

Civil Engineering · Planning · Surveying

March 21, 2023

Development Appeal Board

Foothills County
Box 5605 High River, Alberta
T1V 1M7

RE: Development Permit Application 22D 250

Applicant: Badke Consulting Ltd. c/o Legacy Storage Inc.

Landowner: Norman G. Carlson Estate

Appellant: Jack Zaitsoff c/o Cargill Ltd.

Legal: Plan 0815871, Block 1, Lot 1, and Plan 0815783, Block 2, Lot 1, S ½ 30-19-28 W4M

Appeal against the Approval of Development Permit 22D 250 for Recreational Vehicle Storage, Business Office, and Accessory Building.

Dear Honoured Board Members,

On behalf Darren and Marietta Edwards of Legacy Storage Inc. (Legacy), we are writing to provide Legacy's position regarding the above noted appeal against the approval of Development Permit 22D 250. In addition, we would like to provide the Board with information specifically in relation to transportation considerations that the appellant has raised.

First, we would like to note that Legacy is a family owned and operated Recreational Vehicle storage business with a current location in Calgary, in addition to the proposed location in Foothills County. After looking for properties throughout Foothills County, they discovered this location on 466 Avenue West, ideally set within an industrial use context with access to a major regional transportation corridor. The Edwards have since re-located to High River and are happy to call the Foothills region home. Ultimately, Legacy's Calgary location will cease operations in favour of the proposed Foothills location.

The following discussion focuses on the transportation concerns that have been raised by the appellant. The appellant has provided the following reason for their appeal:

"We disagree with the approval because Cargill is concerned that during high traffic flow times (weekend & long weekend) the traffic would be too much at the Highway 2A intersection and 466 Ave for tractor/trailers coming and leaving. On weekends or long weekends high volumes of tractor/trailers would be going through the intersection: with Cargills 500-600 tractors/trailers coming to the intersection each day. CP train coming 3 times a week to picks up rail cars on 466 Ave and block 466 Ave for 30 mins or more each time. It would be congested and traffic back up on 466 Ave and Highway 2A which would be a safety issue."

In initially preparing our Development Permit application, a review of transportation considerations was undertaken. Within the context area, numerous industrial commercial uses were identified, including that of the appellant, Cargill Ltd. As was noted in our application, Legacy's trip generation is highly seasonal, and generally opposite to typical business use. That is, with higher volumes typical during non-peak times, particularly during the weekend.

Anticipated traffic volumes to Legacy's proposed site were found to be a small fraction of the existing overhead traffic volumes generated by current businesses in the area and expected to have minimal impact. In addition, it was understood from speaking with Foothills County staff, that upgrades to the intersection at Highway 2A and 466 Avenue East were forthcoming at some point in the near-future, though no specific details were available to share at that time.

In order to provide an accurate response to the appellant's concerns relating to increased traffic, Bunt & Associates Engineering Ltd. (Bunt) was retained to prepare a Transportation Review and provide further confirmation of our expectations. Bunt's review concludes the following critical points regarding Legacy's site generated traffic:

- Analysis of Legacy's expected traffic will not appreciably affect the existing conditions,
- Inclusion of Legacy's traffic does not warrant signalization of the Highway 2A / 466 Avenue intersection,
- Legacy's traffic is not expected to block access to the Cargill site access.

Bunt's report, complete with additional details and analysis, is enclosed for the Board's review. It should be noted that Bunt's analysis is based on a conservative estimate of Legacy's anticipated trip-generation on existing conditions, including the existing highway intersection as it sits today. We have recently re-confirmed by telephone conversation with Mr. Jeff Edgington, Foothills County Manager of Infrastructure and Public Works, that Highway 2A / 466 Ave. E. intersection upgrades are imminent. Mr. Edgington was not able to share any specific details due to ongoing coordination with Alberta Transportation. Any forthcoming intersection upgrade would serve to further increase capacity and safety for all users, including Cargill Ltd., Legacy as well as future businesses within this commercial industrial area.

In addition, we would like to provide comment regarding the existing grade crossing at 466 Avenue and Canadian Pacific Rail's (CP) line. This grade crossing is identified on Transport Canada's TC Grade Crossing Inventory as TC Number 36620, located at Spur Mile Point 2.56 on the High River Spur of CP's Aldersyde Subdivision. The appellant has noted concerns relating to traffic queues impacting their site access while they are loading cars, which they indicate can block traffic at the grade crossing for 30-minutes or more. We note this is a public grade crossing and is federally-regulated. The following excerpt from Transport Canada's website relating to the Grade Crossings Regulations, which we understand come into full effect November 28, 2024, provides:

Blocked public grade crossings

Under the Grade Crossings Regulations:

- *Trains can't block a public grade crossing for more than five minutes when a road user needs to pass, unless the train is moving*
- *When emergency vehicles need to pass, railway companies must immediately clear any grade crossing*
- *If the municipality has a safety concern related to a grade crossing that is blocked, both parties must work together to find a solution. If no solution is found after 90 days, the municipality can contact Transport Canada*

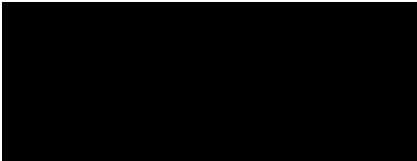
Source:

<https://tc.canada.ca/en/rail-transportation/grade-crossings/public-grade-crossings>

(Accessed 2023-03-21)

While we understand that Cargill Ltd. is concerned that Legacy's operations will negatively affect their business, we respectfully disagree. Legacy's business traffic is not expected to appreciably affect existing conditions. Further, forthcoming intersection upgrades should be expected to increase capacity and safety for all area users. In conclusion, we humbly request that the Board deny the appellants appeal and uphold the Development Officer's Approval of Development Permit 22D 250.

Sincerely Yours,
Badke Consulting Ltd.



Jeff Badke, Principal Consultant

Encl. (1)