

# REPORT TO COUNCIL



**Date:** June 5, 2012  
**To:** City Manager  
**From:** Land Use Management, Community Sustainability (PMc)  
**Application:** OCP11-0008/Z11-0062                      **Owner:** R 366 Enterprises Ltd.  
**Address:** 2241 Springfield Rd.                      **Applicant:** Ekistics Town Planning Inc.  
**Subject:** Supplemental Report                      (Paul Fenske)  
**Existing OCP Designation:** Multiple Unit Residential - Low Density  
**Proposed OCP Designation:** Mixed Use Commercial (Residential/Commercial)  
**Existing Zone:** A1 - Agriculture 1  
**Proposed Zone:** C4 - Urban Centre Commercial

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## 1.0 Recommendation

THAT Council receives for information, the Supplemental Report of the Community Sustainability Division dated June 5, 2012 with respect to the requested Traffic Impact Study for OCP11-0008, TA12-0001, and Z11-0062;

AND THAT Council waives the requirement for staff to review a Retail Impact Analysis with respect to OCP11-0008 prior to a Public Hearing;

AND FURTHER THAT the Official Community Plan Amendment Bylaw and the Zone Amending Bylaw be forwarded to a Public Hearing for further consideration.

## 2.0 Purpose

The above-noted files were presented to Council on November 26, 2011 for initial consideration and were given first reading. Not all information was available at that time (i.e. Development Engineering Comments) as a Transportation Impact Study had not been completed.

The primary purpose of this supplemental report is for Council to receive new information, largely with respect to engineering requirements associated with the development; and further, to forward the files to a Public Hearing on July 10, 2012. The supplemental report also seeks to waive the requirement for a Retail Impact Analysis.

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### 3.0 Land Use Management

A Transportation Impact Assessment (TIA) was determined necessary by the City's Transportation & Mobility (T&M) department, which had not been completed at the time of initial consideration of the applications by Council. Deferring the TIA requirement allowed Council<sup>1</sup> an opportunity to review the merits of the development proposal (and a related development at 2030 Benvoulin Rd/2190 Mayer Rd) without requiring the landowner to incur expenses should either proposal not be supported at first reading. A final, complete TIA was received from the applicant on May 4, 2012.

For the purposes of the TIA, the two development proposals were considered comprehensively. Ideally, two separate TIA's would have been produced that could stand alone for each project, however, the T&M were able to arrive at a compromise given the applicants request that the proposed developments be considered concurrently. In doing so, there are constraints on the analysis and the attribution of some engineering requirements to each individual project.

#### 3.1 Transportation & Mobility Recommendations

As a result of the above considerations, T&M recommends the following:

1. That Council not implement the suggested vehicle-based improvements at six intersections listed in the TIA.
2. That if Council wishes to approve the rezoning of the two subject properties, it will accelerate the timeframe upon which the congestion scenario will materialize.
3. As per the ToR, a parking study (vehicular and bicycle) is required to be completed; shall be completed prior to fourth reading.
4. That the developer be responsible for a portion of the active transportation and transit improvements, as well as some vehicular-based roadway improvements as outlined in the report prepared by the Development Engineering Branch (see attached).

#### 3.2 Retail Impact Analysis Recommendation

The request for a Retail Impact Analysis (RIA) was made based on the City of Kelowna 2030 Official Community Plan (OCP) as noted in Chapter 5, Commercial Land Use Policies which states;

5.25, Policy .1 Retail Impact Analysis (RIA). Commercial developments greater than 2,300 m<sup>2</sup> that would require an amendment to the OCP will be required to prepare, at the applicants' expense, a Retail Impact Analysis (see Chapter 17 for a definition) using Terms of Reference developed by the City.

Given that a City-initiated text amendment is in-stream that proposes a change to the OCP policy wording that grants Staff some discretion as to when a RIA would be triggered, this approach is considered appropriate for this development proposal. Given the location, surrounding land uses, and supporting infrastructure, it is Staff's position that a RIA report would not add value to the development proposal evaluation.

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<sup>1</sup> Initial consideration and first reading of these files was considered by the former Council.

