

Emilie Gorman

From: personal information
Sent: Monday, July 18, 2016 11:59 PM
To: Legislative Services email
Subject: pedicab licenses

As a former Kabuki Kab driver, I welcome seeing other companies on the road again. I also would love to see a night shift again.

One thing that puzzles me is why licenses are being issued via random selection? Wouldn't that make it hard for anyone to put a business plan together if they don't know if they are even able to get a license for that business.

And by allowing people who don't actually have the equipment, ie. having licenses that others can manage, what is there to stop people, particularly from competing tour companies from acquiring licenses simply to see that they don't hit the streets?

Would it not make sense to issue licenses to those who've made the investment into actually having the equipment and intending to use it.

I love the idea of a greater variety of pedicabs on the street, but I'm questioning the wisdom of how the licenses are being issued. I think the city would be better served if they were issued to those with a proper business plan with intent on using them for their intended purpose.

And yes, I love the idea of having the pedicabs' business clearly marked on the cab. It brings about a level of accountability as well as a sense of community.

I mean really, don't we all miss seeing the 'Kabuki Kabs'?

Thank you.

personal information

Emilie Gorman

From: Scott Dolff **personal information**
Sent: Monday, July 18, 2016 5:52 PM
To: Legislative Services email
Subject: Re: bylaw thoughts

Here is an email in-text version:

Re: Victoria Vehicle For Hire Bylaw.

Dear Council members,

I write as an operator with the Victoria Pedicab Company. Andrew Capeau knows nothing of my input, nor does anyone else (though I'll probably show this to my partner, who also rides). The views are my own.

Here is the problem, as I see it:

the current system of permit allocation has created a de facto anti-competitive environment, i.e., a monopoly.

The question for council is thus how to allow other players into the market while (a) maintaining the quality and industry standards that have made the pedicab business so popular and useful within the Victoria tourism market, while (b) acknowledging the right of the existing company to operate with the permits it has.

A few preliminaries: Though I realize not everyone has always been pleased with VPC (I am friends with Steve, Willy, and others who have lobbied council), I have been pleased with my experience as an operator. I appreciate, as an operator, that the company (a) makes judicious use of the available permits, limiting the number of pedicabs on the streets during periods of low volume (thereby protecting the income of those operators who are willing to work in those times, while foregoing the possibility of increased lease revenues), (b) maintains a very fair weekly lease rate by historical standards, (c) is diligent to maintain the equipment (a boon to both safety, passenger experience, and operator well-being), (d) provides extensive training (tour training, maintenance and road safety, sales training), (e) demands respect for safety and standards of conduct by operators and monitors quality, and (f) nonetheless grants freedom to operators to be themselves and conduct their tours in ways that are comfortable for them.

Operator concerns with the proposed by-law:

The primary concern is that the council solution will create market saturation and its consequent evils:

- decreased ability to monitor operator conduct and increased threat of an accident or poor experience that will adversely affect an operator's ability to conduct business;
- a decrease in operator camaraderie as competition and desperate practices arise;
- a decrease in profitability for operators, and inevitable loss of talent to other fields and professions.
- sense of harassment (and consequent negative perception) among visitors because too many operators are on the streets soliciting business
- decreased ability to enforce rate standards (gouging and/or underselling, customers comparing notes and being dissatisfied, etc.)
- another war of attrition in the Victoria pedicab industry which may produce a Darwinian survivor, but also a lot of operator and owner casualties.

Possible benefits:

- A/some self-employed operator(s) could become owner-operators and realize greater autonomy
- New markets and modes of service could be opened up (partnerships, advertising, alternate business models, etc.)
- New or different company cultures arise which give additional avenue for expression
- Competition would cause existing owners to compete for talent and keep lease rates low

So what is that point of equilibrium? How do you create the greatest good for the greatest number of stakeholders?

Quite frankly, we stand to gain virtually nothing by the city's action to expand the number of pedicabs. The only conceivable gain for existing operators would be decreased lease rates as multiple companies compete to attract riders. But I don't actually believe that the industry would be profitable or attractive to company owners with any margins lower than that of the VPC. In fact, it seems just as likely to me that two companies could more or less informally price fix above the current rates.

As a potential business owner/investor, it is also disconcerting to see how precarious one's business is (will I get my permits? Will the value of my business be undermined in one stroke by a conciliar decision to give unlimited permits? Etc.).

Council options:

1. status quo
2. add permits of the existing permit type
3. redistribute existing permits
4. create different permit types (e.g., a taxi category, a night shift license, new geographic areas, etc.—something that increases markets, rather than creating pressure on an existing scarce resource).
5. Forced break-up with compensation and/or arms-length rules (e.g., Microsoft in Europe)

From what I see, only (2) has been considered, and that with little data to understand what the market can bear. My suggestion? Say you will consider options over the next three years, but add 6 licenses for next year, with an option of adding more (or more permit types) in years to come. Get your data. Perhaps the monopoly will resolve itself through partial sale, etc. But don't flood the market and create a street war. Much easier to expand slowly than to backtrack.

