

To: SPECIAL COUNCIL

Meeting Date: 6/28/2022

Subject: **Micromobility – Shared Program and E-Scooter Bylaw Update**

Submitted By: Kevin De Leebeeck, Director of Engineering

Prepared By: Lisa Chominiec, Sustainable Transportation Coordinator

Report No.: 22-054-CD

File No.: C1101

Wards Affected: All Wards

RECOMMENDATION(S):

THAT Report 22-054-CD Micromobility – Shared Program and E-Scooter Bylaw Update be received;

AND THAT Council supports the participation in a joint request for proposal with the Region of Waterloo, City of Kitchener and City of Waterloo to procure a shared micromobility operator;

AND THAT Council authorize the Director of Engineering to execute any required agreements with the Region of Waterloo and preferred service provider, to the satisfaction of the City Solicitor, for the implementation of a region-wide shared micromobility program;

AND THAT Traffic and Parking By-law 187-06 be amended to add a definition and provisions for the use of electric kick-scooters (“e-scooters”);

AND FURTHER THAT the by-law included as Appendix A to Report 22-054-CD to amend the Traffic and Parking By-law 187-06 be passed and come into force on July 1, 2022.

EXECUTIVE SUMMARY:

Purpose

- To outline the implementation plan for launching a shared micromobility system (bikes, e-bikes and e-scooters) jointly with the Region of Waterloo and cities of Cambridge, Kitchener, and Waterloo;

- To recommend amendments to the Traffic and Parking By-law for e-scooter permissions in response to the Ministry of Transportation’s e-scooter pilot program; and,
- To obtain Council approval for the execution of any required Agreements for the implementation of a region-wide shared micromobility program.

Key Findings

- A full system launch of the shared micromobility program is anticipated in Spring 2023;
- The successful operator will be a single service provider to operate and manage the system in all three cities, creating a seamless system within Waterloo Region;
- It is recommended that the City’s Traffic & Parking By-law be amended to permit e-scooters on select roads and multi-use trails;
- E-scooters will continue to be prohibited on all park trails (unless signed otherwise) and sidewalks;
- Similar bylaw update recommendations have been prepared for Kitchener, Waterloo and the Region of Waterloo and their respective Councils; and,
- Subject to approval of this report, e-scooters will be considered eligible fleet vehicles, along with bikes and e-bikes, that can be part of a commercial shared micromobility system.

Financial Impacts

- There are no direct financial impacts as a result of the by-law amendment. However, expansion of the transportation network may require additional funding to keep City trails in good repair. Any future funding requests would be brought forward during annual budget cycles.
- The program is being administered by the Region and is intended to have a net-zero financial impact, as fees collected from the Operator will be used to cover the cost of the program.
- Any City staff costs in relation to unplanned emergency operations/maintenance (i.e. removing vehicles) will be offset through the operators’ refundable deposit.

STRATEGIC ALIGNMENT:

- Strategic Action; or
- Core Service

Objective(s): GETTING AROUND - Emphasize connectivity and active transportation choices to help people travel in and beyond the city without a car

