalities, Planning Staff do not support the OPA as requested by the Applicant and do not recommend that Council approve the Official Plan Amendment as submitted. Instead, Planning Staff are recommending approval of an alternative OPA, as summarized below and contained in Appendix E to this report. Staff recommend that Council adopt Official Plan Amendment 77 provided in Appendix E to this report.

Staff Recommended Official Plan Amendment (OPA 77)

The following is a summary of the Official Plan Amendment No. 77 (By-law) recommended by Planning Staff as it applies to these Lands:

A. Mapping and Designation Amendments

- Amend Map 2 (General Land Use Plan) – Redesignate 134 and 144 Fountain Street North to High Density Residential (Figure 2)
- Amend Map 2A (Site Specific Policies) – Identify all Lands as Site Specific Area 113
- Add Figure 113 Site Specific Policies – Subject to Section 8.10.113 (Figure 3)

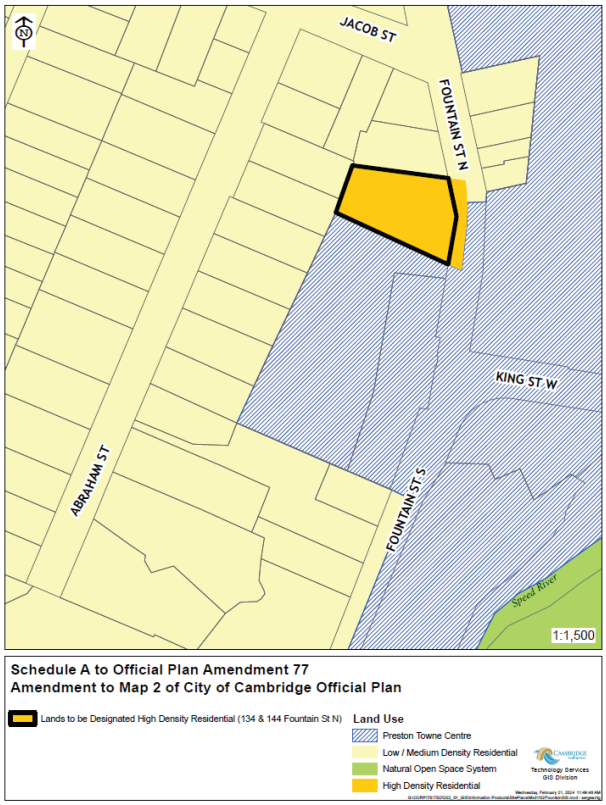

Figure 2

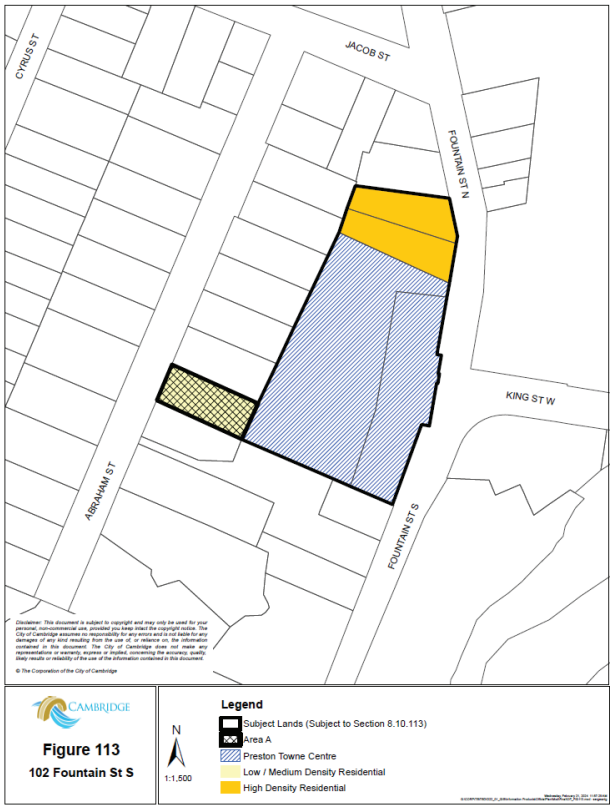

Figure 3

B. Policy Amendments

Introduce a Site-Specific Policy Section 8.10.113, generally containing policies as follows:

- Max Building Height – 22 Storeys, with further restrictions to provide appropriate separation and compatibility with adjacent low rise residential area to the west.
- Minimum Building Height – 5 Storeys
- Floor Space Index policies do not apply. These are not implemented through the City's Zoning By-law.
- No specific density restrictions, in favour of massing and parking zoning regulations to guide density.
- Lands must be cohesively designed and developed.
- Policies to direct ground floor commercial uses with residential on storeys above the ground floor
- Restrict any buildings on that small westerly portion of 199 Abraham Street.
- Direct parking to be structured internal to the building and screened from the street with very limited surface parking provided.
- Require a privately owned publically accessible open space, designed as a central gathering area containing a water feature, with frontage on Fountain

Street, to be integrated into the development as part of the first phase of development. Public Access shall be secured through an easement, prior to final site plan approval.

- Require heritage features to be retained and integrated, including the stone wall and pillars along Fountain Street.
- Require installation of an interpretive plaque.
- Require a landscape buffer to be installed along the property line abutting the rear lot line of adjacent lands in the low/medium density residential designation.
- Require below-grade infrastructure to be waterproofed.
- Prohibit Geothermal Wells
- Require every site plan application:
    - To demonstrate the site is designed in accordance with an approved Transportation Impact Study
    - To be accompanied by an Interim Conditions Plan (with the exception of any final phase), a Master Site Plan, Detailed Noise Assessment and Urban Design Brief
    - Secure land and financial resources for road improvements and conveyance of road widening lands, as necessary
- Direct that the implementing zoning by-law apply a holding (H) provision to the lands. The holding will have the effect of restricting development or site alterations until the holding is lifted. The criteria to lift the holding will include:
    - Completion of a range of technical studies, to the satisfaction of the City of Cambridge and/or the Region of Waterloo, including:
        - Detailed Noise Study
        - Updated Transportation Impact Study
        - Updated Archaeological Assessment
        - Updated Heritage Impact Assessment
        - Detailed Servicing and Drainage Report
        - Detailed Geotechnical Report
        - Detailed Excavation, Trenching and Shoring Plan
        - Detailed Updated Shadow Study
    - Confirmation of the consolidation of the lands