My two cents.

Scott Dolff

personal information

On Mon, Jul 18, 2016 at 4:59 PM, Scott Dolff
attached.

personal information

wrote:

Emilie Gorman

From: Heloise Nicholl personal information
Sent: Monday, July 18, 2016 3:16 PM
To: Legislative Services email
Subject: Vehicles for hire by-law

Dear CoV councillors,

I am writing again to express my opposition to expanding the number of pedicab licenses in Victoria.

I am writing as a pedicab operator myself. I lease a cab from Victoria Pedicab, however my views are my own only and do not represent that company.

I believe the proposal to expand licenses in the city has been done in haste and does not reflect knowledge of our industry or how many pedicab licenses the industry in Victoria can bear. If licenses were increased it would create a mess on our streets where tourists could easily be harassed by more cabbies soliciting fares and fares would likely be of differing rates, creating confusion for customers and operators alike. We would all have fewer customers and lower wages over the year, making this job a less attractive option for myself, personal information
The tourism image of Victoria could suffer; we have spent years building up the reputation of Victoria pedicab tours on social media platforms such as Viator and TripAdvisor.

I also believe that if licenses were expanded it would be an experiment that would ultimately result in roughly the same number of cabs out on the streets by year 3 anyways. Meanwhile our incomes and reputation as tour guides will suffer. The number of current operating licenses reflects our industry's knowledge of the saturation point the market can bear throughout the summer pedicab season in Victoria.

I am supportive of more than one company operating the current licenses in Victoria. I am supportive of a pedicab service operating past 12am to serve late night customers. However I fail to see the reasoned logic to increase the total number of cabs for daytime service, other than perhaps third party pressure that fails to consult with current operators.

I have written a letter to Councillors before and have not yet heard about meetings, dialogue or requests for input other than writing to you in this format. Before coming to any conclusions in your by-law amendments I would appreciate being informed of city council activities on this, and I would love to be welcomed into consultation too.

Thank you,
Heloise Nicholl
personal information

Heloise Nicholl
m: **personal information**

Emilie Gorman

From: lindsaymonierwilliams <[REDACTED]> personal information
Sent: Monday, July 18, 2016 2:05 PM
To: Legislative Services email
Subject: Vehicles for hire bylaw

I ask for the number of pedicab operators to remain the same. There is sufficient, only sufficient, opportunity for management and tour operators to make a living with the way the pedicab system currently operates. As a Tour Guide Operator with Victoria Pedit Cab Company, I am treated well by management. I feel I am supported to make an good, honest living with the flexibility to also be an attentive and available parent and partner at home. It supports my family and a healthy lifestyle. By keeping the number of operators the same, a relatively low number that sufficiently meets current and foreseeable demand, you are showing an understanding of what it is like to be a working citizen of Victoria and how our economy operates. It means the handful of people ambitious, fit and proud enough to get on those bikes can make an honest, healthy and fair living in this seasonal tourism based economy and the city we love.

Sent from my Samsung device

Emilie Gorman

From: JP Zach < [personal information](#) >
Sent: Monday, July 18, 2016 12:38 PM
To: Legislative Services email
Subject: Vehicles For Hire Bylaw amendment

To Whom It May Concern,

Legislative Services, Victoria,

I noticed that the language of the amendment is inconsistent with regard to the terminology of the vehicles in question: sometimes they are referred to as "pedicabs," and sometimes as "sightseeing vehicles." These would seem to be overlapping but not synonymous terms, except in the one instance that the phrase "sightseeing vehicle in respect of a pedicab" is used. Clearly, not all sightseeing vehicles are pedicabs, although as this section pertains to pedicabs, such an implication is granted. Less obviously, and more troublingly in the drafting of this amendment, not all pedicabs are sightseeing vehicles, and this is not merely a problem of consistent wording but of sensible policy.

There is an unfortunate and stubborn assumption among the interested parties of pedicab licensing in Victoria that pedicabs are necessarily a sightseeing vehicle. They are not. In many--indeed, most--cities across the world, pedicabs are not primarily used in sightseeing businesses but rather for transport; a novel, alternative form of transport to automobile taxis, buses, and trains, but a viable and practical form of transport nonetheless.

Sadly, this is almost consistently overlooked, as is reflected in the terminology of this amendment. Pedicabs are simply a type of vehicle, as are automobiles. There is not one single business model either vehicle must follow. In Victoria, especially since 2011, a tour-based (i.e., "sightseeing") pedicab company has dominated exclusively, such that Victoria residents no longer perceive pedicabs as a means of transport but rather as a tourist offering aimed solely at visitors: a valid perception, since this is the company's model. In most other cities, as in Victoria formerly, a larger, more circulating presence of pedicabs would avail itself for short-distance taxis within a small area; locals, aware of their purpose, would patronize them routinely. Doubtless, yet other viable business models could be conceived for pedicabs. To assume that all pedicabs should necessarily be considered as sightseeing vehicles would be precisely tantamount to assuming that all passenger automobiles for hire are necessarily sightseeing vehicles, and not shuttles, taxis, or otherwise purposed.