Strategic Action: Promote and develop more transportation options

Program: Not Applicable

Core Service: Not Applicable

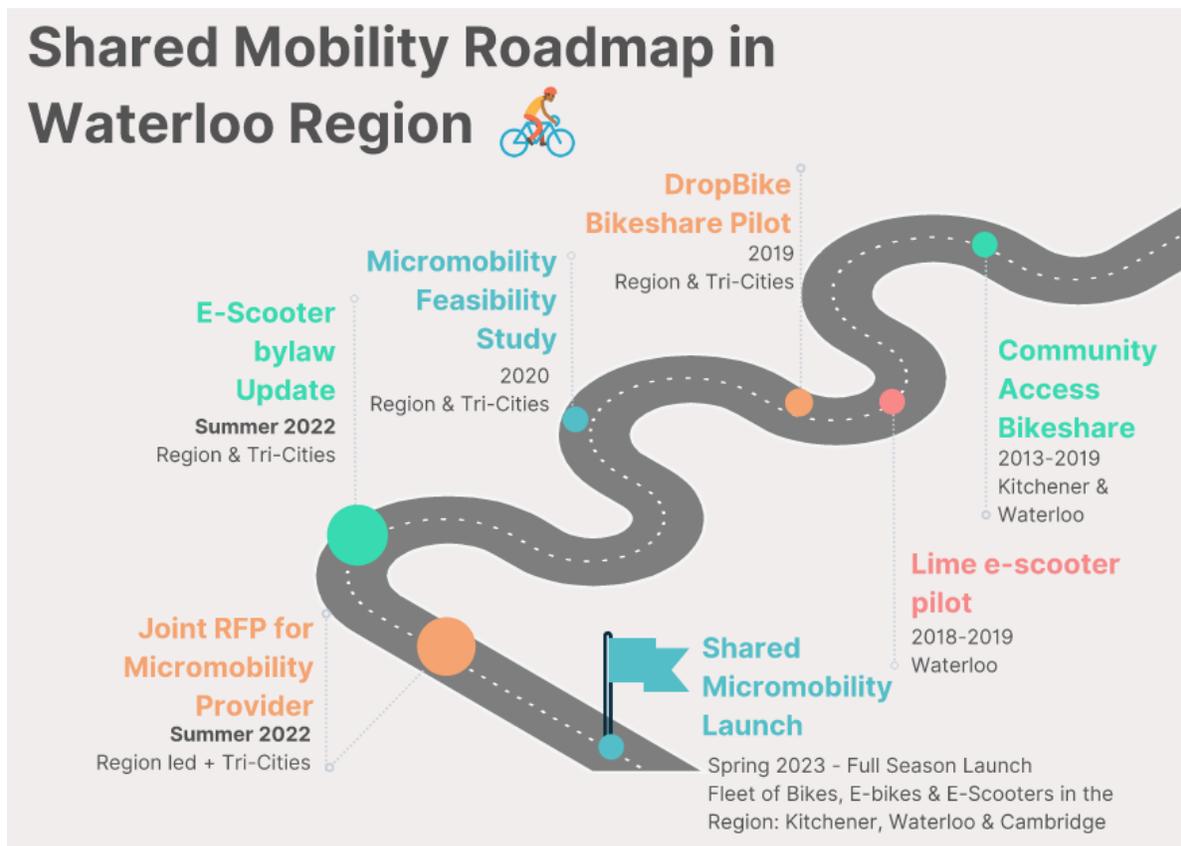
Promoting and developing more transportation options is a strategic action of the City's Strategic Plan 2020-2023. The City is collaborating with the Region of Waterloo, and Cities of Kitchener and Waterloo to align respective Traffic and Parking By-laws in relation to e-scooter permissions and to procure a shared micromobility system.

BACKGROUND:

This report builds upon the previous micromobility program updates submitted to City Council, which include:

- 2018/2019 bike share pilot with Drop Mobility (Council Report 18-061-CD)
- 2019/2020 Micromobility Feasibility Study update (CIP memo IM20-126-CD)
- 2022 Micromobility Update (CIP memo IM22-004-CD).

A timeline of the overall project and shared mobility programs in the Region is outlined in the graphic below.



In May 2020, the shared micromobility project team, consisting of staff from the Region of Waterloo and Cities of Cambridge, Kitchener, and Waterloo, worked with Alta Planning Consultants to complete a micromobility feasibility study. The study provided recommendations for implementing a shared micromobility system of bikes, e-bikes and e-scooters in Waterloo Region.

The project team has reached an important milestone and is ready to secure a shared micromobility system in the Region.

ANALYSIS:

Transportation choices are evolving and new forms of micromobility are being introduced all around the world, including e-scooters, segways, and e-bikes. Bike share companies are adapting to these trends and have started to incorporate multiple forms of mobility options into their bike fleets. With the ability to have a fleet of pedal bikes, e-bikes and e-scooters, the Region of Waterloo is positioned for competitive, high-quality proposals.

E-scooters

Effective January 2020, the Ministry of Transportation launched a 5-year pilot program that allows municipalities to choose if they want to permit e-scooters locally. Currently, e-scooters are not permitted on roads or trails in the Region of Waterloo.

In response to the Province's e-scooter pilot program and recommendations from the feasibility study, the project team launched a public consultation process to determine where people should be allowed to ride e-scooters. A summary of public feedback can be found in Appendix C of Regional report TES-TRS-22-06 (attached as Appendix B).

Based on the results of the public consultation, the project team and Regional Traffic Coordinating Committee recommended proceeding with the *Preliminary Preferred Option* and amend the Region's and Cities' Traffic and Parking By-law's accordingly. As a joint collaborative project, each municipality will be bringing forward their respective by-law changes on the following dates:

- Region of Waterloo: April 12, 2022
- City of Kitchener: June 13, 2022
- City of Waterloo: June 27, 2022
- City of Cambridge: June 28, 2022

Preliminary Preferred Option

The recommended amendments to the Traffic and Parking By-law are provided in Appendix A. The amendment incorporates a new definition and section for e-scooters within the By-law. The new section includes provisions to permit e-scooters on:

- all City Roads 50 km/h or less,
- all City Roads with reserved bike lanes and/or
- boulevard multi-use trails.

Specific e-scooter provisions (no sidewalk riding, speed etiquette for multi-use trails, parking restrictions, etc.) are also detailed in this proposed new section of the by-law.

E-Bikes

Under the Highway Traffic Act (HTA) e-bikes are permitted on most roads and highways where conventional bicycles are permitted, however, e-bikes are not allowed on City trails.