Proposed Zoning By-law Amendment (ZBA)

To implement the proposed development, the Applicant is requesting a Zoning By-law Amendment to:

- Rezone the Site from R3 / N3RM3 to a compound of the zones C1 (being a standard commercial zone for Preston Core Area) and RM1 (being a standard residential zone for the City Centre, which is considered Galt) (Figure 7 below).
- Introduce further site-specific regulations to:
    - Increase the maximum density to approximately 655 units per hectare and 753 dwelling units. The requested RM1 zone permits up to 250 units per hectare and 287 dwelling units, whereas the current split zoning of the lands applies limits of 40 and 75 units per hectare which allows approximately 78 dwelling units.
    - Allow a maximum building height of 26 storeys (89.2 metres) generally on the southern third portion of the site, 24 storeys (82.7 metres) generally on the central portion of the Site and 22 storeys (76.4 metres) generally on the northern third portion of the site. The RM1 and C1 zones have no height restrictions, nor does the current zoning.
    - Reduce parking to 0.89 spaces per unit for both resident and visitor parking. The requested RM1 zone and current zoning requires 1 space per dwelling unit and no visitor parking.
    - Remove parking requirements for commercial uses and limit commercial uses to 420 sq.m. of gross floor area. The requested C1 zone applies various parking rates to different uses – ranging from 2.5 to 5 spaces per 100 square metres. The current zoning does not permit commercial uses. There are no restrictions in the C1 zone on floor area.
    - Reduce the minimum front yard setback to 0 metres. The requested RM1 zones requires a minimum of 4.5 metres and the current RM3 zone requires a minimum of 6 metres.
    - Reduce the minimum interior side yard to 1.2 metres (south) and 2.7 metres (north). The requested RM1 the current RM3 zone requires a minimum of 3 m for the first 2 storeys, plus 1.5 m for each additional storey, to a total required interior side yard of 12 m.

Planning staff reviewed the proposed Zoning By-law Amendment and provide the following analysis:

Zone Categories and Land Uses

The C1 zone requested by the Applicant permits a very broad range of commercial uses that are not considered appropriate for this Site, including a funeral home, a place of amusement, a hotel, an automobile service station or gas bar, a subregional

shopping centre, a community shopping centre, a neighbourhood shopping centre, a local shopping centre an auto service mall, a wholesale showroom and office, and an establishment for the fabrication and sale of cemetery monuments. Given the small scale of commercial area planned on this site, staff recommend scoping the range of commercial uses through site specific use permissions, and not through rezoning of the lands to a Commercial Zone. The uses should be appropriate to be integrated within a mixed-use building, situated only on the ground floor / first storey, with more limited traffic, loading and garbage requirements.

The RM1 zone proposed by the Applicant is a zone typically reserved for Galt Core Area, whereas staff recommend the RM2 zone which is a more appropriate zone allowing higher densities and is typically reserved for Preston Core Area. However, many of the uses permitted in the RM2 zone, such as single and semi-detached dwellings, are not considered intensive enough for such a prominent location within the MTSA. It is recommended that the residential uses be limited to apartment houses, dwelling units within mixed use buildings, and retirement residences (which may be contained within a mixed use building and/or a building containing apartments). Staff note that the current N2 and RM3 zoning of the property permits apartment houses and retirement homes.

Building Height

The requested height limits have been evaluated by staff and determined to be too tall and not compatible with the adjacent low rise residential area. A standard ratio for separation to height between low rise buildings (singles) and higher rise buildings is 1:1 with construction permitted within the 45 degree plane as measured between those two points. Many other mid to large sized municipalities in Ontario utilize this angular plane approach to transition height and massing between low and high rise areas.

The minimum rear yard setback for the low-density properties to the west (R3) is 7.5 metres. Staff recommend a similar minimum rear yard setback of 7.5 metres on the subject lands. Although many municipalities opt to measure the angular plane at the property line, staff suggest this approach does not account for the additional separation already secured on the adjacent property through a minimum rear yard setback. Therefore, staff recommend the 45 degree angular plane extend from the minimum rear setback of those adjacent low rise residential properties. Taking this approach, a building constructed at the recommended minimum rear yard setback on the Site should not exceed 15 metres or approximately 5 storeys in height, with height stepping up along the plane.

Staff have considered how to translate this principle into a practical zoning regulation. The regulation would limit building height to within a maximum 45 degree angular plane

extending towards the front lot line (Fountain Street), measured from a point at an average elevation of 295 metres above sea level at 7.5 metres from the rear lot line. This regulation would apply through the full depth of the site and would dictate the maximum height of the building along Fountain Street. The three towers would range in height from 18 storeys (north), 20 storeys (central) and 22 storeys (south).

Refer to Figure 4 below for an illustration of the angular plane measurement.