Not all boats are cruise ships. Not all buses are for tours. Not only is such an assumption inaccurate, but to issue licences based on this assumption will preclude the development of other viable businesses. The fleet size of automobile taxis in Victoria, for example, is not based on the number of taxis that can fit into Ogden Point, nor should it ever be.

How many pedicab licences can Victoria support? This is an almost impossible question. It is like asking how many car-based businesses can exist in the city. Of course, we can look at the business activities of Victoria Pedicab Company, and ask how many more pedicabs can follow it precisely and still make a profit. My experience as an operator at Victoria Pedicab Company gives me this response: very few. Ogden Point is already saturated with pedicabs, and unless there are more cruise ships, there is not room for more pedicabs.

Yet for 28 years, numerous pedicabs were also operating downtown every weekend night, an activity independent of cruise ships, and a non-sightseeing activity to boot. This market is currently unserved. There are neighbourhoods across Victoria that never see pedicabs for any purpose. These markets are currently unserved.

There are yet unimagined businesses pedicabs could offer. Those markets are currently unserved. Limiting the number of pedicabs in Victoria based solely on the business model of Victoria Pedicab Company, on the unreasonable assumption that the only possible business model is that of one particular company, will prevent a plethora of viable businesses in the city.

Victoria Pedicab Company's market is saturated. New companies should pursue other markets. Rather than trying to predict all possible markets before a business model is invented, why not release licences based on proposals made by prospective business owners? For example, a pedicab business based in Oak Bay would have no bearing whatever on the market saturation at Ogden Point. Why should the the number of pedicabs licensed downtown limit the number of licences available elsewhere in the city? Why should the number of pedicabs licensed and operating during the day limit the number of pedicabs operating at night? It isn't logical. It isn't good for business. It limits Victoria from what it could be based on an inability to understand that a pedicab is merely the name of a vehicle design and has no inherent business model. Let's get past this mental block and stop limiting ourselves.

Sincerely,
Jon-Paul Zacharias
Pedicab operator in Victoria:
personal information

Emilie Gorman

From: David Wilcox <daveyona@yukyus.com>
Sent: Monday, July 18, 2016 12:13 PM
To: Legislative Services email
Subject: Vehicles for hire bylaw ammendment

Good morning Mayor and Council,

As new business owners in Victoria, we would like to provide our input on this proposed change:

Overall the changes proposed look to promote growth within an industry that needs improvement.

The concern we see for future people or potential start-up companies is the selection process in which licenses are issued. Is there such an influx of people looking for licenses that a random selection (Lottery) is required? Why should any new business license be determined by lottery, that seems ludicrous to us. Is there any precedent for the bylaw ammendment to operate in this way? If not, then that change should be thrown out!

For the changes of the number of licences allowed, the maximum per person/business and the issuing of blocks of licences, we read the proposed changes as:

- the city is looking to increase the total number of licenses by 18;
- only allowing someone 6 at a time and no one person/business can have more than 15 either owned or managed; and
- once someone has 6 licences they are removed from having their name in the random selection pool (lottery).

Where is the logic in this?

We understand only increasing the total number of licenses to a certain amount, so as not to over crowd the streets with pedicabs, but the selection process and limitations you are proposing to put on new businesses doesn't sound fair at all. The current person(s) holding the 28 licenses will, by the wording of these changes, hold a monopoly on the industry as the wording severely limits any growth for new businesses.

I can't imagine what it would have been like for us looking for our business license as a Comedy club and have to go through a lottery process because we wanted to improve the vibrancy of the city that we live in and love. That doesn't sound very forward thinking on the cities behalf.

Cheers,

Dave & Yona
Club Owners
Yuk Yuks Victoria

personal information

Emilie Gorman

From: Andrew Capeau < [personal information](#) >
Sent: Monday, July 18, 2016 3:56 PM
To: Legislative Services email
Subject: Pedicab industry input
Attachments: Pedicab Industry Input on proposed regulation changes..pdf

Please find the attached PDF document regarding the proposals for the pedicab industry.
Can you please confirm reception of this document.

Thank you

Andrew Capeau
President
Victoria Pedicab Company
250 884 0121
www.victoriatours.net

The Victoria Pedicab Company is providing input below on the proposed changes in the Vehicle for Hire By-laws pertaining to pedicabs.

How will an increase of pedicabs affect those who work in the industry?

There is a concern that a jump from 28 to 46 pedicabs in operation will be more pedicabs than the market can handle. In San Diego and NYC, where the number of pedicabs appear in an oversupply, earnings are comparatively low for operators. This has resulted in lower quality standards in operators and in equipment. The attempts to gain fares are more frequent and occasionally more aggressive. The concern is that this will happen in Victoria and adversely affect those who derive a living in the industry and tourists who come to our city.