The current definition of e-bikes under the HTA makes no differentiation between an e-bike that looks like a traditional bicycle or one that looks like a moped or motorcycle. Allowing the moped/motorcycle type vehicles on trails could lead to a number of safety concerns, such as potential conflicts with pedestrians at much higher speeds. The province is currently reviewing the definition of e-bikes, and as such this report does not recommend any amendments to e-bike permissions until the provincial review is complete.

Risk and Mitigation

While some risk exposures have been identified with e-scooter permissions, mitigation strategies are being considered and implemented to treat these exposures.

Some of these strategies include; mandating the required use of helmets for all e-scooter riders, limiting e-scooters to lower speed roads, limiting the use of e-scooters to park trails where staff have deemed reasonable for its use, and prioritizing routes where the use of e-scooter is being permitted for both Capital and Operating improvements as part of future budget considerations.

Staff will take advantage of the active transportation investments made by the Region and Cities to implement these strategies, and develop future strategies to minimize the risk exposure associated with this program.

Managing the Program – Regional Budget

Following the DropMobility Pilot in 2019, it was evident that dedicated staff would be required to run a coordinated bike share program across the three cities. The approved 2022 Regional budget includes funding under the TransformWR Climate Action Plan for one additional regional staff position to support the shared micromobility program. This new position will work closely with the chosen system operator and project team to support any enhancements and day-to-day operation of the program.

Phased Approach

To properly manage the system, the shared system will be launched in a phased approach and be limited to service areas within each City. The service areas will define where docking stations are located, and where both bikes and e-scooter users are permitted to start/end trips. Bikes and e-scooters can still be ridden outside of the service area, but will need to be returned to a bike rack within the service area. Recommended service areas were identified for the three urban municipalities in the 2020 Feasibility Study (see Appendix B within Regional report, attached as Appendix C), however the service areas are subject to change based on operator feedback and active transportation network connections and conditions.

Joint RFP (Region Led) and Pre-Launch Timelines

The Region received approval at its April 12, 2022 Council Meeting to move forward with the RFP process and for their bylaw amendment to take effect July 1, 2022.

The RFP evaluation will be completed by members of the project team as well as Alta Planning + Design, who developed the RFP scorecard. The top scoring applicants will be invited to demonstrate their vehicles and technology to the evaluation team.

A shared micromobility program full system launch is planned for Spring 2023.

EXISTING POLICY / BY-LAW(S):

Highway Traffic Act – Ontario Regulation 389/19 - E-scooters

The Ministry of Transportation implemented a pilot program from January 1, 2020 to January 1, 2025 to allow e-scooters on roads. Municipalities that want to allow e-scooters to operate on their roads must pass by-laws to permit their use and set out specific requirements based on what is best for their communities.

The amendments being proposed to the City's Traffic and Parking By-law are in line with the specifications set out by the Province for e-scooters and align with the Region's amendments.

Highway Traffic Act - Ontario Regulation 369/09 - E-bikes

Power-assisted bicycles, or E-Bikes (specifically under 120 kilograms), are permitted on roadways in the Province. At this time, there are no recommended amendments to the City's Traffic and Parking By-law or Parks By-law to permit e-bikes on multi-use trails or park trails. Amendments may be required at a future date, after further direction from the Province on the reclassification of e-bikes.

Region of Waterloo Traffic and Parking By-law, 16-023

The Region's Traffic and Parking By-law was amended and approved at the Region of Waterloo Planning and Works Committee on April 12, 2022 with an effective date of July 1, 2022, through Report TES-TRS-22-06 (attached as Appendix B). The amendment will permit e-scooters on Regional roads 50km or less, roads with cycling facilities and in-boulevard multi-use trails.

City of Cambridge Traffic and Parking By-law, 187-06

Amendments to the City's current Traffic and Parking By-law are required to permit e-scooters on roads and multi-use trails. These amendments can be found in Appendix A. The proposed By-law Amendment is consistent with the Region's Traffic and Parking by-law amendment.

E-bikes will continue to be prohibited on multi-use trails.

City of Cambridge Parks By-law, 162-10

Motor vehicles, which includes e-bikes and e-scooters, are prohibited in any park or park trail, except where signed as an area designated for such use. At this time there are no changes proposed to the Parks by-law. Staff will evaluate which park trails may be appropriate for e-scooters, and if appropriate, the trails will be signed accordingly. E-bikes will not be considered for use on trails at this time due to the ongoing work by the Province related to the reclassification of e-bikes.

FINANCIAL IMPACT:

There are no direct financial impacts as it relates to the by-law amendment. However, as the City expands travel options across the community, an increase to operational and capital costs are anticipated to satisfy maintenance standards and keep our trails safe and in good repair.

Staff will evaluate priority routes within the active transportation network and return to Council with potential capital improvements to keep our network in good repair, as part of future budget considerations.

