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## CITY OF KELOWNA

# MEMORANDUM

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**Date:** January 16, 2002  
**File No.:** 8320-20  
**To:** City Manager  
**From:** Transportation Manager  
**Subject:** Feasibility Study for “Rails with Trails”

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### **Recommendation**

THAT Council receive the report of the Transportation Manager dated January 16, 2002 with Executive Summary on the Feasibility Study for a “Rails with Trails” project using the existing CNR right-of-way (R/W) through Kelowna;

AND THAT the 2001 Financial Plan be amended to include \$67,000 in funding for the Feasibility Study and for legal/negotiation costs with the appropriate authorities for the joint use of the CNR R/W;

AND FURTHER THAT staff be directed to begin negotiations with CN Rail and Kelowna Pacific Railway for the use of the CN R/W for a “Rails with Trails”.

### **Background**

The City’s Official Community Plan states that the City will continue dialogue with the CNR in regard to the potential integration of public transportation and utilities within the existing right-of-way. It also states that the City will endeavor to acquire additional bike routes through the use of the CNR rail right-of-way should it no longer be required for railway use. Discussions however with the rail operator indicated that the corridor would continue to be used for rail traffic for the foreseeable future.

In early 2001, in conjunction with the Regional Transportation Committee, staff made application to the Ministry of Community, Aboriginal and Women’s Services for a grant to assist in a feasibility study of integrating an active rail corridor with a trail. We were successful in getting \$42,750.00 in grant from the Province for a specialist consultant with the remainder of the budget being in-kind contributions by our Regional TDM staff. The Regional Transportation Committee passed a resolution to allocate \$25,000 from its own Regional TDM program which included in-kind staff contributions and costs for legal advice should the study show the concept to be feasible.

The feasibility study is now completed and the view of our consultant is that the concept of a commuter cycling/pedestrian trail sharing the existing CNR corridor is feasible. A copy of the consultant’s Executive Summary is attached. Our consultant is scheduled to provide PowerPoint presentation of the study to Council at its regular afternoon meeting on January 21, 2002.

As per the Transportation Division’s guidelines for communications, consultations have taken place with key stakeholders, adjacent property owners and the general public during the feasibility study. The key stakeholders included Kelowna Pacific Railway, CN Rail, the Ministry of Environment and the Ministry of Transportation. Generally the feedback during these consultations was positive with the exception of some adjacent property owners and the Land

Commission. The latter two were concerned about vandalism, litter control and public intrusion within their areas.

The steering committee on the project included representation from the City's Parks Division. The Parks Division's plans for a Mill Creek Linear Park were considered with this feasibility study with a view to combine the two trails into one where possible. This would be considered further during the design stage but it appears to be possible in areas east of Spall Rd.

Subject to Council's support for moving ahead with implementing the trail in phases, staff will need to enter into discussions/negotiations with both CN Rail and Kelowna Pacific Railway. Details of the project including items requested by the rail operator such as fences will be negotiated prior to reaching agreement for joint use of the R/W. Samples of agreements reached for other similar joint use R/W, acquired with the feasibility study, will help as a starting point for these discussions.

The City and the Regional District have entered into a competition with other municipalities across Canada for showcasing "green " transportation. The program, sponsored by Transport Canada, could provide federal funding of up to one third of the cost to implement the Rails with Trails. If we are successful, funding could be available as early as 2003. Council's direction is therefore sought to allow staff to proceed with negotiations for the use of the right-of-way. Funding of \$10,000 were approved by the Regional Transportation Committee in 2001 to allow for additional legal support during these negotiations.

The Budget amendments have no impact on the City's general taxation in 2002. Funding for the project has been paid for from the Provincial grant and the Regional TDM program.

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Ron Westlake, P.Eng.  
Transportation Manager

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John Vos, P.Eng.  
Director of Works & Utilities

RWW

cc. Financial Planning & Systems Manager  
Regional TDM Supervisor

Attach. Rails with Trails Feasibility Study – Executive Summary

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The following is a list of the attachments that are **not** available with the electronic version of this report. The attachments can be viewed in the City Clerk’s Department (3<sup>rd</sup> level, City Hall):

- Rails with Trails Feasibility Study, prepared by Hamilton & Associates