



The Corporation of the City of Courtenay

Staff Report

To: Council

File No.: 5400-01

From: Director of Operational Services

Date: July 30, 2025

Subject: BCAA's Evolve – Electric Kick Scooter Share Program

PURPOSE:

The purpose of this staff report is to inform Council with respect to the agreement renewal with BCAA's Evolve electric bike share program and to outline the implications, regulatory requirements, and contractual amendments required to respond to the request by the CVRD and BCAA Evolve to expand the service to include electric kick-scooters.

BACKGROUND:

At the April 24, 2024, Council meeting, the following resolution was passed:

"THAT Council authorize staff to enter into a tri-part Memorandum of Agreement with the Comox Valley Regional District and the Town of Comox for the provision of an e-Bike Share Program; and THAT Council delegate authority to the Director of Operations to determine the form and content of a Contract and/or Licence and Service Agreement between the City of Courtenay and BCAA Evolve to facilitate the provision of the e-bike share program in the City of Courtenay; and THAT staff be directed to advise BCAA Evolve Bike Share that the request to waive all costs and fees for the e-bike share program is denied, and a full-cost recovery model will be applied; and THAT Council delegate authority to the Director of Operations to authorize any required agreements or other legal documents necessary to provide BCAA Evolve access and permission to use public land for the purposes of providing an e-bike ride share program."

BCAA's Regional Electric Bike Share Program features a combination of private and public rights-of-way locations for e-bike storage. This includes twenty-five (25) locations, scattered across the Comox Valley, including fifteen (15) locations within the City of Courtenay's jurisdiction, of which eleven (11) are located on City-owned right-of-way, and the remaining four (4) on private property.

The 2024 Agreement with BCAA's Evolve expired May 14, 2025, with the option to renew three (3) additional one (1) year terms. The initial pilot year had minimal impact on City operations and can be considered a success in providing alternative transportation options. Considering this, and under the granted authority of Council, the Director of Operational Services is preparing to renew the agreement for the original fifteen (15) locations.

In response to BCAA Evolve delegation on May 7, 2025, requesting that City Council consider the expansion to the provision of the current e-bike service by adding ten additional (10) locations, (Outlined in Attachment 1) and to provide approval for the inclusion of e-scooters, Council resolved the following:

“THAT Council direct staff to prepare a report on the implications of adding e-scooters to the Evolve E-bike Share program, and the implications of expanding the existing program.”

DISCUSSION:

The collaboration between the Comox Valley Regional District (CVRD) and the City of Courtenay, in partnership with BCAA's Evolve, marked a pivotal step in implementing an Electric Bike Share Program, supporting sustainable transportation within the Comox Valley. With the deployment of a three (3) year pilot agreement in place, clear roles, responsibilities, and expectations led to a successful first year of operation. Given the focus of the program, staff are of the opinion that this initial rollout can be considered a success in providing alternative transportation options. The agreement defined e-bike storage in the public rights-of-way and outlined license & maintenance obligations, compliance standards, and data-sharing requirements.

E-bike Service Expansion

Generally, the current agreement covers the provisions relative to the expansion of the services for e-bikes, including requirements for cost recovery, and reflects the delegated authority of Council by defining the approvals for the use and expansion options for additional locations or requests for use of public lands. Staff have reviewed the ten (10) additional service locations, as per Attachment No. 1, and have no operational or contractual concerns with the proposed. In accordance with the delegated authority, staff have recommended the approval of the contract extension and the expansion of e-bike locations.

E-scooter Service Expansion

Concerning e-scooters and the expansion of service to include their deployment, several key items must be addressed before e-scooters can be successfully launched. These include: review of applicable legislation (provincial and municipal bylaws), intergovernmental relations (RCMP, Fire, BC Ambulance, MoTT, etc.), community engagement (DCBIA, CVCC, etc.), community and regional partners.

Background: From 2021 to 2024, the Ministry of Transportation and Infrastructure (now Ministry of Transportation and Transit) held a pilot project to test electric kick scooter use in participating pilot communities, along with guidelines for users and rules of the road. The initial pilot project ended on April 5, 2024, at which time a new four-year pilot was established under a new regulation and legislative framework. The results of the pilot project will help to determine whether electric kick scooters should be authorized for permanent use in BC.

The Electric Kick Scooter Pilot Project website¹ contains information on the pilot project, including rules for operators and devices, and the list of currently participating communities. Communities wishing to join this pilot program must: 1) pass a resolution (or bylaw) that consents to the pilot project taking place within the municipality; and 2) communicate that decision to the Ministry of Transportation and Transit at:

MVA.Pilot.Project@gov.bc.ca.