Program operating costs for the shared program will be paid by the successful operator, while administrative costs associated with the program will be paid by the Region of Waterloo. Any unplanned staff costs accrued in relation to emergency operations/maintenance (i.e. removing vehicles) will be offset through the operators' refundable deposit.

PUBLIC VALUE:

This initiative supports sustainability by expanding sustainable transportation options within the community. The project encourages innovative approaches to addressing environmental challenges, such as reducing transportation-related emissions by encouraging a shift to sustainable transportation modes.

Strong collaboration is key to this initiative given the interconnected nature of our respective municipal transportation networks. Staff are actively working together with the Region and cities of Kitchener and Waterloo to achieve a common goal, whilst ensuring representation of community interests at key milestones in the project.

ADVISORY COMMITTEE INPUT:

Workshops were held on September 8 and 9, 2021 with representatives from the Grand River Accessibility Advisory Committee (GRAAC), Cambridge Accessibility Advisory Committee, and the Cities' and Regions' active transportation advisory committees. No additional comments/feedback was provided regarding e-scooter permissions.

The Cycling and Trails Advisory Committee was consulted on the e-scooter permissions and shared micromobility system at the May 13, 2021 meeting, and supported the *Preferred Preliminary Option* for e-scooter permissions. The Grand River Accessibility Advisory Committee was consulted at its April 22, 2021 and June 24, 2021 meeting.

A full summary of Advisory Committee Meetings and staff responses can be found in Appendix D of Regional report TES-TRS-22-06 (attached as Appendix B).

PUBLIC INPUT:

Public input was gathered throughout various milestones of the project:

Shared Micromobility Feasibility Study: Alta Planning hosted two stakeholder engagement sessions in December 2019 to present their findings at the time and to gather feedback from the community.

DropMobility Pilot: Public input was gathered in the form of a survey before the launch of the pilot, to determine where the public would like to see bikes. A second survey was

completed at the end of the pilot to gather user satisfaction and feedback. In addition, the municipalities and the Region received feedback throughout the pilot from resident calls and emails.

E-Scooter Permissions: A joint public consultation program was launched in early 2021 through the Region and Cities' "Engage" platform to determine if and where people should be permitted to ride e-scooters and discussed e-scooter share systems. The project team prepared a *Preliminary Preferred Option* after consulting with a number of municipal partners and stakeholders such as the Region's Traffic Coordinating Committee (TCC), Inter-Municipal Partnership on Active Transportation (IMPACT), and each respective city's and region's active transportation committees. The *Preliminary Preferred Option* included permitting e-scooters on trails and multi-use paths, all roads with reserved bike lanes, and any road 50km/hr or less. The *Preliminary Preferred Option* alongside 4 other options (5 options in total) were presented to the stakeholders and the public along with an online survey. The options ranged from banning e-scooters on all roads and trails, to permitting e-scooters anywhere a bike can go. The online survey was available from January 13 to February 1, 2021, and resulted in 1,439 survey respondents. A full summary of the consultation can be found in Appendix B and C of Regional report TES-TRS-22-06, attached as Appendix B.

INTERNAL / EXTERNAL CONSULTATION:

Staff from Parks, Operations, Transportation, Legal and Risk were consulted on the e-scooter by-law amendment and shared micromobility implementation plan.

The project team has formed an expanded Region and Municipal Staff Shared Micromobility Working Group to address pre and post launch issues that will touch various staff groups.

CONCLUSION:

The City's Strategic Plan, Cycling Master Plan, and Transportation Master Plan all support the promotion and development of more transportation options to move within and beyond the City. A shared micromobility program across the Region will be a welcomed addition to sustainable transportation options available for both visitors and residents.

In order to facilitate a shared micromobility program in the City, subject to Council approval, the City's Traffic and Parking By-law would need to be amended, as described in Appendix A of this Report, and would come into effect July 1, 2022. When the amendment comes into effect, e-scooters will then be considered eligible fleet vehicles for a shared micromobility system.

If approved, staff will continue to participate in the Region’s Request for Proposal process to select a commercial shared micromobility operator. A full system shared micromobility program launch is planned for Spring 2023.

REPORT IMPACTS:

Agreement: **No**

By-law: **Yes**

Budget Amendment: **No**

Policy: **Yes**

APPROVALS:

This report has gone through the appropriate workflow and has been reviewed and or approved by the following as required:

Director

Deputy City Manager

Chief Financial Officer

City Solicitor

City Manager

ATTACHMENTS:

1. 22-054 (CD) Appendix A – Traffic and Parking By-law Amendment
2. 22-054 (CD) Appendix B –TES-TRS-22-06 Micromobility—E-scooter Traffic and Parking By-law Updates
3. 22-054 (CD) Appendix C –TES-TRS-22-07 Micromobility—Shared Program Implementation Plan