Minutes – Council – July 18, 2024

Minute No. 405
Report – Standing Policy Committee on Public Works – July 3, 2024

Item No. 3 Large Quadricycles

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Public Works and adopted the following:

1. That Council enact amendments to the City of Winnipeg Traffic By-law No. 1573/77 (draft amending By-law is attached as Schedule "A") which will:

    A. Enact rules, necessary under the Pilot Project (Large Quadricycle) Regulation (the "Regulation"), that would enable lawful use of Large Quadricycles within downtown Winnipeg.

    B. Supplement the Regulation with the following conditions:

        i. That businesses operating a Large Quadricycle outside of downtown Winnipeg be required to submit their planned route of operation to the Director of Public Works for the Director's approval.
        ii. That Large Quadricycles only be permitted to cross multi-lane regional streets at intersections that are controlled by traffic signals, or intersections that have an all-way stop condition.
        iii. That businesses operating a Large Quadricycle be required to submit an annual report to the Director of Public Works, documenting the number of trips, hours in operation and any safety related incidents.

2. That the Director of Public Works be directed to notify the Minister of Transportation and Infrastructure that the required rules have been enacted in accordance with the Regulation.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Standing Policy Committee on Public Works – July 3, 2024

DECISION MAKING HISTORY:

Moved by Councillor Lukes,

That the recommendation of the Standing Policy Committee on Public Works be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On July 9, 2024, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Public Works and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On July 3, 2024, the Standing Policy Committee on Public Works concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

David Grant submitted a communication with respect to the matter.

ADMINISTRATIVE REPORT

Title: Large Quadricycles

Critical Path: Standing Policy Committee on Public Works – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Patman, P.Eng.	M. Cantor for J. Berezowsky	T. Graham	M. Geer Acting CAO

EXECUTIVE SUMMARY

Large quadricycles (commonly known as pedal pubs) have been operating in Winnipeg since 2022 under no formal legislation or authority.

The Province of Manitoba has introduced a pilot project regulation for large quadricycles that permits their use if a local traffic authority creates a by-law adopting the regulations. The regulation comes into force on July 31, 2024.

The Public Service recommends amending the Traffic by-law to adopt the provincial regulation in full, with the following conditions:

- That large quadricycles only be permitted to operate Downtown unless otherwise authorized by the Director of Public Works;
- That large quadricycles only be permitted to cross multi-lane regional streets at signal-controlled intersections or intersections that have an all-way stop condition; and,
- That businesses operating a large quadricycle be required to submit an annual report to the Director of Public Works documenting the number of trips, hours in operation, and any safety-related incidents.

If Council does not concur with such a bylaw amendment, large quadricycles would not be permitted to operate within city limits after July 31, 2024.

RECOMMENDATIONS

1. That Council enact amendments to the City of Winnipeg Traffic By-law No. 1573/77 (draft amending By-law is attached as Schedule “A”) which will:

a. Enact rules, necessary under the Pilot Project (Large Quadricycle) Regulation (the "Regulation"), that would enable lawful use of Large Quadricycles within downtown Winnipeg.
b. Supplement the Regulation with the following conditions:
    i. That businesses operating a Large Quadricycle outside of downtown Winnipeg be required to submit their planned route of operation to the Director of Public Works for the Director's approval.
    ii. That Large Quadricycles only be permitted to cross multi-lane regional streets at intersections that are controlled by traffic signals, or intersections that have an all-way stop condition.
    iii. That businesses operating a Large Quadricycle be required to submit an annual report to the Director of Public Works, documenting the number of trips, hours in operation and any safety related incidents.

2. That the Director of Public Works be directed to notify the Minister of Transportation and Infrastructure that the required rules have been enacted in accordance with the Regulation.

3. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

The Province of Manitoba is introducing a Pilot Project regulation for Large Quadricycles. For it to apply in the City of Winnipeg, this regulation requires a Traffic Authority (i.e., the City of Winnipeg) to create a by-law to enable the Regulation.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations in this report are adopted, large quadricycles will be permitted to operate on City of Winnipeg Streets within the constraints of the Highway Traffic Act, the Pilot Project (Large Quadricycle) Regulation and the City of Winnipeg Traffic by-law.

If the recommendations of this report are not adopted, large quadricycles will not be legally permitted to operated within the City of Winnipeg as of July 31, 2024.

There are no financial implications associated with the recommendation presented in this report.

HISTORY/DISCUSSION

BACKGROUND

On June 1, 2022, the Highway Traffic Amendment and the Manitoba Public Insurance

Corporation Amendment Act received Royal Assent which made changes to the act specifically related to Pilot Projects. The amended legislation enables the creation of regulations for pilot projects for new and previously unregulated devices on Manitoba roads.

