

Appleby Village Plaza application compliance with 8 Neighbourhood Conditions

AVHA Condition	AVHA Weight	Registered Participant Neighbourhood Assessment	City Planning Staff Assessment	Developer Assessment	City Council Decision
1. Location of Building Heights Any proposed building WILL be contained within the intersections of 45-degree angular planes as established by the bordering stable residential neighbourhoods. The challenge with a Building's Height relates to its' compatibility with the surrounding context. Buildings which loom over bordering residential neighbourhood properties tend to reduce the amount of available sunlight and introduces privacy concerns on the use of our properties. Developer desired building heights can be made compatible by; <ul style="list-style-type: none"> • moving the proposed built form towards the centre of the site and thus away from the Property Lines which edge the site; and • by sculpting the built form using step-backs so that the building face at higher heights may comply and to provide a more pleasant pedestrian experience at ground level. 					
1a1. Pinedale Ave - Appleby Gardens 2-Storey Towns	REQUIRED	COMPLIANT Building 1 - 9-Storey Height 6.00 m setback at G-Fl 5.85 m step back at Fl-3 2.85 m step back at Fl-8			
1a2. Pinedale Ave - Sheraton Pines 2-Storey Towns	REQUIRED	COMPLIANT Building 2 - 12-Storey Height 6.00 m setback at G-Fl 8.95 m step back at Fl-3 1.00 m step back at Fl-9 2.85 m step back at Fl 11			
1a3. Pinedale Ave - Sheraton Pines 2-Storey Towns	REQUIRED	COMPLIANT Building 3 -12-Storey Height 20.19 m set back at G-Fl 04.62 m step back at Fl-3			
1b1. Timber Lane - Pinedale Estates 12-Storey Apt Towers	REQUIRED	Non-COMPLIANT Building- 3 - 12 Storey Height 3.00 m set back at G-Fl 3.00 m step back at Fl-3 1.50 m step back at Fl-10		NEED FOR COMPLIANCE NOT JUSTIFIED NOR DEFENDIBLE Bordering Property comprised of Pinedale Estates 3 x 12-Storey Condo Apt. Towers	
1b2. Timber Lane GlenVic Mews 2-Storey Towns	REQUIRED	NOT APPLICABLE			
1c. New Street 2-Storey Towns	REQUIRED	NOT APPLICABLE			
1d. W of Appleby Line - 2 Storey Homes	REQUIRED	NOT APPLICABLE			

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2. Conforms to Tall Building Guidelines. The original 2014 development application predated the City's Tall Building Guidelines adopted in 2017.					
2a1. Height of the tower, and its location on the building base, SHALL provide a gradual and appropriate transition in height	DESIRED	Building 1 Not Applicable Mid-Rise but COMPLIANT Consistent framing of street with Bordering Residential Building Set Backs Building 2 COMPLIANT Consistent framing of street with Bordering Residential Building Set Backs Building 3 Non-COMPLIANT Inconsistent framing of street with Glenvic Mews set backs			
2a2 Where multiple towers exist on a site, this transition SHALL be reflected across the entire site.	DESIRED	Non-COMPLIANT Building 1 N/A Mid-Rise Consistent with Building 2 Building 3 UNKNOWN Not Consistent with Buildings 1 or 2			
2b. The tower portion of a tall building SHOULD be slender and should not exceed 750 square metres, excluding balconies.	DESIRED	Building 1 N/A Mid-Rise Building 2 Compliant Building 3 Compliant			
2c. The massing of the tower, and its relationship to the building base, SHALL not result in adverse wind effects at the street level.	DESIRED	WAS NOT DISCUSSED			

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3. Restrictions on New Building Uses. Should any development be contemplated on or near the edges of Appleby Mall property facing Pinedale Avenue or facing Timber Lane. Bordering residents did not wish to face retail, commercial or outdoor entertainment venues which may generate noise after normal plaza business hours.					
3a. Uniform Store Heights (not higher than) those located in existing buildings.	DESIRED	NOT APPLICABLE No Retail or Commercial is envisioned facing bordering residential properties			
3b. the uses permitted of these buildings WILL not include outdoor entertainment venues.	REQUIRED	Non-COMPLIANCE Building 1 Fl-3 Amenity Balcony may be problematic to bordering Appleby Gardens Residences Building 3 FL-3 Amenity Balcony may be problematic to Bording Sheraton Pines Residences Building 3 Not Applicable			
3c. No drive-thru food and/or beverage service facilities within the quadrant of the Appleby Village Mall, as serviced by the Pinedale Avenue Timber Lane.	REQUIRED	COMPLIED			
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4. Pedestrian Activated Traffic Signal at the Intersection Pinedale at Timber Lane. This is a pedestrian safety concern. Some vehicular drivers do not obey the existing all-way stop signs. We also should anticipate increased use of mobility devices seeking the Plaza as the neighbourhood demographics shifts more to the elderly.					
13/08/2020	DESIRED	NO SOLUTION PRESENTED		DEFER CONDITION TO SITE-PLAN NEGOTIATIONS This is a City matter to resolve.	