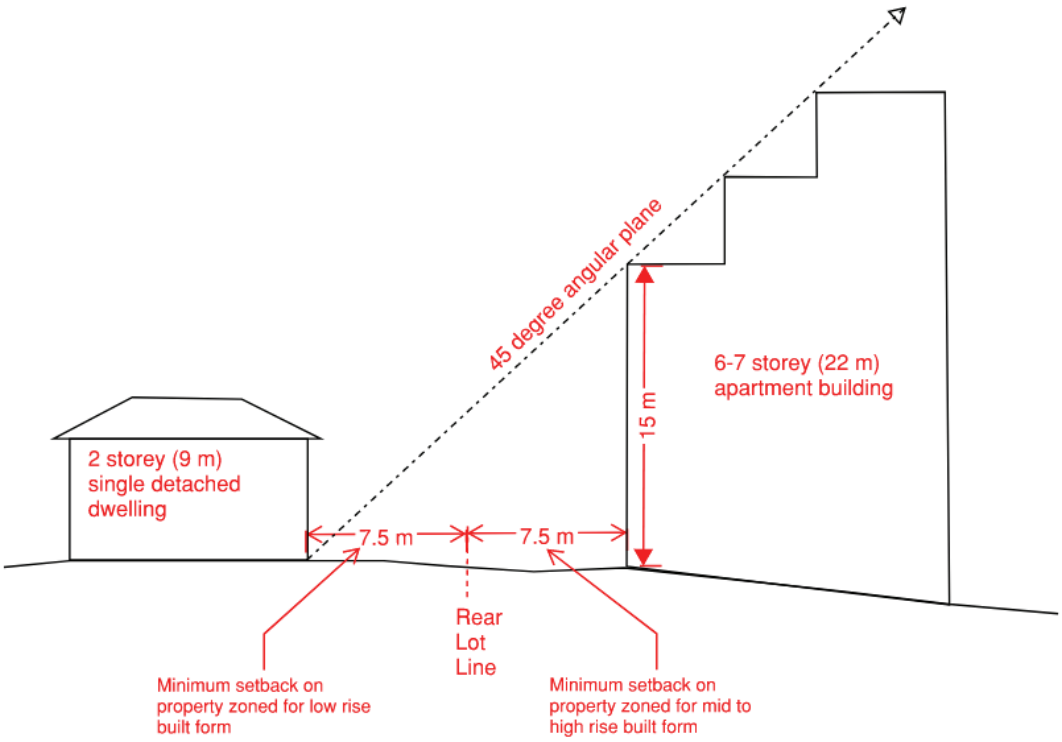

Figure 4 – 45 Degree Angular Plane Illustration

Front Yard Setback

The requested front yard setback along Fountain Street of 0 metres is also not consistent with the policy direction from the Official Plan for transit-oriented development, which requires a more spacious front yard setback for pedestrian circulation and an enhanced public realm. It is not appropriate to rely solely on the Regional road right of way for space to achieve optimal public realm design and pedestrian circulation, and to undertake maintenance works on the exterior of the building which would be the case with the requested 0 metre setback. For this reason, a 3 metre front yard setback is recommended to the façade of the podium.

Podium and Tower Regulations

Staff recommend introducing new regulations to define a podium and tower design to

the building, including podium and tower definitions, tower setbacks, tower dimension and footprint limits, and tower separation requirements. These regulations ensure the design allows for optimal access to sunlight, reduced shadow impacts, and mitigation of wind impacts within open spaces on-site and public realm along the street. This also gives the building a more pedestrian scale by creating a distinct base, and reduces massing, and avoids bulky slab style buildings.

Holding Provision

Numerous technical studies were prepared in support of the application, however at the time this report was prepared, these studies were still under review by the peer review consultants retained by the city. For most studies, staff and review agencies had issued comments identifying certain outstanding information, technical oversights, or other concerns that were requested to be addressed in a formal resubmission.

Upon review of the Transportation Impact Study that was submitted with the application, City and Regional Staff and the city's peer review consultant determined that the study would require an update to address certain technical matters, and to expand the scope of the study to review the feasibility and impacts of other possible access configuration options. The Region expressed reservation about the three proposed accesses from Fountain Street, and in particular the extension of an all-movement leg of the King Street and Fountain Street intersection into the Site. City staff felt that the restricted access identified on Abraham Street was not adequately explained and was lacking an appropriate level of analysis.

For these reasons, Staff recommend the use of a holding to ensure that prior to allowing any development of the Lands to proceed, an updated Transportation Impact Study is provided to the City and Region for approval. The Study shall evaluate all access configuration options based on the permitted build out of the Site, to determine the access configuration that is the most feasible.

In addition, staff recommend the holding (H) includes criteria for the completion of:

- Detailed Noise Study
- Updated Archaeological Assessment
- Updated Heritage Impact Assessment
- Detailed Servicing and Drainage Report
- Detailed Geotechnical Report
- Detailed Excavation, Trenching and Shoring Plan
- Detailed Updated Shadow Study
- Lot Consolidation

The use of the holding is also intended to address many of the concerns raised by residents in this area that were technical in nature, such as shadow impacts, servicing,

drainage, heritage conservation, shoring and excavation methods, mitigation of construction impacts, driveway access and traffic levels. The Applicant will be required to satisfy the City and/or Region that the technical aspects of the development have been properly evaluated and planned, and any impacts avoided or mitigated, prior to any development proceeding.

Having considered consistency with applicable Regional and City policies, feedback from public consultation, staff, agencies, and best practices from Cambridge and neighbouring municipalities, Planning Staff do not support the ZBA as requested by the Applicant and do not recommend that Council approve the Zoning By-law Amendment as submitted. However, Planning Staff are recommending approval of an alternative ZBA, as summarized below and contained in Appendix F to this report. Staff recommend that Council approve the Zoning By-law Amendment provided in Appendix F to this report.

Staff Recommended Zoning By-law Amendment

The following is a summary of the Site-Specific Zoning By-law Amendment recommended by Planning Staff as it applies to these Lands:

A. Mapping Amendments

- Schedule 'A' to By-law 150-85 be amended by changing the zoning of the lands from R3 / NR3 to (H) R3/RM2 s.4.1.448. (Figure 9)

B. Regulation Amendments

- Section 4.1.448 shall be added to Chapter 4 (Site Specific Exceptions), with site specific regulations generally as follows:
    - Residential Uses limited to Apartments and Mixed-Use Buildings
    - Commercial Uses limited to small scale commercial and retail operations, food and other day to day services, located only within the first storey of a mixed use buildings.
    - No minimum or maximum density
    - Minimum front yard (along Fountain Street): 3 metres
    - Minimum rear yard: 7.5 metres
    - Minimum interior side yard:
        - North Side: 2.7 metres
        - South Side: 1.5 metres
    - Overall Building Height:
        - Minimum: 5 storeys and 16 metres
        - Maximum: 22 storeys and below an angular plane of 45 degrees measured at 7.5 metres northwest of the rear lot line as shown on Figure 1, at an elevation of 295 metres above sea level, extending toward the Fountain Street front lot line.