Legislative Implications

Under the proposed scenario, e-scooters will only be permitted for use on public roadways or highways as defined under the Motor Vehicle Act. Notably, the provisions of the pilot program limit the use of e-scooters to that of roads within the participating municipality, including all roads with a posted speed limit of 50km/hr. E-scooters are not permitted on any road with a posted speed limit higher than 50km/hr

¹ <https://www2.gov.bc.ca/gov/content/transportation/transportation-environment/active-transportation/scooter>

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unless a dedicated bike lane is present. Further, restrictive use extends to all municipal sidewalks, parks, & open spaces, including trails, and multi-use pathways.

Given the nature of the use, particularly with the mobility of e-scooters, we anticipate that there will be enforcement issues that will need to be addressed. As outlined above the areas for the lawful use and operation of the units will be limited to public roads and are not permitted on sidewalks or pathways. Evolve advised that their technology will be designed to electronically limit access to guard against use that is contrary to the service terms, Provincial regulation and municipal bylaws. Evolve further advised that this should address use of the units on municipal pathways contrary to our bylaws. It is noted that these e-scooter units are not permitted on municipal sidewalks and we don't know if the geofencing technology will be fine-tuned enough to limit operation of the units. At this time, the level of enforcement is unknown for the City but it is recommended that Operational Services and Bylaw Enforcement staff monitor the usage and report back to Council if issues emerge that need to be addressed.

With respect to enforcement of the Motor Vehicle Act provisions, the City Manager contacted and discussed the matter with the RCMP Detachment Commander and provided notice that pending direction of Council that this use was contemplated on our public roads. The RCMP is the jurisdiction who would be enforcing regulations in this case and as outlined above it is recommended that compliance and enforcement issues be monitored and outcomes be reported back to Council.

Revenue Share Model

BCAA is a not-for-profit organization, focused on directing any earnings into improving its business and back into BC communities, with a focus on building stronger communities, keeping roads safe, and improving the lives of British Columbians. While the profitability of the e-bike/scooter program is unknown, it is understood that Evolve E-Bike Share is operated by BCAA as a subsidiary to the not-for-profit member services organization. While users pay for individual trip or memberships, the revenue supports the program itself, staff are of the understanding that Evolve is not a separate for-profit entity. The premise put forward by Evolve is that as a whole, the community benefit gained program is offsetting the revenue opportunities through climate and social benefiting changes such as transportation mode-shift and GHG reductions.

There is potential for direct community benefits by way of an agreement between the parties. If Council provides direction, the City could pursue an agreement where by the service provider returns a portion of earned profits to be reinvested back into the Comox Valley. Currently, the City of Courtenay has a similar agreement with Pattison Outdoor Advertising LTD. for the provision of Transit Shelter advertisement revenues. Annually, Pattison provides the City with a share or portion of any profits earned, with a minimum annual guaranteed contribution amount. These revenues are then redirected back into the provision of service maintenance for all transit shelters under the City's maintenance responsibility, thus reducing the tax burden on residents.

Council could consider a similar requirement of BCAA Evolve concerning profit sharing, whereby a percentage amount is provided annually, based on the overall profitability of the services within the City of Courtenay to be shared, with revenues subsequently used to offset the use of taxation for a prescriptive service.

FINANCIAL IMPLICATIONS:

BCAA Evolve has indicated that some of the proposed locations will require 'light duty' remediation to a general standard so the e-bikes can stand upright properly. This will range from minor to modest remediation

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of landscape and or hard surface areas for the placement of the Evolve assets and their associated appurtenances; e.g., bike racks, informational signage, etc.

As per the previous direction of Council and in accordance with Section 25 of the Community Charter, the City is not permitted to provide assistance to businesses; as such, BCAA Evolve would be responsible for all associated costs. Additionally, the City will continue to apply a full cost recovery model for all subsequent requests for service or site improvements, and any service subsidy rate consideration would be under the jurisdiction of the CVRD.

ADMINISTRATIVE IMPLICATIONS:

With a new service being offered to the public comes administrative duties, which may at times extend to an active response from operational staff. Given that the use of e-bikes/scooters is not limited to private spaces, users may, at times, create a need for operational staff to respond to emergent conditions; e.g., an e-bike/scooter is abandoned on a road/sidewalk blocking vehicular or pedestrian access.