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5. Improving Pedestrian access to Appleby Mall, especially for those who are dependent upon the use of mobility devices, walkers, carts or strollers. These are pedestrian safety issues, especially for those who are dependent upon the use of mobility devices, walkers, carts, or strollers. These are pedestrian safety issues, as pedestrians currently share a vehicle lane to gain plaza egress from Timber Lane. Where are the sidewalks?					
5a. Pinedale Ave Egress.	DESIRED	COMPLIANT A suitable sidewalk has since been installed to finish this point of plaza egress.			
5b. Timber Lane n-egress	DESIRED	COMPLIANT Sidewalk integrated with South Face of proposed Building-3			
5c. Timber Lane s-egress	DESIRED	Non-COMPLIANT These are pedestrian safety Pedestrians currently share a vehicle lane to gain plaza egress from Timber Lane. Where are the sidewalks?			
5d Timber Lane & New St.	DESIRED	Non-COMPLIANT Paving stones over an uneven garden surface does not make for a safe plaza egress for pedestrians.		DEFER CONDITION TO SITE-PLAN NEGOTIATIONS	
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6. Snow storage backstops to prevent melt on City sidewalks. This is a pedestrian safety issue especially should 25% of the plaza surrounding green-space setbacks be repurposed by the proposed development.					
	Desired	NO SOLUTION PRESENTED		DEFER CONDITION TO SITE-PLAN NEGOTIATIONS	

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7. Traffic Calming by psychologically narrowing streets w boulevard trees and/or marked bike lanes. by psychologically narrowing streets by planting trees on City boulevards and by painting bike lanes on street surfaces.					
7a. Pinedale Ave	Desired	NO SOLUTION PRESENTED		DEFER CONDITION TO SITE-PLAN NEGOTIATIONS This is a City matter to resolve.	
7b. Timber Lane	Desired	NO SOLUTION PRESENTED		DEFER CONDITION TO SITE-PLAN NEGOTIATIONS This is a City matter to resolve.	
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8. Fortinos Sound Abatement Wall from Timber Lane residences designed to insulate bordering Glenvic Mews residences from sounds emanating from Fortinos mechanicals and servicing delivery trucks.					
	REQUIRED	COMPLIANT The wall was reinforced during the summer of 2018 and has not failed since.			

Developer Settlement Plan & LPAT Cost Considerations	City Staff Recommend Report	City Council 13-Aug In-Camera Legal Decision	LPAT 26-Oct Duration & Hearing Type	City LPAT Cost Considerations
Supporting Province / Region / City Acts Policies & Guidelines	Supporting Province/Region/City Acts Policies & Guidelines	Implications - City-Wide - Neighbourhood	Implications Province/Region/City Acts Policies & Guideline	
Happy Path \$1x Contracted Solicitor & Planner	Settle City Staff Supports Developer's Interpretations	Settle	2-Day Settlement	1x City Solicitor & City Planner
Unhappy Path \$10x SMEs Developer and City Staff may have strong case against the City. NOTE! Developer can reopen past decisions that City Staff may have won for the City.	Settle City Staff Supports Developer's Interpretations	Not To Settle (i.e. Motivated by strong Neighbourhood Reaction Against the Developer. Typically with High Political and Financial Implications	10-Day Hearing	\$10x for City Staff SMEs to defend their Recommendations to Council on behalf of the Developer + \$10x for City Council contracted SMEs to support City's Decision against the Developer & City Staff (typically in support of strong Neighbourhood Party.
Happy Path \$1x Contracted SMEs	Not To Settle City Staff has a strong case against Developer's Interpretations	Settle (at their peril ignoring City Staff Recommendations Not To Settle)	2-Day Settlement	\$1x City Solicitor & City Planner
Unhappy Path \$10x Contracted SMEs	Not To Settle (City Staff has a strong case against Developer's Interpretations	Not To Settle	10-Day Hearing	\$10x City Staff Defends City Staff Recommendation & Council Decision.

Misc. Feedback

We tried to focus our concerns on what impacts our residential properties.
Not to say that we are not concerned as to what happens within the Plaza site

- NOTE: Neighbour less concerned as to building heights than the transition those heights have on boarding residential neighbourhoods
- Neighbourhood-wide intensification concern, too many residences, too many cars, too many people.
- Three buildings on a site which is ¼ of the size of Pinedale Estates which also hosts three towers.
- Proposed Building orientation follows bordering streets rather than aligned north to south similar to Pinedale Estates towers do.
- Buildings 1 & 2 provide more respectful transition to height framing Pinedale Ave. than Building 3 offers to Timber Lane.
- Traffic congestion focused on one location.
 - underground Residential & guest parking egress for all three proposed buildings
 - Timber Lane vehicular egress with the north half of the plaza
 - Trucks servicing Building 3 and Fortinos
- Traffic congestion along Pinedale Ave. sourced from Pinedale egress and North Timber Lane egress
- Some would prefer two taller towers with more green space between over three towers with less green space between
 - Would undermine progress made of compatible transition to low-rise residential properties
- What if the development were horizontally flipped so that what faces Timber Lane would face the centre of the plaza parking area
- Reduction of parking capacity of the Plaza to support new development
- Developer could introduce a Parkade along the North Face of Rexall through the Beer Store
- Developer could erect a single 30-storey tower between Home Hardware and the building bordering Appleby Line.
- Eliminate the Timber Lane drag strip speed way.
- Trees on the development site require 27 cubic meters to permit a healthy lifespan. This implies 3 m of soil depth which would interfere in the underground parking.