- Tower and Podium Regulations related to Tower Separation, Tower Stepback, Podium Height, Tower Footprint
- Minimum First Storey Height
- Requirement to provide a publically accessible at grade open space with frontage on Fountain Street.
- Enhanced planting strip and fencing requirements
- Minimum Resident Parking of 1 space per dwelling unit
- Minimum Visitor Parking of 0.08 spaces per dwelling unit
- Parking for Non-residential Uses: 2.5 spaces per 100 sq.m. of floor area
- Limits to surface parking
- Garbage to be stored and collected internal to the building
- No Geothermal Wells
- No Buildings on the Lands within 48 metres of Abraham Street
- Holding (H) prefix to prohibit development or site alteration on the Lands until such time as certain criteria are satisfied.

Staff note the By-law for the Zoning By-law Amendment will only come into full force and effect upon the Region of Waterloo passing the By-law for the Official Plan Amendment.

Contribution to the City

Focus	Target	Contribution
Increased Housing Stock	City's Pledge to building 22,000 homes between 2021 and 2031	Supports intensification within the Built-Up Area and will increase the housing stock in the City by approximately 600 units. Upon completion of a foundation, the development could achieve approximately 3% of the City's housing pledge.

Staff Recommendation

Planning Staff considered Provincial, Regional and City policies, agency comments, compatibility with the surrounding neighbourhood with respect to height and density and the appropriateness of the site-specific provisions that were requested by the applicant.

In Staff's opinion, the application as submitted is not consistent with the policies of the City's Official Plan. However, the recommendations for Official Plan Amendment No. 77 and corresponding Zoning By-law Amendment as summarized above and included specifically in the proposed By-laws in Appendix E and F are considered to be consistent with Regional and City of Cambridge Official Plan policies.

The amendments as recommended by Planning staff will facilitate a development that aligns with the planned function of this area and satisfies location and compatibility criteria for new multi-unit residential buildings in MTSAs.

It is the opinion of Planning staff that the proposed amendments as recommended by Planning staff are consistent with the Provincial Policy Statement, conform with the policies of the Provincial Growth Plan 2020, the Regional Official Plan, the City Official Plan and meet the general intent and purpose of the City of Cambridge Zoning By-law No. 150-85.

Planning decisions are subject to appeal to the Ontario Land Tribunal (OLT). An appeal may be filed if the applications are refused, approved, or if a decision is not made within the timeline for processing the applications set out in the Planning Act, which was March 15, 2024.

EXISTING POLICY / BY-LAW(S):

Regional Official Plan

- All Lands are within a Major Transit Station Area (MTSA) (Refer to Figure 5 below)
- All Lands are within a Built-Up Area and Urban Area

In 2019, the Region completed a Land Needs Assessment to inform an update to the Regional Official Plan and the designation of the Major Transit Station Areas (MTSA). It identified a minimum growth target for the Preston MTSA of 8,343 persons and jobs by 2051. In 2019, it was determined the same MTSA area contained 3,553 persons and jobs. The minimum growth target over these 32 years is 4,790 persons and jobs. The development proposal as submitted contains approximately 1,322 persons and jobs, which is approximately 28% of that minimum target. Although the site area (1.15 ha) only occupied approximately 2% of the Preston MTSA area (64.2 ha), this does not reflect what percentage of the developable land within the MTSA area it occupies. Regardless, these were only minimum targets identified by the Region and therefore the amount of growth to be accommodated by 2051 is not a finite amount to be distributed.