In Victoria, the supply strategy has been a focus on sustainability. The Victoria Pedicab Company has supplied pedicabs based on first hand reports and accounts on earnings. The goal is to see each operator achieve minimum earnings of \$15 per hour (above expenses). This is why there was an incremental release over the past three years of pedicab on the street. Will a 40% increase of pedicabs on the streets continue to provide those minimal earnings standards? Our findings are that the number of cabs put on the street this year (28) closely matches the market demand.

How will professional standards be maintained?

Over the past 20 years, the pedicab industry has created a policy manual referred to as the Code of Conduct. In it are industry policies that determine operation guidelines, fare structure, line order or 1st up procedures and safety policies. The Code is a collaborative document that is reviewed and refined every year by all licensed pedicab operators in Victoria. The Code has also been adopted by the GVHA and incorporated in a binding agreement in a Concession License to operate at Ogden Point Cruise Ship Terminals.

The Code has created industry standards that protect the consumer and pedicab operators. Does the City have the ability and will to ensure new licensees follow the Code? Who will police this? What will the consequences be for those that break the Code? What about past operators who have broken the Code? Will new licenses be offered to previous offenders who have been removed from the industry for just cause by management of the Victoria Pedicab Company?

Is there enough provided space for more pedicabs?

Pedicabs are a tourism related service. We operate in the downtown core and principally occupy the inner causeway including three blocks on Belleville Street and 2 blocks on Government Street. This area is shared with buses, taxis, limos, new rickshaw operators and passenger vehicles. Each season the area has become more crowded during peak use periods, particularly Friday and Saturday nights. Pedicabs share allotted parking space with rickshaw operators. This year we have 4 rickshaws sharing parking and yellow curb space. Where does the City intend to provide parking for more pedicabs in addition to new rickshaw operators? What will happen when BikeVictoria routes are implemented? Presumably with current market conditions, there will be more pedicabs waiting to gain fares while parked curb side. Current practice has Victoria Pedicab blocking off a section of parking space with safety cones else the area is over taken by non pedicab/rickshaw traffic.

Why did council change direction?

Over the fall and winter of 2015/16 the industry consulted with city staff on the proposal of 7 additional pedicab licenses. The recent incarnation of 18 licenses spread over 3 groups of six is a much different course than what was examined. A release of 7 licenses seemed more prudent. It allows for another person or persons to operate a pedicab or company and allows for an examination of market supply and physical space requirements. Should the 7 prove successful more licenses could be offered in the future with plans to supply more physical space. If the city adds 18 it will be very difficult to remove those licenses and may have unintended consequences mentioned above.

What are the effects of one company managing all the licenses?

The fact that one company manages all licenses can seem unfair. In a harmful monopolistic environment; price gouging, limited product selection, poor quality and tyrannical management practises can exist. Victoria Pedicab management's mission is and has been to provide a quality, affordable and sustainable business environment, service and product to all its' operators. The cost to operate a pedicab is fair less than it was 10 years ago, the pedicab and equipment are the best on the market, folks are treated fairly and new innovations such electric assist and a mobile ride hailing program have been added.

Victoria Pedicabs sub contracts to more than 40 pedicab operators. More than half return year after year because of a healthy and supportive business environment. Many have taken initiatives to carve out their own unique product and services offering consumers a wide variety of options. We have some

of the most knowledgeable and experienced tour guides in the city. A look at Victoria Pedicab's Tripadvisor listing is an absolute testimony to the quality that tourists to Victoria are experiencing.

Recommendations

The pedicab industry has taken a turn for the better in the past 3 years of management by Victoria Pedicab Company. Long gone are the bad operators who tarnished the reputation of the industry. VPC has cleaned up a business that was known for providing misinformation to tourists, selling alcohol or drugs on the side or having operators who had questionable business practises. VPC now provides an intensive training and screening program for all operators as a condition to operate a pedicab. Our managers are Super Host certificate holders. All operators hold a class 5 or 6 license. It should be noted that when Kabuki Kabs was placed in receivership it was discovered that more than half of their operators failed to provide the minimum license requirement. Most importantly, everyone involved in the pedicab industry is making a decent living and a healthy economic environment brings in a good group of operators.

The City can affect this balance by attempting to "provide more opportunities" for entrepreneurs. There is a real possibility of overcrowding the streets, affecting over 40 entrepreneur's livelihood and creating an unpleasant environment for visitors to our city. We recommend that if there is to be change that change be measured and gradual as was the original proposal of 28 to 35 licenses. It has taken a lot of hard work to bring this industry back to respectability. Please listen to our recommendations and make a decision that considers the image and experience we give to tourists in Victoria, the operator's financial welfare, the physical area that we operate in and the work done to create professional standards through an effective policy manual and policing of these policies.

Sincerely,

Victoria Pedicab Company Management

Emilie Gorman

From: Tina Fischer personal information
Sent: Monday, July 18, 2016 12:36 AM
To: Legislative Services email
Subject: ISSUING OF ADDITIONAL PEDICAB LICENSES IN VICTORIA

To whom it may concern,

I am writing in regards to the proposal of additional Pedicab licenses in Victoria. How is it determined who can obtain licenses? Will it be made public where individuals can apply? Or has the designation of new licenses already been determined?

