

May 25, 2021

To Infrastructure and Environment Committee Chair and Members:

Re: Regulatory Clarity for Cargo E-bikes

Last year, Toronto City Council adopted by-law amendments arising from [Item 14.11 Regulatory Clarity for E-Cargo Cycles](#) to allow for expanded use of pedal-assisted cargo e-bikes weighing not more than 120kg by residents and businesses. Toronto's proactive policies made it possible for cars and delivery trucks to be replaced by cargo e-bikes – a popular, sustainable, and viable mode of transportation for residents doing shopping, or for businesses making deliveries on the City's new and existing bike lanes and cycle tracks.

As observed since the onset of the pandemic, the popularity of cargo e-bikes has increased as more people seek green and safe alternatives to get around the City, and more businesses use cycling solutions to meet their corporate targets for reducing greenhouse gas (GHG) emissions while delivering goods in urban areas. The many benefits include: reducing transportation-related GHGs and air pollutants, reducing traffic congestion, and creating more vibrant public spaces and amenities such as outdoor dining.

Since last year's report, the Province has released [O.Reg 141/21 Pilot Project – Cargo Power-Assisted Bicycles](#) in early March, and more recently, has changed the weight threshold for cargo e-bikes to 55kg. Any cargo e-bike weighing over 55kg on public infrastructure now requires municipalities to opt-in and change their by-laws to allow for their use on specified public infrastructure.

The new provincial regulations require updating the City's by-laws and definitions to align them and to continue allowing cargo e-bikes weighing not more than 120kg to be used on bike lanes and cycle tracks, as approved last year in [Item 14.11](#).

In addition, the City of Toronto has an opportunity to further develop its regulatory framework to allow for larger cargo e-bikes weighing *more than* 120kg to be piloted. A pilot project with larger cargo e-bikes would allow the City to evaluate their use and impacts on the City's infrastructure and the reduction of GHGs to support the City's TransformTO strategy. A full regulatory framework and pilot program are being consulted on, and developed with key stakeholders, and we request that City staff report back on a micromobility strategy encompassing all different types of e-bikes, including larger cargo e-bikes, by the fourth quarter of 2021.

Recommendations:

1. Infrastructure and Environment Committee direct the General Manager, Transportation Services, to report directly to the June 8-9, 2021 meeting of City Council on the regulatory clarity for cargo e-bikes.
2. City Council amend Section 886-1C of City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths, Bicycle Lanes and Cycle Tracks, by inserting the phrase "§ 886-10," after the phrase "as used in".
3. City Council amend the definition of "bicycle" in Section 886-1C of City of Toronto Municipal Code Chapter 886, Footpaths, Pedestrian Ways, Bicycle Paths, Bicycle Lanes and Cycle Tracks, by inserting the phrase "a cargo power-assisted bicycle with a continuous rated output power not exceeding 500 watts and weighing not more than 120 kilograms unladen," after the phrase ("pedelec)," such that the defined term of "bicycle" would then read as follows:

"BICYCLE - Includes a bicycle, tricycle, unicycle, a power-assisted bicycle which requires pedalling for propulsion ("pedelec"), a cargo power-assisted bicycle with a continuous rated output power not exceeding 500 watts and weighing not more than 120 kilograms unladen, or other similar vehicle, but does not include any vehicle or bicycle capable of being propelled or driven solely by any power other than muscular power."
4. City Council amend the definition of "vehicle" in Section 950-101B of City of Toronto Municipal Code Chapter 950, Traffic and Parking, by inserting the phrase ", cargo power-assisted bicycle with a continuous rated output power not exceeding 500 watts and weighing not more than 120 kilograms unladen," after the word "bicycle" such that the defined term of "vehicle" would then read as follows:

"VEHICLE - Includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle, cargo power-assisted bicycle with a continuous rated output power not exceeding 500 watts and weighing not more than 120 kilograms unladen, and any vehicle drawn, propelled or driven by any kind of power, including muscular power but does not include a motorized snow vehicle, streetcar, in-line skates, skateboards, coasters, scooters, toy vehicles, toboggans, sleighs or other similar devices."
5. City Council amend Section 950-201B of City of Toronto Municipal Code Chapter 950, Traffic and Parking, by inserting the phrase "or cargo power-assisted bicycle with a continuous rated output power not exceeding 500 watts and weighing not more than 120 kilograms unladen" after the phrase "leave a bicycle".

6. City Council amend Section 950-201C(1) of City of Toronto Municipal Code Chapter 950, Traffic and Parking, by inserting the phrase "and a cargo power-assisted bicycle with a continuous rated output power not exceeding 500 watts and weighing not more than 120 kilograms unladen," after the phrase "for propulsion ("pedelec")," such that subsection (1) would then read as follows:

(1) For the purposes of § 950-201C(2), BICYCLE shall be defined as including a bicycle, tricycle, unicycle, a power-assisted bicycle which weighs less than 40 kilograms and requires pedalling for propulsion ("pedelec"), and a cargo power-assisted bicycle with a continuous rated output power not exceeding 500 watts and weighing not more than 120 kilograms unladen, or other similar vehicle, but does not include any vehicle or bicycle capable of being propelled or driven solely by any power other than muscular power.
7. City Council amend Section 950-201E of City of Toronto Municipal Code Chapter 950, Traffic and Parking, to include the phrase ", cargo power-assisted bicycle with a continuous rated output power not exceeding 500 watts and weighing not more than 120 kilograms unladen," after the phrase "ride a bicycle".
8. City Council authorize the City Solicitor to make application to the Province of Ontario, Ministry of the Attorney General, and/or Regional Senior Justice to establish any new/revised set fine short form wording under the Provincial Offences Act, as necessary, as may be identified by the City Solicitor or the General Manager, Transportation Services, in order to give effect to Parts 2 to 7, inclusive, above.
9. City Council authorize the City Solicitor to introduce the necessary bills to give effect to City Council's decision, and City Council authorize the City Solicitor to make any necessary clarifications, refinements, minor modifications, technical amendments, or by-law amendments as may be identified by the City Solicitor or the General Manager, Transportation Services, in order to give effect to Parts 2 to 8, inclusive, above.
10. City Council request that the General Manager, Transportation Services, report to the Infrastructure and Environment Committee in the fourth quarter of 2021 on the proposed micromobility strategy for different power-assisted bicycles (e-bike types), including larger cargo e-bikes over 120kg in unladen weight, and their regulatory and infrastructure considerations.

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Thank you,



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