

**Smith, Theresa L.**

**From:** Rick Grol <GrolR@bennettjones.com>  
**Sent:** Thursday, August 31, 2017 9:54 AM  
**To:** City Clerk  
**Cc:** Bonnie Anderson; Martin Halliday; mevans@atlasdevco.com  
**Subject:** CPC2017-288, Council's Public Hearing September 11, 2017 [BJ-L.FID4191732]  
**Attachments:** Letter to the City of Calgary.PDF

Please find attached our Submission for the Public Hearing of Council September 11, 2017, Item **CPC2017-288**.

Thanks,



Rick Grol  
Senior Advisor Municipal Planning and Development , Bennett Jones LLP

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August 31, 2017

Council,  
Office of the City Clerk,  
The City of Calgary,  
700 Macleod Trail SE,  
P.O. Box 2100, Postal Station "M",  
Calgary, AB T2P 2M5

Your Worship and Members of Council:

**Re: CPC2017-288 (LOC2017-0008) Policy Amendment Chinook Station Area Plan and Land Use Amendment (Bylaw 286D2017) – Public Hearing September 11, 2017.**

We act for Atlas Development Corporation and associated companies ("Atlas") that own lands to the immediate east of Macleod Trail SW across from Chinook Centre and that are affected by the proposed Policy Amendments and Land Use Amendment. Atlas owns, directly or indirectly, seven parcels with retail buildings on the eastside of Macleod Trail with the following tenants: CIBC; Bank of Montreal; Canadian Western Bank; Mark's Work Warehouse; Bed, Bath and Beyond; and A&W Restaurant.

The proposed policy and land use amendments, among other things, would enable the development of an above-grade parkade (FAR of 3.0) to replace lost surface parking and provide parking for retail and future office/residential development. The proposed development includes a Macleod Trail flyover by providing direct access into the proposed parkade for motor vehicles from north bound Macleod Trail. The Chinook Station Area Plan ("SAP") is to be amended to include references to the proposed parkade and associated Macleod Trail flyover.

Atlas would like to express its opposition to the proposed amendments, for the reasons set out below. The opposition pertains to the flyover ramp that is required to provide access to the proposed new parkade on Site 2 of the Chinook lands.

In a letter to Administration on May 18, 2017, attached, Atlas expressed concerns regarding a proposed flyover ramp on the east side of Macleod Trail. A flyover ramp on the east side of Macleod Trail will negatively impact Atlas' properties in terms of access, visibility and create serious traffic weaving conditions on Macleod Trail. This will result in a reduction in the desirability of the Atlas properties. The construction of a public work, a flyover ramp on the east side of Macleod Trail, creates a permanent reduction in the value of Atlas' lands.

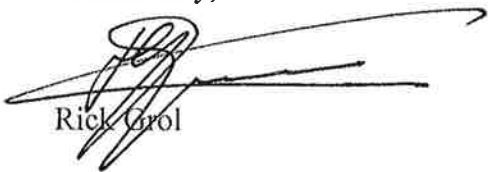
The Administration Report (CPC Report, page 8) states that the precise location, design, and interface of the flyover ramp will be detailed as part of a future development permit. Atlas is concerned that the location and configuration of the flyover ramp has not been determined at this stage. While the SAP references the Macleod Trail flyover, the SAP is a non-statutory plan. Therefore, the Development Authority and SDAB are not bound by it in the evaluation of a DP application. Further, the proposed DC Bylaw does not contain any provision that would ensure a proper assessment of the ramp of the flyover and its impact on Atlas' properties and its tenants.

It is Atlas' position that the proposed land use amendment should not be approved without a comprehensive review and transportation analysis of the access to the proposed parkade on Site 2 of the Chinook Centre lands and that all options be explored for the appropriate location and design of the flyover ramp to minimize the impact of a ramp on the properties of Atlas. The flyover is directly associated with the parkade. Without ensuring proper access to the proposed parkade at this point in time, this development should not come to the detriment of our client's interest in and ability to develop its lands, and of the value of these lands.