**4.0 Application Chronology**

Date of Application Received: July 19, 2011  
Advisory Planning Commission: September 27, 2011  
First Reading by Council: November 28, 2011  
Completed TIS Submission: May 4, 2012  
Completed TIS Review: May 25, 2012

**Report prepared by:**

Paul McVey, Land Use Planner

**Reviewed by:**



Danielle Noble, Manager of Urban Land Use

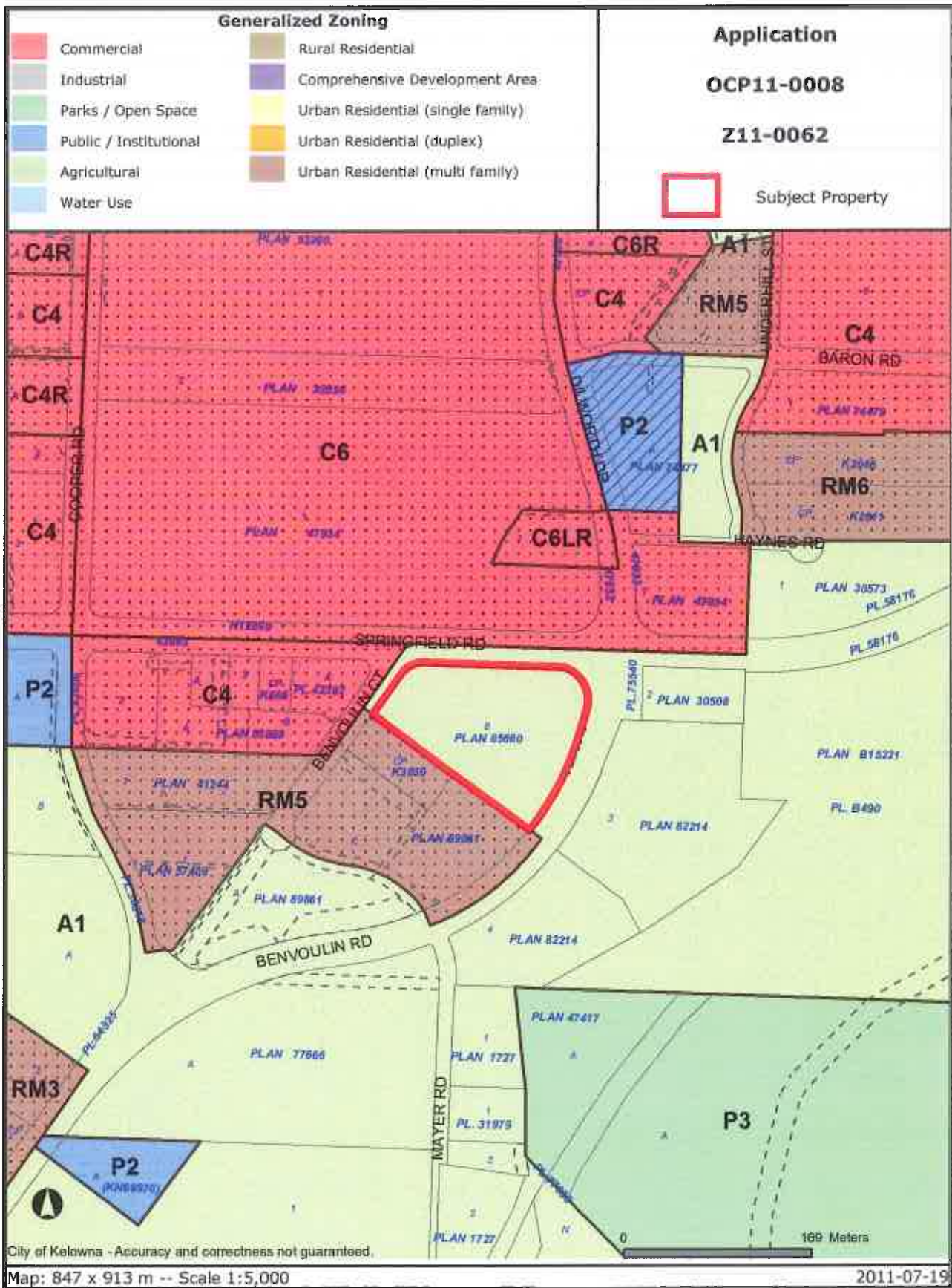
**Approved for Inclusion:**



Shelley Gambacort, Director of Land Use Management

**Attachments:**

Development Engineering Requirements



*Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only. The City of Kelowna does not guarantee its accuracy. All information should be verified.*

