

**Transportation Report to
SPC on Transportation and Transit
2021 June 16**

**ISC: UNRESTRICTED
TT2021-0890
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Banff Trail Area Improvements – Access Bylaw For 2450 16 Avenue N.W.

RECOMMENDATION(S):

That the Standing Policy Committee on Transportation and Transit recommends that Council:

1. Give three readings to the proposed Bylaw to revise the all-turns access for 2450 16 Avenue N.W. onto 24 Street N.W. to egress (right-out) only. See Attachment 1.
2. Direct Administration to construct an egress (right-out) only access for 2450 16 Avenue N.W. onto 24 Street N.W. See Attachment 5, Figure 3.

HIGHLIGHTS

- The Banff Trail Area Improvements Project includes roadway improvements along 16 Avenue N.W., Crowchild Trail N.W., Banff Trail N.W. and 24 Avenue N.W.
- As part of the project, the service road on the north side of 16 Avenue N.W. has been removed and a new ramp from westbound 16 Avenue N.W. to northbound Crowchild Trail N.W. is being constructed.
- The removal of the service road and construction of the 16 Avenue N.W. to Crowchild Trail N.W. ramp requires modification of the access to the property at 2450 16 Avenue N.W. A prior access plan has not been agreed to by the owners and construction of a new configuration within public right of way is required.
- A Bylaw is required to modify the all-turns access to the property from 24 Street N.W. to an egress (right-out) only.
- Strategic Alignment to Council's Citizen Priorities: A city that moves

DISCUSSION

- As part of the Banff Trail Station Area Redevelopment Plan (ARP) approved in October 2011, a transportation study was completed that recommended the development of a road network within the ARP area, and construction of a new ramp from 16 Avenue N.W. to Crowchild Trail. See Attachment 2.
- The new ramp is also recommended as part of the Crowchild Trail Study approved in May 2017.
- As redevelopment of the Banff Trail area proceeds, portions of the future road network are being constructed. The full network is not yet built due to the pace of redevelopment, and a timeline on some portions is not available.
- As part of the Banff Trail Area Improvements Project, a new east-west connector lane from Banff Trail N.W. to the west has been built. The adjacent developer has recently built the north-south road from the connector lane to 16 Avenue N.W.; both new roadways can be seen in Attachment 3.
- The service road along 16 Avenue N.W. was removed to accommodate the construction of the new ramp, and the southern portion of 24 Street N.W. will be converted to northbound only to maintain access to businesses fronting 24 Street N.W.
- Access to 2450 16 Avenue N.W. is provided by an all-turns driveway from 24 Street N.W. on the west side of the parcel, and via an all-turns access onto 16 Avenue N.W. to the south that is accessed through the adjacent parcel via a mutual shared access easement. See Attachment 4, Figure 1.

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- With these road network changes, options for a revised access onto 24 Street N.W. were reviewed. The recommended access for 2450 16 Avenue N.W. onto 24 Street N.W. was a new right-in/right-out access and required a construction license from the property owners in order to construct. See Attachment 4, Figure 2. The property owners have indicated that they are not in favour of the recommended access change and will not enter into a construction license with The City to construct such proposed access. As a result, an egress (right-out only) is all that can be constructed to provide safe access within The City's road right of way. See Attachment 4, Figure 3.
- A Bylaw is now required to amend the access pursuant to section 28 of the Highways Development and Protection Act, S.A. 2004, c. H-8.5' (the "Act") to remove the all-turns access and modify such access to an egress (right-out) only access.
- The new access will be built once this Bylaw is approved.

STAKEHOLDER ENGAGEMENT AND COMMUNICATION (EXTERNAL)

- ☒ Public Engagement was undertaken
 - ☐ Public Communication or Engagement was not required
 - ☒ Public/Stakeholders were informed
 - ☒ Stakeholder dialogue/relations were undertaken
- 1) Public and Stakeholder Engagement was undertaken as part of the Banff Trail Area Improvement project. The following meetings and open houses were held:
 - October 29, 2018 – Public Open House
 - June 4, 2019 – Motel Village Business Session
 - June 11, 2019 – Public Open House
 - October 24, 2019 – Public Open House
 - Individual meetings with business owners began in April 2018 in the early design phase and have continued throughout the construction phase.
 - 2) Directly impacted businesses were informed of the project impacts and changes to the Banff Trail Area road network via mailed letters and in-person meetings.
 - 3) Discussions with the owners of 2450 16 Avenue N.W. began in April 2018, with the initial proposal for partial acquisition to install a small section of sidewalk and two construction licenses (for temporary construction access) made in January 2020. The City has met with the property owners multiple times and developed different access options for their consideration. Discussions continued until May 2021.
 - 4) A public notice is not required for the Bylaw and hence no engagement has been completed related to it.

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IMPLICATIONS

Social

Not Applicable

Environmental

Not Applicable

Economic

Retaining access to businesses fronting onto 24 Street N.W. was a key consideration in the design of the improvements for the Banff Trail area. As the area is under redevelopment and not all the internal roads envisioned in the ARP have been constructed, maintaining access was achieved by the construction of a one-way northbound connection from 16 Avenue N.W. to 24 Street N.W.

Service and Financial Implications

No anticipated financial impact

RISK

Section 28, of the Act allows The City to remove any direct physical means of access between a controlled street and land adjacent to the controlled street via a Bylaw. 24 Street N.W. is designated as a controlled street. The Banff Trail Area Improvements Project is underway, and The City and the property owners of 2450 16 Avenue N.W. have been unable to reach an agreement on revising the access point to/from their land into a right-in/right-out only access. As such, The City is required to obtain a Bylaw pursuant to the Act to remove ingress from 24 Street N.W. onto the adjacent land and create an egress (right-out only) access.

If Council approves the Bylaw, claims may be made for compensation by impacted landowners.

ATTACHMENT(S)

1. Attach 1- Proposed Bylaw
2. Attach 2- Banff Trail Station Area Redevelopment Plan
3. Attach 3- Banff Trail Area Improvements Connector Lane
4. Attach 4- 2450 16 Avenue N.W. Access Options
5. Public Submissions

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Doug Morgan	Transportation	Approve