For years the Victoria Pedicab Company has held the licenses and together with their operators have built, maintained and established a quality and well established pedicab business and industry within Victoria.

More licenses (cabs) being issued to new entities outside of VPC, could potentially cause havoc. Without regulating the rates, the safety and the operation of cabs, new emerging companies or individuals obtaining licenses could seriously damage the business by undermining the standards that are currently working well and are in place.

I propose that only 5 licenses be issued annually, and that VPC remain the regulatory company. Or perhaps an Advisory Committee made up of key personnel (consisting mainly of pedicab license owners and operators) who will meet regularly and who will initially draft a document that addresses the regulation of Pedicab rates, operations and safety procedures. Having an regulatory document in place BEFORE issuing licenses would prevent undermining and will help maintain continuity and compliance with each other.

Also note that the downtown core is already congested with a number of tour buses, cabs, horse drawn carriages, etc., and with the addition of more Pedicabs, this can further complicate the flow of traffic. However, introducing a few licenses each year most likely would not make a significant impact to the heavy traffic issue.

Thank you for understanding in this matter.

Best regards,

Tina Fischer
personal information

Victoria, BC
V8V 2N7

"For we walk by faith, not by sight." (Cor 2:5-7)

Emilie Gorman

From: personal information
Sent: Sunday, July 17, 2016 11:52 PM
To: Legislative Services email
Subject: Pedicab Expansion.

Hello. As a 15 year veteran with Victoria Pedicabs, I have a vested interest in owning my own business. However, it is not in my interest or in the industry's interest to play a role in expanding the industry at the cost of customer service quality or of the standard that We All at Victoria Pedicab Company have played an active role in setting. There has been much talk about "monopolies" when there is no such thing in Victoria.

All that exists is a situation where a legitimate mortgage company has found the most responsible person (Andrew Capeau) to manage their losses with respect to the Kabuki Kabs and Pacific Pedicab licenses. There has been very little discussion about the lack of infrastructure space in the crowded downtown (especially when there are dozens of taxis racing through the streets at high speeds to cater to the cruise ships). It is already a very dangerous experience for us riders and for pedestrians that the city of Victoria in taking on discussions about pedicabs does not seem to recognize. Officer Vermette of the Victoria Police recognizes this issue and yet there has been little to no steps to deal with the risks and infrastructure issues before changing the quantity of pedicabs. Also at issue is the risk of saturation. There are approximately 35-40 operators including sub-leasers that depend on their income from pedicabbing in order to attend university, live in the 3rd most unaffordable city in Canada, and support themselves or their families. Conversations with some members of council hasn't seemed to help them understand the issue of balancing the number of pedicabs on the streets with saturation that can and will lead to customer dissatisfaction due to financially struggling pedicab operators. This has been illustrated in many other cities and with numerous other businesses where operators struggle financially and then pass on the costs to customers through poor service and abuse (http://www.dailymail.co.uk/travel/travel_news/article-3173226/They-foreign-tourists-blatantly-ripping-Police-confront-London-rickshaw-driver-attempting-charge-206-three-minute-ride-shocking-video.html).

It is exactly this issue of saturation with the taxis in Victoria (especially on cruiseship days) that is leading to all the complaints by other drivers, pedicab operators, and the James Bay Community Association about taxi drivers' reckless driving in James Bay in order to make higher quantities of fares.

Saturation in other cities with businesses like Pedicabs and Uber are a prime example of this issue. As is the issue of enforcing regulations (http://austintaxidriver.org/downloads/driving_austin_driving_injustice_2010.pdf).

It is socially responsible to expand this industry in a manner that considers market demand and saturation. One could even convince Mr. Issit that it is actually a socialist approach to do so.

personal information

Emilie Gorman

From: personal information
Sent: Sunday, July 17, 2016 11:42 PM
To: Legislative Services email
Subject: RE: Proposed Amendments to the Vehicles For Hire Bylaws

Legislative Services:

I am writing in support of the proposed changes to the bylaws governing Victoria's pedicabs and the increase to the number of licences to be made available. While there are always legitimate concerns regarding an increase of vehicles on the streets, the amendments more than adequately strike a balanced compromise between these concerns and the need to maintain a healthy business environment for pedicab operations. Industry growth, in its current form, has plateaued and in some cases regressed with respect to innovation and the diversity of the services we provide. Pedicabs in Victoria employ fewer people than when I first began operating in 2009 (in the depths of the recession). Today, over 90% of operators' revenue and service is dedicated to one source: cruise ship passengers. Delivery of service during non-cruise ship days has been decreasing steadily over the years and in 2014 night-shift operations were discontinued permanently.

In my opinion, the best means to reverse these negative trends while promoting safety and growth in our industry is to approve the proposed amendments.

Thank you,

personal information

Emilie Gorman

From: personal information
Sent: Sunday, July 17, 2016 9:27 AM
To: Legislative Services email
Subject: Vehicles for hire bylaw

Legislative services,

I am a pedicab operator in the city of Victoria. I am emailing because I have been informed you are currently taking in feedback for your vehicles for hire by-law amendment. As an operator in my third year I would like to provide my informed opinion.