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**CITY OF KELOWNA**  
**MEMORANDUM**

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**Date:** June 13, 2012 (revision 7)  
**File No.:** Z11-0062  
**To:** Land Use Management (GS)  
**From:** Development Engineering Manager (SM)  
**Subject:** 2241 Springfield Road- Lot B, plan 85660 – Mission crossing (West development)

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Development Engineering requirements associated with this development application to rezone the subject property from A1 to C4 zone are as follows:

**1. Subdivision.**

- a) Dedicate the necessary road widening along Springfield Road to accommodate the frontage upgrades identified in paragraph 6 a) Springfield Road.
- b) Provide a utility right of way for the protection of the Fortis BC (Gas) plant located along the frontage of Benvoulin Court.
- c) Provide easements as may be required.

**2. Geotechnical Study**

A preliminary Geotechnical prepared by Geo Pacific Consultant dated July 16, 2007 indicates that the property is well suited for the proposed development, and it is recommended that the recommendations confirmed upon review of the final development design of the development.

**3. Domestic Water and Fire protection.**

- a) The subject property is serviced by the Municipal water distribution system and a service has been installed at the property line. Any changes to the existing domestic water services to accommodate the proposed development will be at the developer's cost
- b) The applicant is to confirm with the City of Kelowna water division that the supply of domestic water and fire protection is achievable in accordance with the City standards for the proposed development.

**4. Sanitary Sewer.**

- a) The subject property is serviced by the Municipal wastewater collection system and a service has been installed at the property line. Any changes to the sanitary sewer service to accommodate the proposed development will be at the developer's cost.
- b) Due to the reconfiguration of the original layout, the subject property has two sanitary sewer services. One of the services must be removed at the owner's expense. The



estimated cost of removing one sanitary sewer service is **\$8,400.00** inclusive of a bonding escalation.

- c) An application for inclusion in the Specified Area service boundary must be made and an administration levy of **\$250.00** is required to incorporate this development into Sewer service area # 1.

**5. Drainage.**

- a) The subject property is serviced by the Municipal storm drainage system and a service has been installed at the property line. Any changes to the storm sewer service to accommodate the proposed development will be at the developer's cost.

**6. Road improvements.**

a) Springfield Road.

Springfield Road is a major arterial road and the road upgrades triggered by this development consist of a bicycle lane, barrier curb & gutter, storm drainage, landscaped boulevard complete with irrigation, grass & approved trees, concrete sidewalk etc. including relocation and/or removal of utilities as may be required. A preliminary design must be submitted in order to determine the width of the transportation infrastructure to determine the Springfield Road additional dedication triggered along the subject property and estimate the cost for bonding purpose.

b) Benvoulin Court.

Benvoulin Court is a collector road and the road upgrades triggered by this development consist of a bicycle lane, barrier curb & gutter, storm drainage, landscaped boulevard complete with irrigation, grass & approved trees, concrete sidewalk etc. including relocation and/or removal of utilities as may be required. A preliminary design must be submitted in order to determine the width of the transportation infrastructure to determine the Springfield Road additional dedication triggered along the subject property and estimate the cost for bonding purpose.

c) Benvoulin Road.

The applicant is responsible to replace the dropped portion of curbs with a barrier curb, construct a new driveway and complete the landscaping with irrigated grassed boulevard and approved trees. The estimated cost for this work, for bonding purpose must be determined.

**7. Traffic and Mobility.**

a) History

Over the past decade, the landowner has had two TIAs prepared in the past for the two properties that are the subject of this application. Although TIAs were completed for similar land uses in previous applications, they could not be used in support of the current application for the followings reasons:

- 1) The land uses proposed as a part of this application are different to those in the previous versions. Changed land uses result in different trip generation rates, and hence, different results.