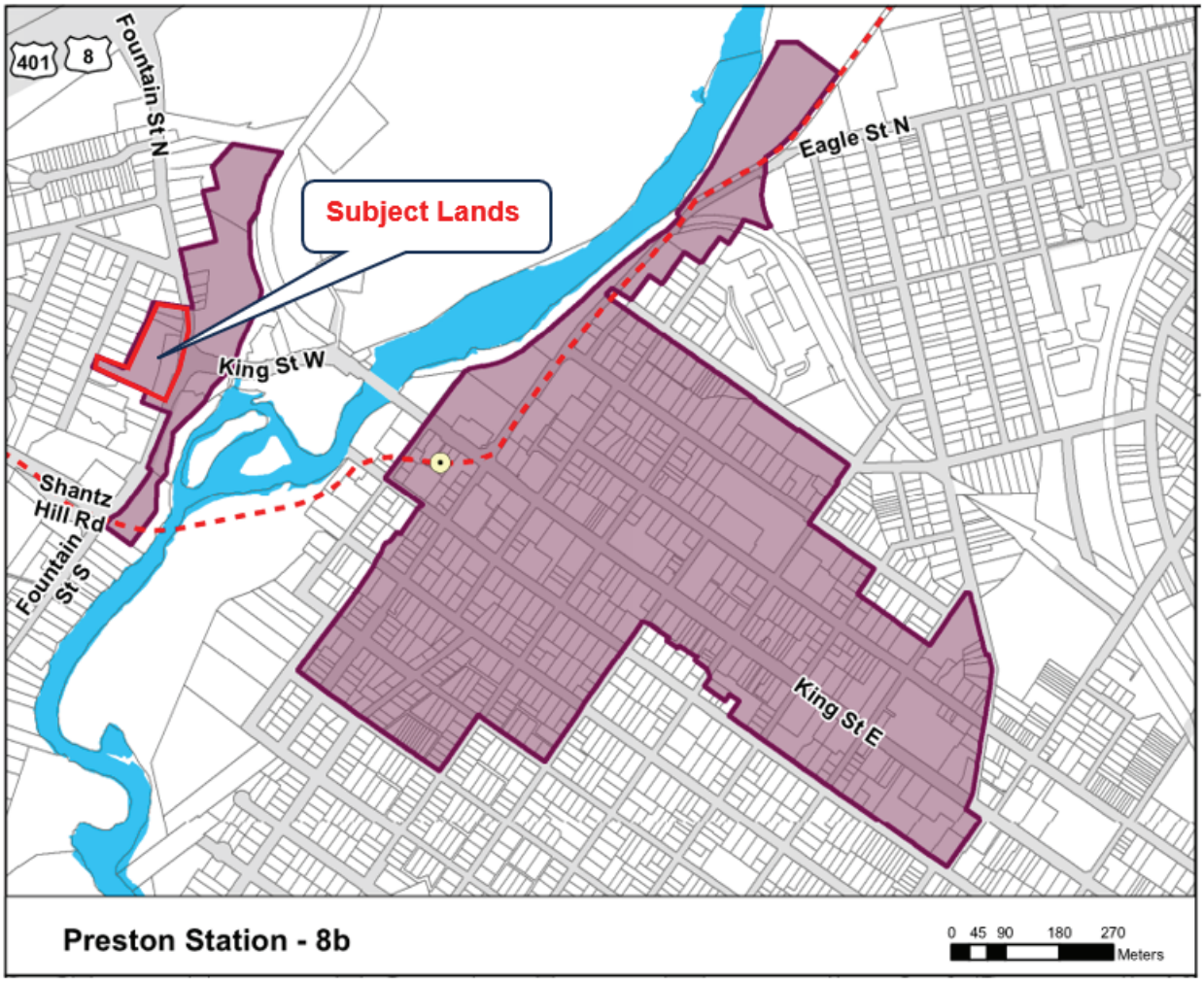

Figure 5 – Preston Major Transit Station Area, Regional Official Plan Amendment No. 6

City of Cambridge Official Plan, 2012, as amended

Existing Land Use Designation(s):

- Map 2 General Land Use Plan – Low/Medium Density Residential and Preston Towne Centre (Figure 6)
- Map 4 Preston Towne Centre – Community Core Area (Majority of 199 Abraham Street and all of 102 Fountain Street South) (Figure 7)

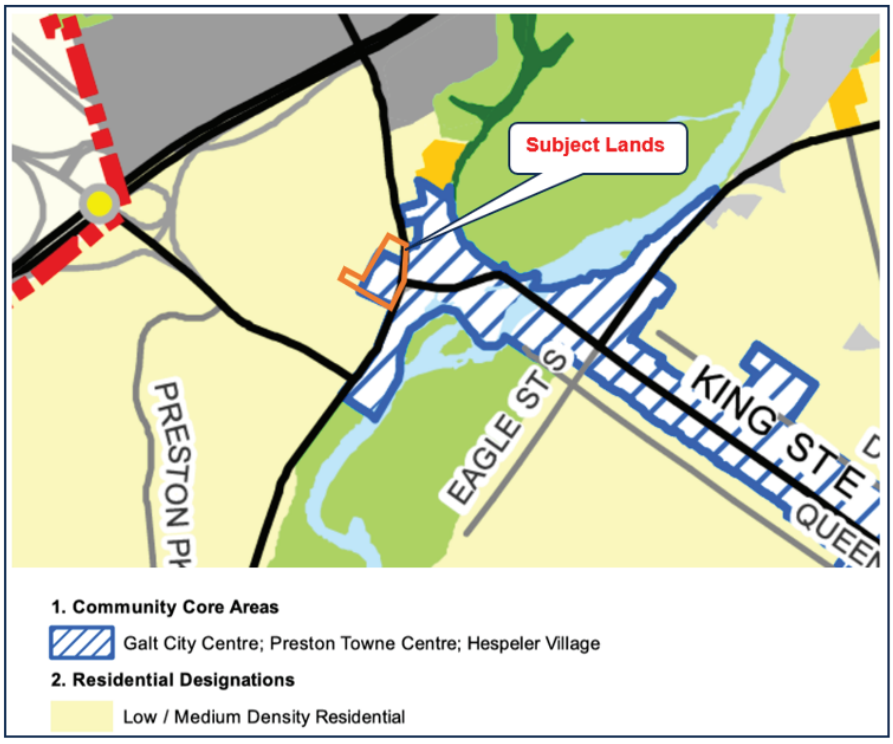

Figure 6 - Excerpt from Map 2 (Preston Town Centre)

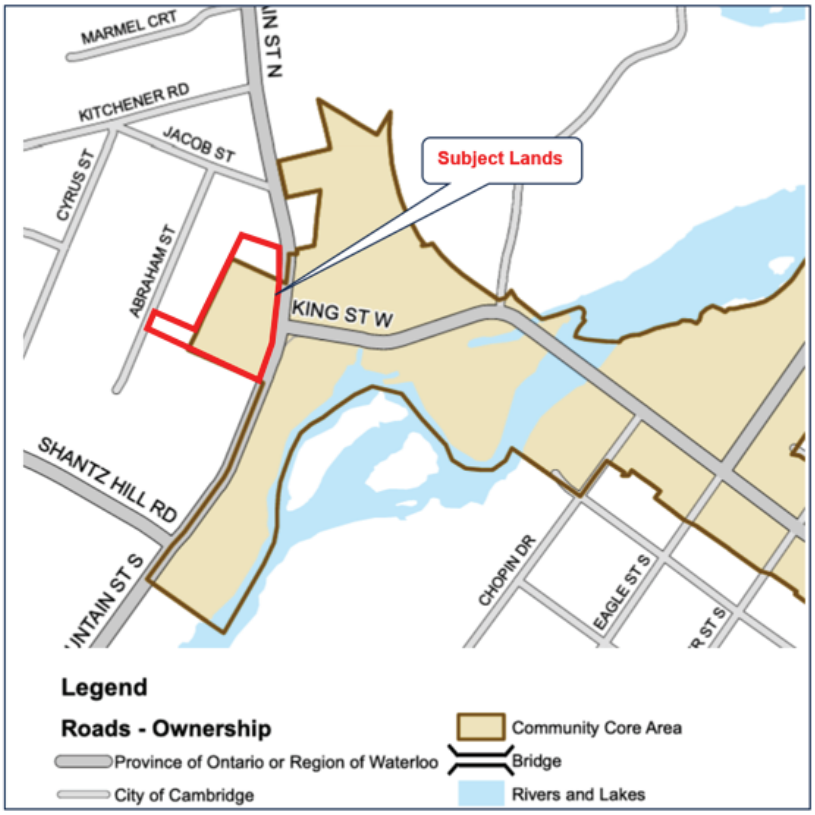

Figure 7 – Excerpt of Map 4 (Preston Towne Centre) from Official Plan

Applicable Sections of the Official Plan include:

- 2.6.1 Intensification within the Built-up Area
    - Across the Region, 45% of all residential development must be within the Built-up Areas. These built-up areas of focus include Community Centre Areas and MTSAs. Intensification in these areas should be planned and designed to be 6. Intensification within the built-up area will be planned and designed to incorporate high quality public open spaces, support walking, cycling and transit, support the cultural heritage of the area, generally achieve higher densities than surrounding areas, and ensure an appropriate transition of built form to adjacent areas, amongst other matters. A mix of uses is encouraged.

- 2.6.3 Community Core Areas / 8.3 Community Core Area Designations
    - Role is to be a community focal point that may attract tourists, transit oriented, mix of uses and housing types, is compact form and compatible with established uses.

- 2.6.6 Major Transit Station Areas (applies to all Subject Lands)
    - Planned to achieve increased residential and employment densities to support viability of existing and planned transit service levels, achieve a mix of uses, in accordance with principles of transit-oriented development.

- 2.8.3 Residential Densities / 8.4.6 Residential Designations
    - Within the Preston Towne Centre, building heights are limited to 5 storeys only, with a maximum Floor Space Index of 2.0.
    - Low/Medium Density Residential lands are limited to 40 units per hectare.

- 5.3 Transit Oriented Development
    - Compact form, medium and high density uses along arterial roads, provision of safe environment for pedestrians which includes a continuous sidewalk along both sides of the street, provision of gathering points along the street and enhanced public realm, access to active transportation routes, and where feasible, provision of commuter pick up/drop off areas.

- 5.6 Gateways
    - Key intersections which are entrances to the community core areas will be treated as gateways. Gateways should include distinctive design elements, prominent building form and landscaping features.

- 5.7 Site Development and Buildings
    - Compatible in terms of massing and scale with the existing and planned streetscape, provide appropriate transitions in height to adjacent buildings, situated near street edge to frame street, blank walls are discouraged along street frontages, transparent windows and building entrances oriented to street, building design respectful to local context, site layout shall incorporate pedestrian walkways and connections to encourage and enhance walkability and access, pedestrian connections on site will connect directly with public sidewalks and transit stops unless there is no other feasible alternative, waste storage areas and building utilities/mechanical equipment located internal to the building and screened street view.

- 5.11 Parking
    - Underground parking, internal parking or parking structures are encouraged where feasible. The design of parking structures should include active ground floor uses adjacent to the street where appropriate.

- 8.4.2 Residential Compatibility
    - When assessing new development within Community Core Areas and Major Transit Station Areas, consider such compatibility criteria as:
        - the density, scale, height, massing, visual impact, building materials, orientation and architectural character of neighbouring buildings and the proposed development;
        - the conservation, protection, maintenance and potential enhancement of the natural environment and cultural heritage resources;
        - continued viability of neighbouring land uses;
        - pedestrian and vehicular movement and linkages, as well as parking requirements and design
        - landscaping, setbacks, sun and shadow effects, wind effects, signage, lighting and buffering of existing development and proposed developments
        - noise attenuation
        - odour, dust, and emission impacts
        - transportation implications
        - transitions between different land uses and between sites having varying permitted uses.

- 8.4.3 Location Criteria for Multi-Unit Residential Development
    - Arterial or Collector Road, or is directly accessible to any such road through the local road network where it is not likely to generate sufficient traffic to disturb the peaceful and quiet enjoyment of neighbouring residential properties located on such local access road
    - Within reasonable distance of public transit, recreational open space and shopping facilities and, if the building is proposed to be designed for occupancy by households with children, is also located within convenient walking distance of an elementary school;
    - Has a suitable size and configuration to:
        - permit the separation or appropriate integration of on-site vehicular and pedestrian traffic and provide for adequate access and circulation by emergency vehicles
        - provide adequate on-site landscaping establish suitable outdoor amenities and recreational facilities for the building's occupants
        - screen parking areas, provide effective buffering and screening to ensure the privacy of outdoor recreational areas on the site as well as on adjoining properties
        - provide adequate grading and stormwater management features to ensure the drainage of surface waters to on-site stormwater management facilities or to public storm drainage facilities and not to adjoining properties
        - is compatible with existing development on adjoining lands
        - will include wherever possible the preservation and protection of the natural environment and cultural heritage resources.

City of Cambridge Zoning By-law 150-85, as amended

Existing Zoning (Compound) (Figure 8)

- R3 (Residential Three) – applies to westerly portion of 199 Abraham Street and 134/144 Fountain Street North
    - Permits single detached dwellings, residential care facility
    - Max Density 40 units per hectare
    - No Height Limit

- N3RM3 (Institutional Mixed-Use Multiple Residential Three) – This is a dual zone. Applies to majority of 199 Abraham Street, and all of 102 Fountain Street South.
    - Permits full range of housing types from single detached dwelling to apartments, hostel, retirement lodge or home, special care facility, class 4 group home

- Max Density 75 units per hectare (apartments)
- No Height Limit
- Apartments – 1 resident space per unit
- No Visitor Parking Required. Section 2.2.2.9, Map Z5.

