

Large Multi-Passenger Pedalled Vehicles (Quadracycles) Pilot

Date: May 27, 2022

To: General Government and Licensing Committee

From: General Manager, Transportation Services; and Executive Director, Municipal Licensing & Standards

Wards: All

SUMMARY

This report seeks a Council decision regarding the City opting-in to the Large Quadracycle Pilot Project made under the Highway Traffic Act (HTA) and to update sections of Chapter 545 and Chapter 950 of the Municipal Code to enable that opt-in by licensing large quadracycles under the existing Pedicab By-law.

"Large quadracycles" are bicycles seating 12 or more people with one person having control of steering, braking, etc. Some have electric assist. On April 29, 2022, the General Government and Licensing Committee (GGLC) considered a report from Municipal Licensing and Standards (MLS) on the topic of allowing large quadracycles to operate as pedicabs under Chapter 545. GGLC recommended that eight pedicab licenses be issued to large quadracycles for 2022. On May 11, 2022, Council referred that issue to the General Manager, Transportation Services.

The Large Quadracycle Pilot Project made under the HTA, formalizes the definition of a large quadracycle. It gives municipalities the opportunity to allow large quadracycles and to restrict their use in ways unique to each jurisdiction. MLS advises that for commercial licensing purposes, large quadracycles fall within the definition of pedicabs.

If Council chooses to opt-in to the Pilot Project, this report recommends two additions to Chapter 545, specific to pedicabs which are large quadracycles. MLS also requests direction on temporarily limiting the number of pedicab licences issued to large quadracycles.

RECOMMENDATIONS

The General Manager, Transportation Services and the Executive Director, Municipal Licensing and Standards recommend that:

1. City Council opt-in to pilot large quadricycles under O.Reg. 411/22: Pilot Project - Large Quadricycles made under the Highway Traffic Act as outlined in the report (May 27, 2022) from the General Manager, Transportation Services, and the Executive Director, Municipal Licensing & Standards, titled "Large Multi-Passenger Pedalled Vehicles (Quadricycles) Pilot."
2. City Council amend City of Toronto Municipal Code Chapter 950, Traffic and Parking, by inserting in Section 950-101B, under the definition of "VEHICLE" the term "large quadricycle," after the term, "cargo power-assisted bicycle,";
3. City Council amend the City of Toronto Municipal Code Chapter 545, Licensing, to create additional requirements for large quadricycles operating as pedicabs as follows:
 - a. by inserting the following new definition in Section 545-1 in alphabetical order, to read as follows:

"LARGE QUADRICYCLE" - As defined in the Highway Traffic Act and its regulations and/or successors and includes non-assist large quadricycles and electric-assist large quadricycles as defined therein."
 - b. by adding to the end of Section 545-21A the following sentence, "Where a pedicab is a large quadricycle, every owner shall, in respect of each pedicab that is a large quadricycle for which a licence is held, obtain, maintain and pay for a liability insurance policy to cover the offering and operating of each such pedicab for hire with a limit of not less than \$2 million combined bodily injury, death and property damage, exclusive of costs and interest, for any one accident or occurrence."
 - c. by adding a new Section 545-29.3, "Where a pedicab is a large quadricycle, it may not operate on any roadway for which the General Manager, Transportation Services, has not given prior written approval. The General Manager Transportation Services may amend or revoke any approval granted, upon at least 48 hours' notice.
4. City Council direct the Executive Director, Municipal Licensing and Standards, to issue no more than eight pedicab licences for large quadricycles, with a maximum of 16 passengers per pedicab, and no more than four pedicab licences to be issued for large quadricycles for any single operating company. Each licence shall be for the period of one year.
5. City Council direct the Executive Director, Municipal Licensing and Standards in consultation with Transportation Services, Economic Development and Culture and other divisions, as appropriate, to consult with relevant stakeholders, including emergency services and the Toronto Transit Commission, and the public on the impacts

of large quadricycles on city streets and any proposed regulatory changes, and to include a summary of these consultation efforts and proposed amendments to the regulation of large quadricycles in a report to the appropriate Committee(s) in the first quarter of 2023.