Large quadricycles (commonly known as “pedal pubs”) have been operating in the City of Winnipeg since summer 2022. Pedal Pub Winnipeg is a franchise operation that allows customers to book a self-powered ride on the large quadricycle. The tours typically start near Waterfront Drive and Lombard Avenue and visit several local attractions over the course of the booking period. Customers provide the power to the quadricycle by pedaling while a staff member operates the steering wheel and brakes. In 2022 and 2023 the business did not have a liquor licence to consume alcohol on the quadricycles.

PROVINCIAL REGULATION

In the Spring or early Summer of 2024 the Province of Manitoba will bring forward a Pilot Project Regulation that permits the use of Large Quadricycles if a Traffic Authority (i.e., the City of Winnipeg) creates a by-law adopting the regulations. This new Provincial Regulation will come into force as of July 31, 2024. The structure of the pilot project allows Traffic Authorities to adopt a minimum set of laws as outlined in the regulation through a by-law amendment and at the same time the City can include further rules or standards. It does not permit the City to omit clauses from the Regulation.

The Regulation governs the operation of Large Quadricycles with a set of rules which are highlighted below. The following is a short list of notable rules that are set out in the Large Quadricycle Pilot Project Regulation:

- they can only be operated on streets with a 60 km/h speed limit or less;
- they must drive in the right most lane, except when making a left turn;
- the driver must have a Class 5F driver’s licence;
- the number of passengers must not exceed the number of seats;
- the vehicle must have pedals to provide propulsion power for at least 8 passengers;
- the vehicle must have headlamps, tail lamps, turn signals, a brake system, a horn and a mirror;
- the business must carry a minimum of $5 million in general liability insurance.

The pilot project regulation for Large Quadricycles does not set out any special requirements for consumption of alcohol or concentration of alcohol in a person’s blood, however, the laws of the Highway Traffic Act and The Liquor, Gaming and Cannabis Control Act would still apply.

PEDAL PUB WINNIPEG

The Pedal Pub Franchise in Winnipeg has been operational for two seasons. According to their own statistics they have operated 475 tours, for roughly 950 hours of operation with no safety incidents to report.

At the time of writing this report the Pedal Pub Franchise in Winnipeg has applied for a liquor licence to allow customers to consume alcohol served on the pedal pub. The liquor licence has not been granted at this time, but the Pedal Pub Franchise in Winnipeg has made their intentions of pursuing a liquor licence clear.

CITY BY-LAW AMENDMENT

The Public Service recommends amending the Traffic by-law to adopt the Regulation in full, with the following conditions:

- That Large Quadricycles only be permitted to operate in the Downtown, unless authorized by the Director.
- That Large Quadricycles only be permitted to cross multi-lane regional streets at intersections that are controlled by traffic signals, or intersections that have an all-way stop condition.
- That businesses operating a Large Quadricycle be required to submit an annual report to the Director of Public Works, documenting the number of trips, hours in operation and any safety related incidents.

The implications of not adopting the pilot project for Large Quadricycles are that they would not be legally permitted to operate in the City of Winnipeg after July 31, 2024.

FINANCIAL IMPACT

Financial Impact Statement Date: May 31, 2024

Project Name:

Large Quadricycles

COMMENTS:

No financial implications are expected from the recommendations of this report.

A.Fischer CPA,CA 2024-05-31
for J. Ruby CPA, CA
Manager of Finance & Administration

CONSULTATION

This Report has been prepared in consultation with:

- Winnipeg Police Service
- Legal Services (as to Legal Issues)

OURWINNIPEG POLICY ALIGNMENT

This report is in alignment with OurWinnipeg2045 City Building Goals as per:
Policy 6.18 Downtown Economic Investment - Facilitate the intensification of Downtown commercial and office uses, innovation, and local enterprises that promote the Downtown as a primary location for economic activity.
Complete Communities 2.0

- Goal #5 Facilitate an amenity-rich, enjoyable, and beautiful urban environment that contributes to a high quality of life, to reflect Downtown's importance as the city's preeminent complete community.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Climate Action Plan (CAP), and it was determined that the CAP is not applicable to this specific report.

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

Consideration was given as to whether this report connects to the Winnipeg Poverty Reduction Strategy (PRS) and its Goals and Objectives, and it was determined that the PRS is not applicable to this specific report.

SUBMITTED BY

Department: Public Works
Division: Transportation
Prepared by: Greg Blatz, P.Eng., Traffic Management Engineer
Date: May 31, 2024

Attachment: Schedule A: Draft amending By-law