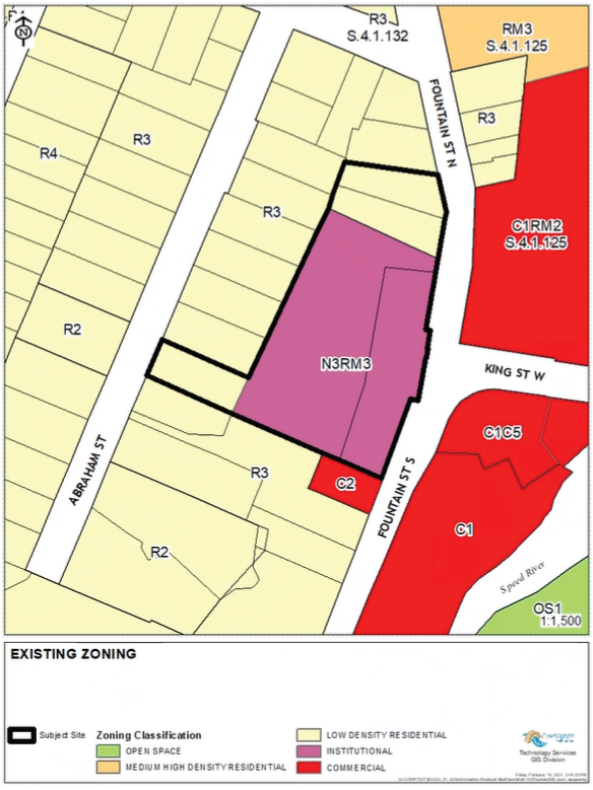

Figure 8 - Existing Zoning

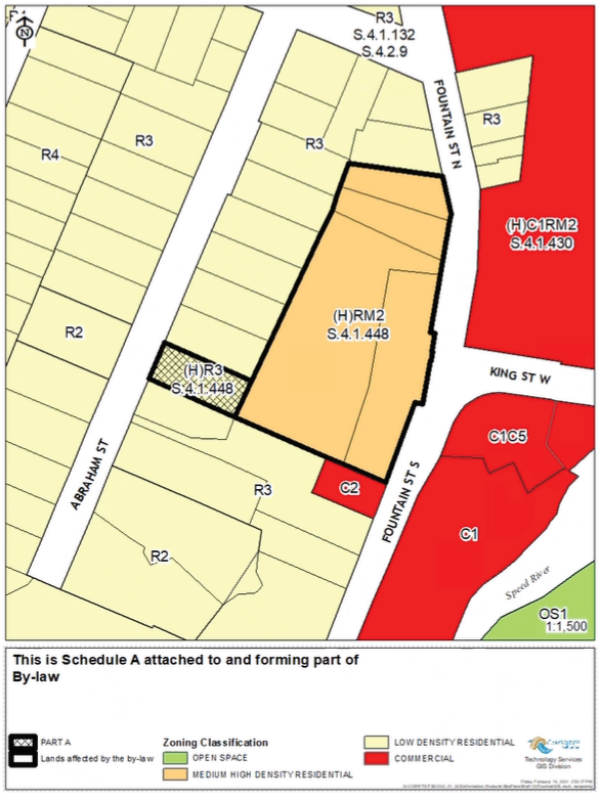

Figure 9 - Proposed Zoning

FINANCIAL IMPACT:

- Given the sensitivities of this application, an additional neighbourhood meeting was held and resulted in a delay in processing the application. Therefore, a 50% refund of the Zoning By-law Amendment Application fee in the amount of $8,400 was issued in accordance with the Planning Act, as a decision had not been made by Council within 120 days of deeming the application complete.
- The portion of the development within the Preston Towne Centre would be eligible to apply to any of the Core Areas Community Improvement Plan programs and initiatives.
- Through a Council motion in 2022, the Applicant was granted an Early Payment Agreement to allow Development Charges to be waived for any development on that portion of the Site within the Preston Towne Centre. Development Charges

will be collected for any development on the lands at 134 and 144 Fountain Street North, which are outside the Preston Towne Centre.

- Any further costs associated with the development of the site are to be borne by the applicant.

PUBLIC VALUE:

A statutory public meeting required under the Planning Act was held December 12 and December 19, 2023. A Neighbourhood Meeting was held at the request of Council on February 5, 2024.

Property owners within 300 metres of the Subject Site, anyone that signed the notice registry, and others that had contacted staff were notified of the Neighbourhood Meeting.

Any person that provided their contact information on the sign-in registry at the meeting or requested through other means to be kept informed about the application were notified through mailed correspondence of the Council Meeting and provided with access to the Recommendation Report.

ADVISORY COMMITTEE INPUT:

Advisory Committees Consulted:

The Municipal Heritage Advisory Committee will be consulted once an Updated Heritage Impact Assessment has been received by the City.

PUBLIC INPUT:

Members of the public spoke at the public meetings on December 12 and 19, 2023 and at the Neighbourhood Meeting held on February 5, 2024 at the request of Council. Staff also received numerous written submissions regarding the applications. The general nature of the comments expressed are summarized below. Appendix D contains all written submission received, redacted for privacy:

- The buildings being too tall, and out of character/incompatible with the adjacent low rise, low density established residential neighborhood.
- Insufficient on-site parking, raising such concerns as the disbursement of high volumes of on-street parking into the surrounding area.
- The site accommodating too much density, with concerns about congestion, safety and parking burdens on the surrounding neighborhood and road network.
- A new pedestrian and driveway access to the development from Abraham Street, which residents fear would create too much vehicular and foot traffic

and on-street parking, which would be a nuisance to residents of the street, posing safety, privacy and noise concerns.
- Expansion of the Preston Core Area into the low-density residential neighbourhood, which could introduce incompatible uses.
- Concerns regarding potential impacts from construction.

Further to the contents of this report, staff offer the following in response to the Public Input received:

- Staff are recommending a zoning framework with lower building heights than proposed by the Applicant and tighter built form and massing regulations to ensure appropriate compatibility with the adjacent low rise residential area. An updated Shadow Impact Study is required prior to lifting the holding and proceed with development of the lands.
- A higher parking rate than was proposed the by Applicant is being recommended by staff, which will secure separate visitor parking. The rate is commensurate with the rate approved for the development at 255 King Street West, on the opposite side of Fountain Street.
- An Updated Transportation Impact Study that addresses technical concerns, and evaluates all possible access configuration options, is required prior to lifting the holding and proceed with development of the lands.
- Public concerns about parking on Abraham could be addressed through implementing parking restrictions on this street once the development is fully occupied.
- Preventing pedestrian access from a new development from an adjacent street is contrary to the Regional and City Official Plan policies.
- Although an expansion of the Preston Towne Centre to encompass all lands is supportable from a planning perspective, concerns were repeatedly raised by Council and the public. Redesignating the lands at 134 and 144 Fountain Street North as High Density Residential will have the same effect of implementing a new policy and zoning framework to facilitate a higher density redevelopment.
- A detailed Geotechnical Report and an Excavation, Trenching and Shoring Plan are required to be approved by the City prior to lifting the holding. These technical reports and plans will ensure the developer has evaluated the feasibility of certain construction techniques and can ensure impacts to surrounding properties will be mitigated.