6. 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, Executive Director, Municipal Licensing and Standards, or General Manager, Transportation Services, in order to give effect to Parts 1 to 5, inclusive, above.

FINANCIAL IMPACT

There are no current or known future year financial impacts arising from the recommendations contained in this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact Section.

DECISION HISTORY

City Council, at its meeting on May 11, 2022, referred the issue of Large Multi-Passenger Pedalled Vehicles on City Streets to the General Manager, Transportation Services and directed the General Manager of Transportation Services to report directly to City Council no later than the July 2022 meeting.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.GL30.11>

COMMENTS

"Large quadricycles" are bicycles seating 12 or more people with one person having control of steering, braking, etc. Some have electric assist. Large quadricycles have a variety of potential uses such as in charitable events and parades. The most common use is when they are operated as a tour vehicle for groups to travel between pubs or other destinations. Such businesses target tourists, corporate social events and parties; they typically operate on a fixed route and fixed schedule with each group.

Chapter 545, Licensing, defines a pedicab as a vehicle drawn, propelled, or driven by human muscular power, with or without the assistance of an electric motor, and includes a pedal powered rickshaw. Pedicab owners and drivers are required to obtain a business licence to operate, and to comply with other provisions of Chapter 545 requiring the vehicles to be clean, in good repair, and have insurance, among other things. Chapter 545 limits the number of passengers to two per pedicab, unless the Executive Director approves any increase.

For commercial licensing purposes, large quadricycles fall within the definition of pedicabs. The amendment recommended in this report also opens opportunity for large quadricycles to be used for non-commercial purposes (e.g. special events, charitable rides) without licensing from MLS. Transportation Services will monitor and include relevant feedback in the referenced 2023 report.

Decision History

At its April 29 meeting, the City's General Government & Licensing Committee (GGLC), considered a report from Municipal Licensing and Standards and Legal Services on [Large Multi-Passenger Pedalled Vehicles on City Streets](#). The report requested Council direction on whether the Executive Director, MLS, should issue two licenses to "Large Multi-Passenger Pedalled Vehicles" (otherwise known as large quadricycles) that would operate as pedicabs with up to 16 passengers and require holders of such licences to maintain a minimum of \$2,000,000 in insurance, or to refuse issuance of licences pending further reporting on the matter.

After the agenda was posted but before the GGLC meeting, the City received notification that O.Reg. 411/22: Pilot Project - Large Quadricycles had been made under the Highway Traffic Act to enable trialing of this type of pedalled vehicle for a period of 10 years. This regulation prohibits the use of large quadricycles on all roads except when a municipality opts into the Pilot Project by creating applicable by-laws for large quadricycles to operate in their jurisdictions. If large quadricycles are to operate in Toronto, it is necessary for the City to opt-in to the Pilot Project.

On April 29, 2022, GGLC decided to recommend to Council that the City issue eight pedicab licences to large quadricycles. This motion from GGLC was considered by City Council at its meeting on May 11, 2022. Councillors expressed questions and concerns about traffic impacts, conflict with special events and with large construction projects and sought more information from Transportation Services. The report was referred to the General Manager of Transportation Services who was directed to report directly to City Council no later than the July 2022 meeting.

Large Quadricycle Pilot Program - Ministry of Transportation of Ontario

The newly announced O.Reg. 411/22: Pilot Project - Large Quadricycles under the Highway Traffic Act provides that a large quadricycle must:

- Have a maximum operating speed of 16km/hr on a level surface
- Have a single seat from which the vehicle is steered and controlled
- Have a minimum of 12 seating positions, at least one of which is reserved for a licenced driver and not equipped with pedals
- Display a slow-moving vehicle sign on the rear of the large quadricycle
- Meet safety equipment requirements including being equipped with a steering wheel, service brakes, parking and/or emergency brakes, rear-view mirror, horn or bell, good-quality tires, head lights, tail lights, turn signals, brake lights and reflectors.

