



By-law 2018 -130

Lane Designation By-law

BE IT ENACTED BY THE COUNCIL OF THE CORPORATION OF THE CITY OF MARKHAM HEREBY ENACTS AS FOLLOWS:


1. A by-law to designate lanes on City of Markham roads for the exclusive use of certain classes of vehicles.
2. In this by-law,
 - (a) “bicycle” includes a tricycle and unicycle but does not include a motor assisted bicycle as defined under the *Highway Traffic Act* or a power-assisted bicycle as defined under the Motor Vehicle Safety Regulations made under the *Motor Vehicle Safety Act (Canada)*;
 - (b) “motor vehicle” includes an automobile, motorcycle, motor or power-assisted bicycle and any other vehicle propelled or driven otherwise than by muscular power; and
 - (c) “vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power.
3. The portion of the highway set out in Column 1 of Schedule “A” between the limits set out in Column 2 is hereby designated a transit lane for the exclusive use of those vehicles listed in Column 3 during the times set out in Column 4.
4. No person shall operate a vehicle in a transit lane unless:
 - (a) the vehicle is of a class designated in Column 3 of Schedule “A”;
 - (b) the vehicle is a public vehicle or a bus as defined in the *Highway Traffic Act*;
 - (c) the person is operating an emergency vehicle, as defined in section 144 of the *Highway Traffic Act*, in the performance of his or her duties;
 - (d) the person is operating the vehicle in the lawful performance of his or her duties as a transit, municipal enforcement, or police officer;
 - (e) the person is operating a vehicle engaged in road construction or maintenance activities in or near the transit lane;
 - (f) the person is maintaining, repairing or construction City-owned infrastructure at or near the transit lane; or
 - (g) the person has received a road occupancy permit from the City of Markham to operate a vehicle in the transit lane.

5. The portion of the highway set out in Column 1 of Schedule "B" between the limits set out in Column 2 is hereby designated a bicycle lane for the exclusive use of bicycles during the times set out in Column 3.
6. No person shall operate a vehicle in a bicycle lane except for a bicycle.
7. Any person who contravenes any provision of this by-law is guilty of an offence.
8. Every person who is guilty of an offence under this by-law shall be subject to the following penalties:
 - (a) upon a first conviction, to a fine of not less than \$50.00 and not more than \$1,000.00;
 - (b) upon a second or subsequent conviction for an offence under this by-law, to a fine of not less than \$100.00 and not more than \$10,000.00
9. For the purposes of this by-law, an offence is a second or subsequent offence if the act giving rise to the offence occurred after a conviction had been entered at an earlier date for an offence under this by-law.
10. Schedules "A" and "B" shall form part of this by-law.
11. The By-law shall come into force and effect upon receiving the third reading by the Council of the City of Markham and also when authorized signs have been erected.

Read a first, second and third time and passed on September 12, 2018.



Kimberley Katteringham
City Clerk



Frank Scarpitti
Mayor

SCHEDULE “A” (TRANSIT LANES)

<u>COLUMN 1</u> (Portion of highway)	<u>COLUMN 2</u> (Limits)	<u>COLUMN 3</u> (Vehicle Class)	<u>COLUMN 4</u> (Times or Days)
<p align="center">South Town Centre Boulevard</p> <p>two centre lanes of the highway, as designated by regulatory signs and lane markings</p>	<p align="center">Highway 7 to Cedarland Drive</p>	<p align="center">Public transit vehicles</p>	<p align="center">24 hours, 7 days a week</p>
<p align="center">Cedarland Drive</p> <p>two southern-most lanes of the highway, as designated by regulatory signs and lane markings</p>	<p align="center">South Town Centre Boulevard to Warden Avenue</p>	<p align="center">Public transit vehicles</p>	<p align="center">24 hours, 7 days a week</p>