There is one owner in town and he operates all 28 licenses. The word monopoly can accurately describe the situation, I think that benevolent dictator might also be applicable. For those of us on the inside, good enough and able to follow the rules, it's a good set-up. We have an established company with safe vehicles and operating procedures that help us prosper. The simple structure allows us to be easily policed when we transgress from our rules and conflict between operators is kept to a minimum because of an attentive and present management structure.

Looking in from the outside though I'm sure it's a different story. Operators who do not meet the Victoria pedicab company (VPC) standards and those who are looking to make it on their own should be given a fair chance. Having talked to a councillor I understand that the main purpose of this amendment is to simply bring competition in to the mix. This isn't unreasonable, I would always encourage the development of the industry as long as it benefits those involved.

Your proposed number of new pedicab licenses is where I object. Put simply, the number is too big. It's an increase of pedicab licenses by nearly 70%. I feel the expansion should be much smaller, perhaps more in line with the 7 that was proposed earlier in the year. I will detail the reasons for my objection and my own suggestions in the following paragraphs.

The market will not be able to hold 18 new licenses, you only need to go down town on a Thursday during lunch time to see this. A boat is in town, quite a big one too, and yet pedicabs are on the streets not being utilised. Locals don't take us, never have never will. Most of the bus based Alaska tour groups don't want to know us. The days can often be long and hard, a demoralising job for those unfamiliar with rejection. I've seen people get sick of it, I've seen people develop negative attitudes, and I've seen people go, but if you can't stand the heat then you have to get out of the kitchen.

Has the market for pedicabs really increased enough for your proposed expansion? I would argue that it has not, not by a long shot. Even if by strange circumstance the visitor market had increased by 50%, it still doesn't make sense to increase the licenses by 18. Think about the infrastructure the city and industry will need to provide. Is the city prepared to start policing pedicab disputes? Keep in mind that we all still see the unlicensed pedicab cruising around town trying to solicit rides with a 'recommended donation', if the city can't regulate one rouge pedicab how can it expect to increase it's efforts and regulate a whopping 48 pedicabs? pedicabs do also operate in the after hours, can the city even respond to conflict or complaint after 6pm?

I would suggest that if the city is adamant on increasing the total licenses to 48 that it does so in stages, make it baby steps even. None of us really know what the result will be when the numbers increase, but being prudent on the matter seems like a pretty good idea. Release 6 this year and if problems are kept to a minimum then

release another 6 next year. It'll be much easier on both the city and the operators, this way the expansion can be halted if and when it becomes problematic. It'll surely be easier to curb expansion rather than have to revoke licenses if things start going pear shaped.

But what about justice, what about the choice? I myself have talked to the potential owners, some still content with working for the current company, others with a few more choice (and perhaps off-colour) words for the VPC operation. I understand that there is more than one group of people interested in their own operation and with the lottery system of distributing new licenses some people may miss out. Is it fair that people miss out? I would only have to look at the stacks of resumes that fly through Victoria come the end of each summer to help answer that. Yes people will miss out, and yes that is fair. Just like how any business excludes the majority of potential employees in their hiring process the pedicab industry must afford a level of exclusivity when deciding who is to receive licenses.

I have only seen one serious competitor out there on the streets with the hardware to start their own company. With the provisions in the by-law amendment requiring any license recipients to provide the means to operate a safe vehicle and company I imagine that the only people that are going to miss out are those that would fall short of your proposed standards and otherwise not be suitable for the pedicab industry. But even if legitimate new businesses such as the company set up by Ryan Wilcox and his partner do not win the licenses by process of lottery, is it anyone's fault but their own that they have counted their chickens before they have hatched? Does the pedicab industry need to submit to the will of those that force themselves into the market? No of course not. I suggest that simply starting a company and purchasing pedicabs doesn't entitle anyone to a license, much like how Dance Dance Victoria is not entitled to throw street parties even if they do have djs and clowns making balloon animals already in place.

Please consider these points when continuing with this bylaw amendment. As pedicab operators we have so much to lose, we are after all the largest group that will be directly impacted by your decision and must have our concerns heard.

On a side note. I would like to address the lack of communication with the pedicab operators of Victoria. The operators as a collective provided a signed statement to the city of Victoria over a month ago, this was handed directly to a member of the legislative services and followed up with an email to Chris Coates. We provided contact details in case the city was looking for consultation from the pedicab operators. We were only informed that the legislative services was seeking feedback through back channels. Despite time and effort trying to establish a line of communication, the pedicab operators have seemingly been excluded from your attention. This is not how we expect a fair and inclusive decision making body to operate. Please keep that in mind for the future.

Please feel free to contact me via email if you have any concerns or questions with what I have written.

Regards,

personal information

Emilie Gorman

From: personal information
Sent: Saturday, July 16, 2016 10:02 AM
To: Legislative Services email
Subject: Pedicab operation

Hi Emilie Gorman,

I thank you for opening the panel for feedback.