O.Reg. 411/22 further stipulates that when operating a large quadricycle:

- The driver must have a valid Ontario driver's licence

- Number of passengers must be less than or equal to the number of seating positions available
- Passengers of all ages are allowed as long as their feet can reach the pedals and hands reach the shelf; otherwise they must sit on the back bench
- Passengers under 18 must wear bicycle helmets
- Large quadricycles must not operate on roads with speed limits exceeding 80km/h and do not need to stop at railway crossings.

The regulation gives latitude for municipalities to further restrict how and where these vehicles can be operated, including but not limited to restricting use to roads with lower speed limits or only specific roads. Companion guidelines produced by the Ministry of Transportation for municipalities recommend adding expectations and requirements around such things as contracts, business licences and operating agreements.

History of Interest from Large Quadricycle Operators

City staff have received inquiries over the years by large quadricycle operators wishing to operate on city streets. Generally speaking, the proposals received have been by operators wishing to take tour groups between several downtown brewery or winery locations along pre-defined routes. These businesses generally operate seasonally, with tours running in Spring, Summer and Fall.

Large quadricycles have a history of use for these tourism purposes in US cities such as Nashville and Boston as well as Canadian locations such as Calgary, Saskatoon, Niagara-on-the-Lake and Ottawa. The MTO Pilot Project is a method to formalize the definition and use of this type of bicycle, following these experiences in other Ontario cities.

Existing Restrictions if Licensed Under Pedicab By-Law

The City of Toronto has an existing by-law for pedicabs (Chapter 545, Article III), defined as "A vehicle drawn, propelled or driven by human muscular power, with or without the assistance of an electric motor, and includes a pedal-powered rickshaw." The majority of the pedicab by-law can be reasonably applied to large quadricycles, including matching the O.Reg.411/22 stipulation that operators must hold a valid Ontario Driver's Licence (Chapter 545-35). It requires each pedal vehicle and each driver to be individually licenced (Chapter 545-17, 545-18, 545-19 and 545-20). Two specific amendments to sub-sections in Chapter 545 will modify the Pedicab By-Law to suit the use case of large quadricycles.

Chapter 545, Section 545-21 requires each pedicab operator to maintain and pay for a liability insurance policy with a limit of not less than \$1 million. The greater number of passengers carried on a large quadricycle requires a higher minimum insurance requirement, recommended to be \$2 million.

Under Chapter 545, Sections 545-29.1 and 545-29.2 restrict pedicabs from operating during afternoon peak hours on weekdays and on four specific sections of road in the downtown area. It is recommended to require pre-approval by the General Manager, Transportation Services, of fixed routes for large quadricycle operators and giving the

General Manager latitude to alter that approval based on events, construction and other conflicting activities, reflecting the larger size and greater potential for traffic conflict from these vehicles.

Assessment of the Issue

It is believed feasible for 2022 to license large quadricycles as pedicabs under Chapter 545, Licensing, Article III, with two modifications to mitigate potential impacts.

- Issuing a maximum of eight pedicab licences for large quadricycles for the 2022 season, with no more than four pedicab licences for large quadricycles issued to a single operating company.
- Requiring large quadricycle operators to obtain prior written approval of routing from the General Manager, Transportation Services, where such approval can be amended or revoked with no less than 48 hours' notice.

This pilot project approach will enable Transportation Services to better understand the Toronto-specific use of large quadricycles and the interaction of these vehicles with other road users. The authority of the General Manager, Transportation Services to pre-approve routes and amend or revoke permission provides flexibility to account for special events, construction and other conflicting activities in the right-of-way. This authority is particularly important given the planned intensity of construction activities in the downtown area in the coming years.

Route pre-approval and assessment of impacts will include consideration of:

- Focus on downtown and tourist areas and operators' desired routes
- Particular impacts of large quadricycles operating on streets having only a single motor vehicle travel lane in each direction
- Impact on TTC operations
- Left hand turn concerns (especially in places where they need to change lanes to access a turning lane)
- Event- and construction-based conflicts
- Issues of speed but also combined number of large quadricycles at one time and/or in an hour given potential for overlapping routes

This approach will enable assessment and a report back to Council in 2023 based on actual operating experience in the Toronto context.

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ATTACHMENTS

None.