- 2) In previous iterations, unique land uses such as the Seasonal Farmers Market and the permanent market were evaluated using generalized parameters, and not localized, Kelowna specific conditions.
- 3) The highest demand timeframe for the combined site and adjacent land uses, Saturday, had not been previously evaluated.
- 4) These applications fall under the 2030 OCP, and hence policies, goals, and objectives of the community have changed. Furthermore, the subject properties fall within newly identified town centres with significantly differing objectives as compared to previous OCPs.
- 5) The ToR acknowledged not only the unique nature of the proposed land uses, but also many OCP goals and objectives, including a higher tolerance for congestion as compared to any previous transportation impact assessments completed in the area, and the desire to achieve 45% maximum auto mode split within town centres. This latter point resulted in the use of a vehicle mode share that is significantly less than any other conceived in Kelowna. (i.e. vehicle trip generation rates that are much lower as compared to typical industry standard rates used today). The mode share was conversely increased for active modes and transit to reflect the 'person desire' to frequent the site.
- 6) The completed TIA was received by T&M on April 16, 2011 with initial feedback provided to the developer's consultant Mr. Trevor Ward on April 30. Supplementary information was provided from EBA/Ward to T&M through to May 4.

b) TIA Conclusions In Brief

The results of the TIA indicate, despite increased tolerance of congestion and reduced trip generation rates, that the City and the Ministry of Transportation and Infrastructure (MoTI) would be required to invest VERY substantial sums of money into roadway infrastructure to achieve measurable outcomes that support vehicular travel through the area. These improvements would be required WITHOUT including the additional trips due to the proposed development.

The level of improvements required (NB: not a comprehensive list), as identified through the TIA, and as noted, by City staff in subsequent evaluations, are as follows:

- 1) Springfield Road/Spall Road:
  - 3 westbound through lanes, plus a dedicated right turn bay (City determined length would need to be 125m to accommodate forecasted queues)
  - a dual eastbound left turn
  - a dual southbound left turn
- 2) Springfield Road Intersections between Spall Road and Cooper Road:
  - Most would require signalization
  - This would include major commercial driveways such as at Orchard Plaza
- 3) Springfield Road/Benvoulin Road/Dilworth Drive:
  - Dual left turns on eastbound and westbound approaches
  - Significant volumes of pedestrians on all legs received little time to cross in this evaluation

- The City re-evaluated the intersection and determined that a unique type of intersection called a Continuous Flow Intersection (CFI) would be a better candidate at this location to balance pedestrian and vehicle demands on the intersection, particularly the heavy left turn movements
- in either solution, land would be required, likely from the west parcel of the proposed development and from the ALR. The amount of land required will have to be determined based upon a preliminary design.

4) Dilworth Drive/Baron Road

- Add a dedicated westbound left turn bay of 150m in length
- City staff determined that the length of the bay would need to extend to Underhill Street and would require land from the property to the south (currently SD23 administration)
- City staff also recognizes that to implement this configuration, significant realignment of the west leg on Orchard Park property would be required

5) Drive/Orchard Park/Strip Mall Driveway Access

- Restrict all left turn movements
- City staff identify that this has access implications to both the Orchard Park site, but even more dramatic to the strip mall property on the east side of the street, which would lose all but right in/right out access

6) Highway 97 (Harvey Avenue)/Dilworth Drive

- 4 through lanes required on Highway 97 (TIA acknowledges that this is an unrealistic improvement)
- dual left turn lanes on all approaches
- City staff recognizes that widening on south leg to accommodate dual left turns would require removal of a portion of the strip mall parking lot

The TIA concluded that additional traffic added from the proposed site triggered a few additional minor conventional improvements.

c) Evaluation

- 1) T&M evaluated the cumulative information provided by EBA/Ward. It becomes evident, when looking at the significant scope of the required improvements in the above section, that this area will reach significant levels of congestion by 2023, just a decade away, throughout many periods of the day.
- 2) Many of the improvements, whilst technically feasible, will be extremely costly in many ways: capital cost, maintenance costs, land requirements, disruption to existing land owners and tenants, etc. Not one of these improvements is currently envisioned in the 20 year capital plan and thus taxation and/or other sources of funds would need to be established. The land owner, somewhat justifiably, stated in the TIA that the improvements are not the responsibility of the development.
- 3) Furthermore, this approach directly contravenes the pillars of sustainability, as well as the intent and spirit of the 2030 OCP, particularly policies 7.6.1, 7.7.1, 7.7.2, 7.8.5, and 7.10.1.