I am quite new to Victoria (coming from a different country) and am a pedicab rider for the last 2 seasons. Me not being from Victoria allows me to have a more unbiased view of how things are in the Tourism industry and also the contribution of Victoria Pedicab Company towards the promotion of Victoria as provider of world standard tourist related services.

Almost all of my clients i toured around the city are amazed by the services of current pedicab riders and they believe that the riders are providing excellent services (as attested in Trip advisor) and believe we all (riders) are able to entertain them because we (riders) are ourselves happy with what we are doing. I really enjoy the working environment as we are all like a big family. There has never been a bossy environment and the current operator is really doing a great job of keeping the family together and more importantly the customers are happy of the services and the standards.

The pedicab riders have also a very friendly relationship with other operators likes taxis, horse riders and other operators. Even the customers who are mostly Americans are amazed of the healthy and friendly environment that we operate. They even tell us how unhealthy competition they have back in their towns and states. They say Victoria is an example of how different operators work together in a civilized manner.

Therefore the city has to carefully let expand having in mind maintaining a healthy competition which is progressive and not destructive and paying attention to the infrastructures like number of lanes, the crowd, parking spaces , the traffic and the future upcoming projects.

Change is a good thing provided it is necessary and brings positive results. If things are working well we better not change it drastically. We are also not expecting drastic increase in tourist traffic that necessitates drastic increase in the number of pedicabs on the streets. There is a critical mass that is needed and things work well up to a certain stage and they continue to contribute to growth in a sustainable manner. Beyond the peak any increase in volume does harm to sustainability and the propensity of growth decreases which means any additional injection in volume and investments in infrastructures does not contribute to the economic benefit of the action.

In my opinion the city should use iteration as a process to check an balance. I sincerely believe that scientifically it is impossible to calculate with precision the critical mass and the peak of the number of pedicab requirements. Therefore increasing say by 5 licences initially for two years would allow time and opportunity to analyse the demand and supply. Also it will avoid issuing too many licences above the peak number. It will be more controllable and sustainable growth would be manageable.

Without being biased i believe besides being a single operator VPC is rightly managed and does not act like a "dictator". The riders do work happily as a family and the customers get the benefit ultimately.

I therefore make a plea to the city not to increase the numbers drastically and suggest the city to make a just decision based on facts and not on hear says.

personal information

Pedicab rider

Emilie Gorman

From: personal information
Sent: Wednesday, July 06, 2016 6:36 PM
To: Legislative Services email
Subject: Re: Vehicles for Hire Bylaw

I think the proposed changes are a GREAT idea! As a local, I have noticed a need for more pedicab riders and competition in the tourism industry is something that Victoria can always benefit from. I for one would like to see the diversity that results from these proposed changes, as we most likely see a wider range of tours and services that pedicabs could provide should new companies look toward finding niche markets for this type of activity.

Thank you

Emilie Gorman

From: personal information
Sent: Wednesday, July 06, 2016 7:24 PM
To: Legislative Services email
Subject: re: vehicles for hire

- Limiting the number of pedicabs that a person or business can operate to 28

I'm guessing this is to "grandfather" the existing owner - will those licenses be transferrable as a block or required to meet the new limit?

- Limiting new pedicab licence holders to 15 licences

This is too many. These licences should be held as much as possible by owner operators. Tourists (and that's who uses these) value diversity and unique experiences, not workers struggling to get by while someone else makes all the money.

personal information

Emilie Gorman

From: Trikes Tours <trikestours@gmail.com>
Sent: Wednesday, July 13, 2016 10:22 AM
To: Legislative Services email
Subject: Feedback on proposed amendments to The Vehicle for Hire Bylaw
Attachments: TrikeTours amendments to bylaw.pdf

Input for VFH license amendment.

July 7, 2016

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- 1. Criteria for applying for pedicab licenses.**
- 2. Clearer language in regards to safety.**
- 3. Requirement to use pedicab licenses if awarded**
- 4. Removal of geographic and time limitations. Ie. section 15.**
- 5. Number of licenses per business.**
- 6. Lottery, random selection and alternatives to.**
- 7. Conclusion**

Here as follows is our recommendation for changes to the currently discussed pedicab bylaw.

1.

We are greatly concerned that there is no criteria in place when applying for pedicab licenses. No qualifications or experience necessary, nor do the requirements in section 2 extend to this part of the process. With such a finite number of licenses, we have the potential to run into serious complications, for example someone with no interest in actually starting a business yet interest in keeping more pedicabs off the road, could easily win this lottery and put these limited precious licenses in a drawer never to use them. There also is the potential for profiteering; someone wins the lottery and seeks out a party that does infact wish to start a business however did not have luck on their side, now has the potential to profit by having that company manage their licenses at an increased cost.

Furthermore, the lack of criteria has the potential to greatly increase the cost of enforcement and involvement from the city. For example, having no experience called for and no connection to the city or pedicab industry, one could simply ignore the culture and code of conduct that has grown over the years and has been respected in this city. This has potential to increase complaints from public and other riders.

