
CITY OF KELOWNA

MEMORANDUM

Date: March 12, 2002
File No.: 3900-20
To: City Manager
From: Transportation Manager
Subject: **Traffic Bylaw No. 8120**

RECOMMENDATION

THAT Council the proposed amendments to Traffic Bylaw No. 8120 as outlined in the report of the Transportation Manager dated March 12, 2002;

AND THAT second and third readings given Bylaw No. 8120 on July 30, 2001 under Resolution No. R613/01/07/30 be rescinded and the bylaw amended at first reading to include the proposed amendments;

AND FURTHER THAT Bylaw No. 8120, as amended, be read a second and third time.

BACKGROUND

The Traffic Bylaw is the legal document which houses all regulations related to traffic and the use of roadways within the City of Kelowna. The proposed bylaw was advanced for Council's initial consideration in June 2001. After addressing two issues requested by Council, Council passed a resolution to advance the proposed bylaw for second and third reading, which were subsequently approved in July 2001.

Ministry of Transportation Approval

The Ministry of Transportation has now reviewed the proposed bylaw. The Ministry noted concerns about the wording of the bylaw with respect to **Traffic Control Devices** and the **Placement** of signs on Provincial Arterial Highways. In this respect the Ministry amended the authority of orders issued by the City Engineer as follows:

6.1.3 Provincial Arterial Highways – Municipal Jurisdiction. Subsection 6.1.1(c) of this Part shall apply to **Highways** classified as arterial **highways** under Section 28 of the *Highway Act* on a case by case basis upon written permission of the Ministry of Transportation.

Sight-Lines -Intersection

Concerns have remained in reference to how the bylaw treats intersection sight-lines. The proposed bylaw had been previously amended to provide a true actual measurement of sight-lines from existing travel lanes versus the legal right-of-way. This provided a longer triangle of view which in turn, generally cut back on the amount of landscaping that could be affected by the bylaw. The proposed bylaw addresses the sight-lines at intersection in section 2.2.1 as follows:

2.2.1 **Intersection.** No **owner** or **occupier** of a corner lot at any **intersection** of two **highways** shall permit to be erected any **fence, retaining wall** or vegetation where it is within the vertical area contained within 1.0 and 3.0 metres above the finished grade of the abutting **highways**, and is within the triangular area indicated on Schedule "J" - Intersection Sightline Triangle, attached to this Bylaw. This triangular area shall be created by joining the following three points; the roadway point of intersection, the position of the stopped vehicle, and the sight distance clearance point, all as per Schedule "J".

Since the last review with City Council, the dimension under Position of Stopped Vehicle has been changed from 6.0 to 5.0 metres, which further lessens the impact on private property. Schedule "J" is attached to this memo.

However, in some few cases, the new bylaw will have more impact then the old bylaw where there is very little separation between the fronting road edge and the property line. The old bylaw used a measurement of eight (8) metres measured from the property corner. It is therefore proposed to limit the impact to no more than the previous bylaw in these special cases. The following section has therefore been added to section 2.2.1:

The amount of intrusion of the triangle area on private property shall be limited to no more than a distance of eight (8) metres measured back along both abutting and intersecting highways along the abutting property lines of the lot from the point of intersection of the highways.

Ron Westlake, P.Eng.
Transportation Manager

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

RWW

Attach. Schedule "J" – Bylaw 8120