- 4) Significant diversion of funds away from vehicle-based projects to active transportation and transit based improvements in this, and other Town Centres, (following OCP objectives) is required to influence the trip making and modal split choices.

d) Recommendations

As a result of the evaluation above, it is T&M's recommendation:

- 1) That Council NOT implements the suggested vehicular based improvements at the six intersections listed in The TIA Results in Brief section.
- 2) That if Council wishes to approve the rezoning of the two subject properties, it will accelerate the timeframe upon which the congestion scenario will materialize.
- 3) As per the agreed upon ToR, a parking study (vehicular and bicycle) is required to be completed; shall be completed prior to fourth reading.
- 4) That the developer shall be responsible for a portion of the active transportation and transit improvements, as well as some vehicular based roadway improvements as outlined in the following section:

e) Required off-site Improvements

(Details to be established to meet conditions of fourth reading)

- 1) Completion of the Benvoulin Court to Benvoulin Road active transportation connection on the south side of the west parcel; to be designed with urban streetscape/urban design principles based upon a theme (must include cycling infrastructure).
- 2) Completion of a link from Springfield Road at Benvoulin Court to the Orchard Park Transit Exchange (must include cycling infrastructure).
- 3) Remove the Southbound left turn opportunity for vehicles onto Benvoulin Road. Install traffic signals, signalized crosswalk across the Cooper Road leg of the intersection, cycle push-button and bicycle infrastructure (facilitating all turns) at the of Benvoulin Road Cooper Road, intersection.
- 4) Install crosswalk, cycle push-button and bicycle signal infrastructure at the East and South legs of the Springfield Road/Benvoulin Road intersection.
- 5) Install standard crosswalk at the south leg of the Springfield Road/Benvoulin Court intersection.
- 6) Install traffic signals, crosswalks and pedestrian signal infrastructure at the Mayer Road Benvoulin Road intersection.
- 7) A midblock signalized crosswalk, cycle push-buttons and bicycle signal infrastructure crossing Benvoulin Road, aligned at the Benvoulin Court to Benvoulin Road link.

- 8) Widening and ramp improvements at the existing north-south crosswalk on Springfield Road at Benvoulin Court.
  - 9) Install cyclist push-button and bicycle signal infrastructure at the Springfield Road and Durnin Road intersection.
  - 10) Install cyclist push-button and bicycle infrastructure at the Springfield Road and Leckie Road intersection.
  - 11) Complete a multi-use corridor connection to Mission Greenway as direct as possible, avoiding environmentally sensitive areas.
  - 12) Install cyclist push-button and bicycle infrastructure at the Dilworth Drive and Baron Road intersection
- f) Transit (details to be established to meet conditions of fourth reading and are subject to BC Transit approvals).
- 1) Provide bus shelters and at all bus stops within 300 m. of the development
  - 2) The development layout must be designed with the vision to ultimately reroute the Benvoulin/Cooper bus service oriented to the Orchard Park bus exchange along Benvoulin Road between Cooper Road and Springfield Road.
  - 5) Provide transit infrastructure on the east property site that accommodates a bus stop and bus permeation to/from the site for HandiDart service.
  - 6) To encourage transit trips to the proposed farmer's market, the development layout must be designed with the vision to accommodate the ultimate circuit of Route 9 – Shopper Shuttle, at Orchard Park Mall shall be extended through to Mayer Road in the south, and loop through the property.
  - 7) For existing Route 11 – Rutland an additional stop on Springfield Road shall be installed just downstream of Dilworth Drive signals (per direction).
  - 8) For a modified Route 4 – Pandosy-UBCO express, install UBS2 stops on Benvoulin Road (per direction).
  - 9) Add transit Signal Priority (TSP) infrastructure at the Benvoulin Court/Benvoulin Road crosswalk link, at the Benvoulin Road/Dilworth Drive and at the Dilworth Drive/Baron Road intersections.
- g) On-site General issues (Advance notice to Development Permit stage)
- 1) Sidewalks should be continued across driveways or accesses at-grade, and vehicles come to sidewalk grade by means of letdowns in the boulevard.
  - 2) Adequate lighting and visibility should be ensured for all sidewalk and trail connections.