Although the Administration report outlined that a flyover ramp is viable, the TIA's preferred option is a flyover ramp in the median of Macleod Trail. This is also the preferred option for Atlas. However, somehow the option of a flyover ramp in the boulevard on the east side of Macleod Trail is considered by Administration. Atlas retained Watt Consulting Group to review the options for a flyover ramp. Watt pointed out that the TIA report and the subsequent report by Urban Systems contain contradictions regarding the feasibility of a flyover ramp on the east side of Macleod Trail. From a transportation perspective, there are some serious concerns regarding this flyover ramp. In Atlas' opinion, the location and configuration of the flyover should be determined at the land use stage, as without proper access the parkade has harmful transportation and planning impacts on the surrounding properties to the east of Macleod Trail.

In conclusion, we urge you to reject the proposed amendments in its current form. Atlas would like to advise that it has no objection if the proposed flyover ramp is to be located in the median of Macleod Trail and we recommend that Council provide specific direction in the DC Bylaw in that regard.

Yours truly,



Rick Grol

RG

cc: Stuart Dalgleish, General Manager, Planning & Development  
Malcolm Logan, General Manager, Transportation

Encl: Letter Atlas



Mr. Thom Mahler  
Manager Urban Strategies  
Planning and Building Dept.  
City of Calgary, PO Box 2100,  
Station M, Calgary, Alberta  
T2P 2M5

RE: Proposed Ramp Location – Chinook Centre Expansion

This is further to the meeting held at City Hall on May 1, 2017 to discuss the off ramp location proposal for the east side of MacLeod Trail, just north of Glenmore Trail, which is intended to provide improved access to the Chinook Centre lands. Our interest in this matter relates to our ownership of the majority of the retail buildings on the east side of Macleod Trail which house the following tenants: CIBC, Bank of Montreal, Canadian Western Bank, Marks Work Warehouse, Bed, Bath and Beyond and the A&W Restaurant.

We have reviewed the proposed drawings and related information with our traffic and legal consultants in detail and wish to register our strong opposition to locating this ramp on the east side of Macleod Trail. We believe this ramp location will be deleterious to our site access, visibility, and will create serious traffic weaving conditions on Macleod Trail. This will result in a diminution in the desirability of our properties and a resulting decrease in the value of our asset. In the absence of a mutually acceptable alternative ramp design, we have engaged legal council to represent our interests.

1. **Site Access** – The proposed access is located just north of the 65 Ave SW alignment. This access is a fixed alignment which was approved by Council during the rezoning process in the late 1980's. The City of Calgary is a signatory on this access road which has intended to provide direct access to 1A St SW and the lands/businesses located between 1A St SW and the C Train right of way. The access also provides direct access for Home Depot, Bed, Bath and Beyond, Marks, Canadian Western Bank and A&W. The traffic volume increase wishing to use the proposed ramp and the above noted existing demand will create significant driver confusion at this access road and will severely compromise traffic and pedestrian safety.

The north access road is located directly south of the CIBC building and provides direct access to CIBC, Staples and the commercial loading area for Home Depot.

# ATLAS

The ramp structural supports either side of the driveway will compromise motorists sight lines and again compromise traffic and pedestrian safety.

2. The businesses which have located on the Chinook Station lands rely on visibility from Macleod Trail traffic. The Home Depot, Bed Bath and Beyond, Marks and Staples operations placed their stores at the east side of the property and require clear sight lines for their respective business identification.
3. Traffic Weaving Concerns – Our traffic consultant, the DA Watt Consulting Group reviewed the proposal and have prepared the following:

Our traffic consultants, Watt Consulting Group (WATT) have reviewed the document "Concept Evaluation Design Brief, ADDENDUM No. 1" (ADDENDUM) dated April 20, 2017 and prepared by Urban Systems for Cadillac Fairview Corporation Ltd. The document is an evaluation of the east side flyover ramp for the proposed expansion of Chinook Centre, taking cars from the east side of northbound Macleod Trail directly into the proposed parkade on the west side of Macleod Trail.

