MARKHAM

BY-LAW 2024 - 104

TO AMEND BY-LAW 106-71 BEING
THE CITY OF MARKHAM
TRAFFIC BY-LAW

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM ENACTS AS FOLLOWS:

That the Traffic By-law 106-71 be amended as follows:

1.   That the word "Town" be replaced with the word "City"

2.   That in Section 1, DEFINITIONS, the following definitions be deleted and replaced as follows:

"bicycle" includes a tricycle, a unicycle and a power-assisted bicycle as defined under the *Highway Traffic Act,* but does not include a motor assisted bicycle as defined under the *Highway Traffic Act*;

"motorcycle" means a self propelled vehicle having a seat or saddle for the use of the driver and designed to travel on not more than three wheels in contact with the ground, and includes a motor scooter, but does not include a motor-assisted bicycle;

"motor vehicle" includes an automobile, motorcycle, motor-assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include a power assisted bicycle as defined in the *Highway Traffic Act* or an electric kick-scooter;

"vehicle" includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle, electric kick-scooter, and any vehicle drawn, propelled or driven by any kind of power, including muscular power;

3.   That in Section 1, DEFINITIONS, the following definitions be added:

"electric kick scooter" means a vehicle that meets the requirements set out in the *Highway Traffic Act* and Ontario Regulation 389/19, as amended, including that it has:

(i) two wheels placed along the same longitudinal axis, one place at the front of the kick-scooter and one at the rear,

(ii) a platform for standing between the two wheels,

(iii) a steering handlebar that acts directly on the steerable wheel,

(iv) an electric motor not exceeding 500 watts that provides a maximum speed of 24 kilometres per hour, and

(v) a maximum weight of 45 kilograms (kg) and wheels with a diameter of not more than 430 millimetres (mm);

"motor assisted bicycle" means a bicycle as defined in the *Highway Traffic Act*, including,

(i) that is fitted with pedals that are operable at all times to propel the bicycle,

(ii) that weighs not more than fifty-five kilograms,

(iii) that has no hand or foot operated clutch or gearbox driven by the motor and transferring power to the driven wheel,

(iv) that has an attached motor driven by electricity or having a piston displacement of not more than fifty cubic centimetres, and

(v) that does not have sufficient power to enable the bicycle to attain a speed greater than 50 kilometres per hour on level ground within a distance of 2 kilometres from a standing start;

"power-assisted bicycle" means a bicycle as defined in the *Highway Traffic Act*, including that it,

(a) is a power-assisted bicycle as defined in subsection 2 (1) of the Motor Vehicle Safety Regulations made under the *Motor Vehicle Safety Act (Canada)*,

(b) bears a label affixed by the manufacturer in compliance with the definition referred to in clause (a),

(c) is fitted at all times with pedals that are operable to propel the bicycle, and

(d) is capable at all times of being propelled on level ground solely by using muscular power to operate the pedals;

4.   That the title before Section 37 be deleted and replaced as follows:

HEAVY TRUCK TRAFFIC

5.   That Section 41A be deleted and replaced as follows:

The erection and operation of signal light traffic control systems, consisting of sets of green, amber and red, or green arrow, green, amber and red signal lights, either alone or in connection with "Walk", "Wait" and "Don't Walk" pedestrian control signs or symbols, for the control of traffic, at the locations described in Schedule 19 are hereby authorized.

6.   That in Section 44, the words "or York Regional Roads Commission" be deleted and the word "or" be added before the words "Region of York"

READ A FIRST, SECOND, AND THIRD TIME AND PASSED ON MAY 29, 2024.

KIM BERLEY KITTERINGHAM
CITY CLERK

FRANK SCARPITTI
MAYOR