Should Council elect to direct staff to deploy an electric kick-scooter ride-share program, the City must: 1) pass a resolution (or bylaw) that consents to the pilot project taking place within the municipality; and 2) communicate that decision to the Ministry of Transportation and Transit at: MVA.Pilot.Project@gov.bc.ca.

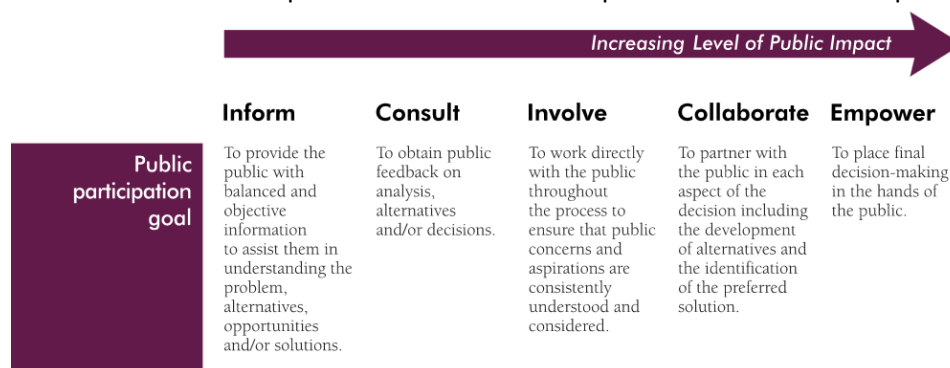
STRATEGIC PRIORITIES REFERENCE:

This initiative addresses the following strategic priorities:

- Streets and Transportation - Update cycling network plan and implementation strategy
- Parks and Recreation - Optimize active public spaces to respond to density increases and increased park use
- Social Infrastructure - Identify roles for the City in the delivery of social infrastructure outlined in the OCP; Implementation plan for delivery of social infrastructure
- Choose an item.

PUBLIC ENGAGEMENT:

Staff would inform the public based on the IAP2 Spectrum of Public Participation:



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OPTIONS:

RESOLUTION OPTIONS A & B TO BE MADE AS SEPARATE RESOLUTIONS:

1. A) THAT Council endorse the renewal of the License and Service Agreement between the City of Courtenay and B.C.A.A Holdings Ltd. for the provision of an Electric Bike Share Program; and

THAT Council delegate authority to the Director of Operations to determine the form and content of a Contract and/or Licence and Service Agreement between the City of Courtenay and BCAA Evolve to facilitate the provision of an Electric Kick-Scooter Share Program in the City of Courtenay; and

THAT Council delegate authority to the Director of Operations to authorize any required agreements or other legal documents necessary to provide BCAA Evolve access and permission to use public land for the purpose of providing an Electric Kick-Scooter Share Program; and

THAT Operational Services and Bylaw Enforcement staff monitor the implementation of the service for 12 months from initiation and report back on any operational/bylaw compliance issues to Council for regulatory amendments as required.

B) THAT Council consent to the Electric Kick Scooter Pilot Project (B.C. Reg. 247/2023) taking place within the City of Courtenay.

2. A) THAT Council endorse the extension of the License and Service Agreement between the City of Courtenay and B.C.A.A Holdings Ltd. for the provision of an Electric Bike Share Program; and,

THAT Council delegate authority to the Director of Operations to determine the form and content of a Contract and/or Licence and Service Agreement between the City of Courtenay and BCAA Evolve to facilitate the provision of an Electric Kick-Scooter Share Program in the City of Courtenay; and

THAT Council delegate authority to the Director of Operations to authorize any required agreements or other legal documents necessary to provide BCAA Evolve access and permission to use public land for the purposes of providing an Electric Kick-Scooter Share Program; and

THAT Operational Services and Bylaw Enforcement staff monitor the implementation of the service for 12 months from initiation and report back on any operational/bylaw compliance issues to Council for regulatory amendments as required; and

FURTHER THAT staff be directed to explore a revenue share model with BCAA, and report back to Council at a future date.

B) THAT Council consent to the Electric Kick Scooter Pilot Project (B.C. Reg. 247/2023) taking place within the City of Courtenay.

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3. THAT Council direct staff to proceed with the proposed License and Service Agreement, for the provision of Electric Bike Share Program only and to not include a provision for the Electric Kick-Scooter Share Program at this time.
4. THAT Council provide alternative direction to staff.

ATTACHMENTS:

1. Evolve Expansion List
2. BC MoTT – Electric Kick Scooter Pilot Program FAQ

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