The report by Urban Systems states the following:

- *From a traffic operations and safety perspective, the weaving movement associated with westbound to northbound vehicles at Glenmore Trail trying to access a median-situated ramp facility in a short distance was a concern. The City is also exploring the possibility of adding a fourth through lane in the northbound direction along Macleod Trail, through the Glenmore Trail interchange. This would create a situation where westbound to northbound traffic originating from Glenmore Trail would need to weave across four lanes of traffic in less than 175m, which is the existing available weaving length measured to the point at which the existing, at-grade northbound to westbound left turn bay develops.*

This point appears to be in direct contradiction with the Transportation Impact Analysis (TIA) written by Bunt and Associates, dated January 17, 2017 for the project. Section 4.6 of the Bunt TIA states the following:

*In general the weaving vehicles in the model appear to be operating in a similar manner to what was observed in the field. For the southbound weave, weaving*

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*vehicles attempting to drive into the southbound left turn lane on Macleod Trail caused significant on-site queues and delays and the manoeuvre appeared unsafe when attempted. For the northbound weave, the model observations indicate that, as observed in the field, the gaps provided by the signal at the Glenmore & Macleod Trail intersection generally provides enough time for the westbound vehicles to drive onto Macleod Trail directly without using the add lane and merging over. The primary weaving concern is instead considered to be the conflict between westbound right turning vehicles that actually use the add lane and northbound vehicles attempting to turn into the BMO access. This observation further reveals the potential benefit of removing a portion of the add lane and only providing a short deceleration lane for northbound right turning vehicles to BMO access.*

As stated in the TIA, currently, the vehicles accessing Chinook Mall from westbound Glenmore Trail are not causing a safety concern due to weaving. The TIA does state that the primary weaving concern is instead the movement of vehicles from eastbound Glenmore Trail to the BMO access (65 Ave SW), in conflict with the vehicles travelling from westbound Glenmore Trail to northbound Macleod Trail, utilizing the add lane. By relocating the flyover access ramp to be directly north of 65th Av SW, will cause the weaving concern would be exacerbated. This is especially true, given the much greater volume of traffic expected to make this maneuver.

In referencing the classic gold standard design manual "Grundlagen Der Strassen-Verkehrstechnik Und Der Verkehrsplanung" (Principles of Traffic Engineering and Traffic Planning) by Werner Schnabel & Dierter Lohse, for roadways with interrupted flow and a speed of less than 80 km/h, the minimum weave distance required is 150 meters. The proposed weave distance of approximately 103 meters is inadequate to allow safe weaving of the traffic, in alignment with the observations of the Bunt TIA dated January 17, 2017. The German roadway design manual was referenced as the Highway Capacity Manual (HCM) only provides weave analysis for uninterrupted flow roadways at speeds greater than 80 km/h, which does not apply in this scenario.

In the US Department of Transportation NHTSA report titled "A Comprehensive Examination of Naturalistic Lane-Changes", March 2004, the literature review confirmed that the Tijerina et al. (1997) report determined that for city streets, lane change duration was between 3.5 and 6.5 seconds, with a mean of 5.0 seconds. Using the best-case



scenario of 3.5 seconds, the required time change necessary for vehicles moving from eastbound Glenmore to access the boulevard fly-over ramp would be 10.5 seconds, accounting for the 3 lanes needed to be crossed. In order to take the required 10.5 seconds to make the lane changes in the 103m distance would require traveling at a speed of 9.81 m/s, or 35.3 km/h, far below the 60 km/h speed limit for this section of roadway, further highlighting the inadequate distance to safely make the weave.

After evaluating the above noted information we must reiterate the proposal of using the east side of Macleod Trail for an access ramp to the new Chinook Centre 800 stall parkade is unacceptable. We would recommend that the alternative of using the northbound left turn lane for the 61 Ave intersection is a suitable location. It is our understanding that using the left hand turn bay for the ramp was the original concept from Bunt and Associates and we would support this alternative. From a traffic safety perspective the current weaving situation effectively remains the same. This is extremely important for motorists as their normal driving behavior is not impacted.

If you have any questions or would like us to attend any meetings before the project is considered at Calgary Planning Commission please contact Martin Halliday at 403 270 5933.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Michael Evans". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael Evans  
President  
Atlas Development Corporation