Council Direction to Staff:

At the Statutory Public Meeting held on December 12 and 19, 2023, Council provided direction to Staff. That direction and the action being taken by Staff is summarized in the table below:

Direction #	Council Direction	Staff Action / Consideration
1	That staff organize a Neighbourhood Meeting between the Developer and Residents, with staff present, to try to reach agreement on an appropriate proposal and to foster good will • Further, that the City advertise the meeting on all of its media channels • Further, that the City give broader notification of this meeting, beyond the minimum statutory 120 metres, such that is includes other neighbourhoods and the Kressview Condo Building.	A Neighbourhood Meeting at Cambridge City Hall was held on February 5th, 2024. A mailed notice was circulated to property owners within 300 metres of the Subject Lands and those that signed the registry or contacted staff. The meeting was also advertised through the City's various media channels. A summary of the meeting was posted online to the City's Development Applications webpage the following day. The summary included the presentation delivered by the Applicant, a summary of questions, comments and responses during the questions and answer period, and photos of the written comments left at the meeting.
2	That all studies submitted with the application be peer reviewed.	In January 2024, the City retained four (4) peer review consultants to review the following reports: • Planning Justification Report • Urban Design Report • Transportation Impact Study & Parking Study • Heritage Impact Assessment • Geotechnical Report • Supplementary Slope Stability Assessment • Preliminary Servicing Report • Preliminary Stormwater Management Report

Direction #	Council Direction	Staff Action / Consideration
3	That Staff review any existing by-laws which prohibit access to Abraham Street. Further, that Staff consider taking a position that no access to Abraham Street be permitted.	Staff retrieved all by-laws relating to Abraham Street, being: • 1955 Preston By-law 1709 • 159-83 • 062-84 None restrict road access from the Subject Lands to Abraham Street, and vice versa.
4	That staff review every planning tool available to give Council more time to consider this application.	The holding provisions were added in the proposed by-law to provide additional opportunity for council and staff to assess the peer reviewed studies; however, there are no mechanisms available to extend the statutory decision deadline for this application.

In addition to the above noted comments, staff were informed that some properties at the south end of Abraham Street remain on septic systems. There are legislative requirements that limit septic systems from being within 5 metres of a building, and within 3 metres of a property line. In the case of a septic system that uses a raised bed, this separation to the property line is increased to 2x the height of a raise bed plus the 3m distance. Any proposed construction at 102 Fountain Street exceeds the distances required for those setbacks.

Legal Framework: Please see the attached Confidential Appendix “G”

INTERNAL / EXTERNAL CONSULTATION:

The studies and plan submitted and the city staff and review agencies that were circulated are listed in Appendix C. Staff has received comments from applicable City departments and outside agencies in regard to the proposed Official Plan and Zoning By-law Amendments. Staff and agency comments have been acknowledged and/or addressed by the applicant and will be implemented through the Site-Specific Official Plan Amendment, Site Specific Zoning By-law and through future Site Plan applications.

CONCLUSION:

The City of Cambridge is expecting to accommodate significant population growth within the current Planning Horizon into the year 2051. With limited vacant residential land

available within the city and an increase in housing costs, there is a growing need and demand for more dense housing options that can accommodate more people in smaller spaces. There is also a demand for more attainable housing options than traditional single detached homes.

The proposed infill development represents an efficient use of existing municipal water and sanitary sewer services and provides more options for market rate housing. The proposed mixed-use development supports the revitalization of the Preston community core and increases the viability of existing and planned transit infrastructure by accommodating approximately 1,300 new persons and jobs within a Major Transit Station Area.

In Staff's opinion, the Official Plan and Zoning By-law Amendments requested by the Applicant are not recommended for approval on the basis that they do not meet the intent of the compatibility policies in the City's Official Plan. The massing of the building as proposed is not compatible with the surrounding low rise residential area and the parking rates proposed are considered too low.

However, Staff recommend an alternative Official Plan and Zoning By-law Amendment that is considered to be consistent with the Provincial Policy Statement, conform with the policies of the Provincial Growth Plan, the Regional Official Plan, and the City of Cambridge Official Plan. The alternative amendments address concerns raised related to such matters as built-form compatibility and design, parking supply, range of land uses, heritage preservation, and other technical development considerations (e.g. servicing, drainage, traffic impacts and road access). The By-laws provide an appropriate balance between predictability of future development, and flexibility for exterior design and interior layout.

Planning staff recommends approval of the proposed Official Plan and Zoning By-law Amendments contained in Appendix E and F respectively.

REPORT IMPACTS:

Agreement: **No**

By-law: **Yes**

Budget Amendment: **No**

Policy: **No**

APPROVALS:

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director

Deputy City Manager

Chief Financial Officer

City Solicitor

City Manager

ATTACHMENTS:

1. 24-019-CD Appendix A - Architectural Renderings Submitted (November 2023 submission)
2. 24-019-CD Appendix B - Conceptual Site Plan and Ground Floor Plan (November 2023 submission)
3. 24-019-CD Appendix C – Internal and External Consultation and List of Supporting Studies and Plans
4. 24-019-CD Appendix D - Written Submission Received from the Public
5. 24-019-CD Appendix E - Proposed By-law for Official Plan Amendment
6. 24-019-CD Appendix F - Proposed By-law for Zoning By-law Amendment
7. 24-019-CD Appendix G – Confidential Legal Framework