- 3) Visibility should be maintained near accesses and at pedestrian/trail crossings by keeping the corners clear of vegetation and other sight obstructions.
- 4) Signs and maps should be provided on-site to disseminate information on available non-auto facilities.
- 5) Provide facilities along sidewalks/paths to the main entrances to shopping centres or retail complexes from the public right of way and the Benvoulin Court/Benvoulin Road link. The applicant must work with the Orchard Park Mall to formalize a pedestrian pathway through their parking lot from Springfield to the Mall entrance.
- 6) New on-site sidewalks on both sides of all new roads/accesses connecting to the external road network and trails.
- 7) On-site sidewalks connected by means of ramps, crosswalks and driveway letdowns, as appropriate.
- 8) Provide separated bicycle lanes/cycle tracks on the main accesses into the development properties to ensure safe movement into and out of the development.
- 9) Bicycle parking types, amount, and locations to be determined through parking study.
- 10) Provide way finding signage within the study area for all active modes (cycling and walking) per City of Kelowna draft guidelines, for orientation of users within the area.
- 11) Install traffic calming measures, such as but not limited to, corner bulges and speed tables on-site.
- 12) As indicated in the TIA, establish a carpool and ride sharing program (including shuttle services) for the subject properties and shall be managed into perpetuity by the land owner; the program shall continually evolve to meet the objective of 45% maximum auto mode split to the Town Centre.
- 13) As indicated in the TIA, provide an employee transit pass program to be operated into perpetuity by the land owner; the program shall continually evolve to meet the objective of 45% maximum auto mode split to the Town Centre.
- 14) As indicated in the TIA, provide Integration of active modes support facilities (showers, lockers, grooming stations) is required on site to the satisfaction of the City of Kelowna Land Use Management and Transportation & Mobility Staff.
- 15) Parking requirements to be determined through study.

The requirements identified in the Traffic and Mobility section must be addressed in a pre-design to be reviewed by the Transportation & Mobility Branch and will have to be financially secured prior to the adoption of the zone amending Bylaw.

**8. Power and Telecommunication services.**

The property is located with the Urban Town Center therefore the existing overhead distribution system must be relocated underground. The services to and within this development are to be installed underground. It is the developer's responsibility to make an application to the respective utilities companies. The utility companies are then required to obtain the City's approval before commencing their works.

**9. Street Lights**

Street lights must be installed on all roads in accordance as per Bylaws requirements. Design drawings to include level of illumination plan.

**10. Design and Construction.**

- a) Design, construction supervision and inspection of all off-site civil works and site servicing must be performed by a Consulting Civil Engineer and all such work is subject to the approval of the City Engineer. Drawings must conform to City standards and requirements.
- b) Engineering drawing submissions are to be in accordance with the City's "Engineering Drawing Submission Requirements" Policy. Please note the number of sets and drawings required for submissions.
- c) Quality Control and Assurance Plans must be provided in accordance with the Subdivision, Development & Servicing Bylaw No. 7900 (refer to Part 5 and Schedule 3).
- d) A "Consulting Engineering Confirmation Letter" (City document 'C') must be completed prior to submission of any designs.
- e) Before any construction related to the requirements of this subdivision application commences, design drawings prepared by a professional engineer must be submitted to the Development Engineering Branch. The design drawings must first be "Issued for Construction" by the City Engineer. On examination of design drawings, it may be determined that rights-of-way are required for current or future needs.

**11. Servicing Agreements for Works and Services**

- a) A Servicing Agreement is required for all works and services on City lands in accordance with the Subdivision, Development & Servicing Bylaw No. 7900. The applicant's Engineer, prior to preparation of Servicing Agreements, must provide adequate drawings or reports and estimates for the required works. The Servicing Agreement must be in the form as described in Schedule 2 of the bylaw.
- b) Part 3, "Security for Works and Services", of the Bylaw, describes the Bonding and Insurance requirements of the Owner. The liability limit is not to be less than \$5,000,000 and the City is to be named on the insurance policy as an additional insured.

**12. DCC Credits.**

None of the required improvements qualify for DCC credit consideration, as these upgrades are not identified in the current DCC schedules.

**13. Bonding and Levies Summary.**

a) Performance Bonding

Benvoulin Court frontage upgrade  
Benvoulin Road frontage upgrade

**To be determined  
To be determined**

Total performance bonding

**To be determined**

c) Traffic & Mobility transportation network upgrades

Developer contribution  
City contribution

**To be determined  
To be determined**

b) Levies

Specified Area inclusion fee  
Decommission one wastewater service

**\$ 250.00  
\$8,400.00**

Total levies

**\$ 8,650.00**

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Steve Muenz, P. Eng.  
Development Engineering Manager

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