

THE CITY OF VAUGHAN

BY-LAW

BY-LAW NUMBER 158-2023

A By-law to amend Parking By-law 064-2019, as amended, to add the definition of power-assisted bicycles known as “e-bikes” and electric kick-scooters known as “e-scooters” or “electric kick-style scooters”, and to prohibit these vehicles from parking or stopping on sidewalks.

WHEREAS sections 11(3) and 11(8) of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the “*Municipal Act*”), as amended, provide for lower-tier municipalities to pass by-laws respecting matters pertaining to highways, including parking and traffic on highways, and parking, except on highways;

AND WHEREAS *Ontario Regulation 389/19* made under the *Highway Traffic Act*, R.S.O. 1990, c. H.8 (the “*Highway Traffic Act*”) provides that no person shall operate an *Electric Kick-Scooter* on a highway, sidewalk, trail, path or walkway or in a public park or exhibition ground under the jurisdiction of a municipality unless such operation is permitted by and in accordance with a municipal by-law;

AND WHEREAS the *City* considers it desirable to allow *Electric Kick-Scooters* to be operated in the *City* subject to certain restrictions;

AND WHEREAS the *City* considers it desirable to prohibit *Electric Kick-Scooters* and *Power-Assisted Bicycles* from parking or stopping on sidewalks;

NOW THEREFORE the Council of The Corporation of the City of Vaughan ENACTS AS FOLLOWS:

1. In By-law 064-2019, as amended, to delete the definition of “Motor Vehicle” in section 3.0(1).

2. In By-law 064-2019, as amended, to amend section 3.0(1), to add the following definitions, and to order definitions in this section alphabetically:

“Highway Traffic Act” refers to *Highway Traffic Act*, R.S.O. 1990, c. H.8 and its regulations, as amended, and its successor acts and regulations;

“Electric Kick-Scooter” means a vehicle that has:

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

- (b) a platform for standing between the two wheels,
- (c) a steering handlebar that acts directly on the steerable wheel, and
- (d) an electric motor not exceeding 500 watts that provides a maximum speed of 24 kilometres per hour;

“Motor Vehicle” includes an automobile, motorcycle, motor assisted bicycle unless otherwise indicated in the *Highway Traffic Act*, and any other vehicle propelled or driven otherwise than by muscular power, but does not include a *Power-Assisted Bicycle*, *Electric Kick-Scooter*, street car, or other motorized vehicles running only upon rails, or a motorized snow vehicle, traction engine, farm tractor, self-propelled implement of husbandry or road-building machine within the meaning of the *Highway Traffic Act*;

“Power-Assisted Bicycle” means a vehicle that:

- (a) is a pedal-driven bicycle of conventional exposed fork-and-frame bicycle design and appearance that does not resemble a motor scooter or motorcycle and that;
 - (i) has two or three wheels,
 - (ii) is fitted at all times with pedals that are always operable to propel the bicycle,
 - (iii) is capable at all times of being propelled on level ground solely by using muscular power to operate the pedals,
 - (iv) has steering handlebars,
 - (v) has wheels that have a width of not less than 35 millimetres and a diameter of not less than 350 millimetres,
 - (vi) has one or more electric motors that, singly or in combination, have a continuous rated output power not exceeding 500 watts and that is incapable of providing propulsion assistance when the bicycle attains a speed of 32 kilometres per hour or more, and
 - (vii) weighs not more than 55 kilograms,
- (b) has the appearance of a motor scooter, with a seat and an open frame that may be stepped through and a platform on which the

rider's feet may rest and that:

(i) meets the description in subclauses (a) (i) to (vi), and

(ii) weighs not more than 120 kilograms,

(c) is a vehicle that has the appearance of a motorcycle, with a saddle designed to be straddled and a footrest, pedals or pegs where the rider's feet may remain secure, and that meets the description in (b) (i) and (ii);

3. In By-law 064-2019, as amended, to replace section 2.0 with the following:

(1) This By-law applies to the Parking of *Motor Vehicles, Electric Kick-Scooters* and *Power-Assisted Bicycles* on:

(a) *Highways* under the jurisdiction of the *City*;

(b) *City* Facilities; or

(c) Municipal or Private Property.

(2) This By-law shall not, if compliance therewith would be impracticable, apply to:

(a) any ambulance, police or fire department vehicles or public utility emergency vehicles; or

(b) vehicles or *Municipal Law Enforcement Officers* actually engaged in works undertaken for or on behalf of the *City* or a public transit commission.

(3) Parts 5.0 and 6.0 shall not apply to public transit vehicles, where compliance therewith would be impractical due to the placement of the bus stop for public transit and School Buses.

4. In By-law 064-2019, as amended, to replace the wording in 5.0(7) with the following, "No person shall *Park* or *Stop* a *Motor Vehicle, Electric-Kick Scooter, or Power-Assisted Bicycle* on or over a sidewalk."

Voted in favour by City of Vaughan Council this 17th day of October, 2023.

Steven Del Duca, Mayor

Todd Coles, City Clerk

Authorized by Item No. 1 of Report No. 35 of the Committee of the Whole (Working Session).
Report adopted by Vaughan City Council on September 26, 2023.
City Council voted in favour of this by-law on October 17, 2023.
Approved by Mayoral Decision MDC 005-2023 dated October 17, 2023.
Effective Date of By-Law: October 17, 2023