We would like to see added to section 12: A person applying for new licences must not be doing so on behalf of a current license holder. *ie. Arms length*

2.

We would like to see clearer language in place across much of the bylaw such as;
Section 2a we would like to see added:

To issue or renew a pedicab license, it must be proven that there are procedures in place to ensure operation in a safe manner. **That the pedicabs in operation adhere to the requirements written in section 14 (Construction of pedicabs and rickshaws). And section 6 insurance or proof that insurance can be acquired if licenses are awarded.**

This adds clarity and reinforces a need for physically safe vehicles as well as responsible riders.

3.

If we are in agreeance that we need to control the number of pedicabs on the streets and as mentioned before, if licenses are not used we can simply give out more licenses.

If so, we feel a provision should be added that within 6 months the party that receives new licences must have pedicabs in operation. If not those licenses are returned to be redistributed. This will avoid a buildup of unused licenses that could accumulate over time and could flood the market all at once.

Once again this is under the assumption that flooding the market is a concern.

4.

We would like to see the removal of the entire section 15. This entire section limits entrepreneurial creativity. The map and hours of operation were enacted in a time when cars ruled the streets. That is no longer the case, Victoria is a city of villages and these villages should be able to share in the benefits of pedicabs. It has been documented by the transportation department that pedicabs will have no negative impact on the infrastructure of the city. That would have been the only argument for these restrictions. These were also written in a time before electric assist, which allows a pedicab to travel much further than previously. Removing the map will also alleviate the concern for saturation of the market since it will greatly open the area for pedicabs to operate and allow them to be used as means of transportation and not solely for tourism needs. In many cities with pedicabs, those pedicabs make their bread and butter from sporting events and stadiums. Under the current map, the cities major fields and stadiums cannot be serviced by pedicabs.

5.

In 2007 city council set a precedent by giving VPC 8 licenses. What was agreed upon was that 8 licenses is what was required to have a profitable and sustainable pedicab company. The initial proposal of 7, was rejected and has become 6. 6 has been agreed upon to be a number that is not sustainable. It should also be noted that 8 was established as the magic number almost 10 years ago, and this does not take into account inflation and cost of rent in Victoria. Realistically the optimal number is significantly higher than 8. With the current information at hand, it only makes sense that the blocks should in fact be of 8. With this we could then move the company cap up to 16 allowing for 2 blocks of 8 to build one company.

This would make changes to

2 (b) change the 28 to 54

12A (1) Change 15 to 16

13A (2) change to "apply for up to six" to "apply for up to eight" business licences.

As another option we would like council to consider lifting the individual company cap all together. This would only work if the industry capⁱ was lifted as well. If someone wishes to try to store and purchase 50 pedicabs and if someone else wishes to run 1 pedicab and they both make enough profit to sustain their business. Should they not both be allowed to do so?

6.

The first proposal to council stated that licenses would be distributed through lottery. With most parties involved including many members of council saying that they were not comfortable with the lottery. The solution as been to change the word "lottery" to "randomly select." That is the exact same thing. The only example which we have been given where Victoria has used a lottery system is in the case of parking spaces. We fail to see the comparison to a business that will employ people, pay taxes and add the the green economy that the city has expressed support for, with parking spaces. However it was stated that the provincial charter does not allow for a subjective panel in giving out business licenses. Even though it can do so in choosing its

members of staff, secretaries, and custodians it cannot do so with business licenses. This would make sense if the natural selection criteria for businesses was in place, ie. the free market.

Perhaps a more apt comparison is the conversation at council regarding Medical Marijuana Dispensaries. In discussing the topic of the 200 meter rule in regards to storefronts within the 200 meter zone. An option mentioned on May 5th by council and staff was to have a community feedback panel on each applicant to the rezoning process. This was also stated by staff as being a possible benefit if council wished to limit the amount of businesses in the city. So a subjective panel is being discussed as an option to decide which (currently illegal) business will get the chance to remain, yet such a panel cannot be used to discuss a new (legal) business trying to start. One situation may be licensing and one may be zoning, however the approach and result are very similar.

Finally if council chooses to vote for the random selection option, we would like to request that the draw be done in the full public eye, and if allowed by the charter that it be done by Mayor Helps' hand.

7.
Conclusion.

In looking at this bylaw we find it to be filled with vague language and seemingly arbitrary numbers with an intent of controlling a problem that doesn't exist. Therefor the only logical answer does seem to be a free and open market. With provisions in place for the city to be able to instill a cap if signs of saturation emerge, or negative effects begin to show. The city could simply cap licenses once it gets too many, and through clear language as who gets to renew licenses, allow attrition to bring the number to an optimal number. A pedicab is not a cheap piece of equipment, if the cap was lifted and the market was allowed to dictate, there would not be 2000 pedicabs in Victoria the next week. Let the consumer decide how many pedicabs Victoria needs.

Sincerely
Trikes Tours