

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2018-13

HUB TRAIL: (R1.72) A by-law to restrict the use of vehicles on the Hub Trail.

WHEREAS on July 16, 2012, City Council passed a resolution requesting the Parks and Recreation Advisory Committee in consultation with the appropriate staff, Police Services and the Accessibility Advisory Committee, to review which types of motorized vehicles should be permitted to be used on the John Rowswell Hub Trail and provide recommendations to City Council;

AND WHEREAS the Parks and Recreation Advisory Committee in consultation with the appropriate City staff, Police Services and the Accessibility Advisory Committee have agreed to the types of motorized vehicles that should be permitted to use the John Rowswell Hub Trail and connecting spoke trails;

AND WHEREAS the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended (the "Act"), s. 8, provides that the powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS the Act, s. 9, provides that a municipality has the capacity, rights, powers, and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS paragraph 1 of subsection 10(2) of the Act provides that a municipality may pass by-laws respecting public assets of the municipality acquired for the purpose of exercising its authority under this or any other Act; economic, social and environmental well-being of the municipality, including respecting climate change; health, safety and well-being of persons;

AND WHEREAS offences and penalty provisions for contraventions are as set out in section 425 and 429 the Act;

NOW THEREFORE the Council Of The Corporation Of The City Of Sault Ste. Marie hereby **ENACTS** as follows: **[amended by By-law 2024-68]**

1. **Definitions**

Any term not hereto defined shall have the same meaning as the term has in the *Highway Traffic Act*, R.S.O. 1990, c. H.8, and its regulations, as amended.

In this by-law:

“Bicycle” includes a bicycle, tricycle, or other similar vehicle, but does not include a Power-Assisted Bicycle or any vehicle propelled or driven by any power other than muscular power;

“City” means the City of Sault Ste. Marie;

“Corporation” means the Corporation of the City of Sault Ste. Marie;

“Electric Bicycle” or “E-Bike” means 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 is capable of being propelled on level ground by a throttle or any means other than muscular power; **[amended by By-law 2024-68]**

“HTA” means the *Highway Traffic Act*, R.S.O. 1990, c. H.8, and its regulations, as amended;

“Hub Trail” means the John Rowswell Hub Trail and spoke trails as designated, and indicated in the Table attached as Schedule “A” to this by-law;

“Motor Vehicle” includes an automobile, motorcycle, motor-assisted bicycle, and any other vehicle propelled or driven otherwise than by muscular power, but do not include a street car or other motor vehicle running only upon rails, a Power-Assisted Bicycle, a motorized snow vehicle, a traction engine, a farm tractor, a self-propelled implement of husbandry, or a road-building machine;

“Person with a Mobility Disability” means a person whose mobility is limited by one or more disabilities, conditions or functional impairments;

“Personal Mobility Device” means a chair, mounted on wheels driven by muscular power or electrical power that is designed for and used by a Person with a Mobility Disability, and does not include an E-Bike;

“Power-Assisted Bicycle” means

(a) a pedal-driven bicycle of conventional exposed fork-and-frame bicycle design and appearance that does not resemble an E-bike as defined herein, 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, and

(viii) may have one or more riders if equipped to properly transport them; **[amended by By-law 2024-68]**

“Segway” means a device known as the Segway Personal Transporter or the Segway Human Transporter that is manufactured by Segway, Inc. or other similar device; and

“Vehicle” includes a motor vehicle, trailer, traction engine, farm tractor, road-building machine, motorized snow vehicle, street car, Bicycle, Electric Bicycle, Segway, and any vehicle drawn propelled or driven by any kind of power, including muscular power, but does not include Personal Mobility Devices, or, if unaltered to reduce or remove the use of muscular power, in-line skates, skateboards, coasters, scooters, toy vehicles, toboggans, sleighs, or similar devices.

2. **VEHICLES ON THE HUB TRAIL PROHIBITED**

(a) No person shall drive or operate any Vehicle, except a Bicycle or Power-Assisted Bicycle as defined within this By-law, on the Hub Trail.

(b) No person shall permit any Vehicle, except a Bicycle or Power-Assisted Bicycle as defined within this By-law, from being driven or operated on the Hub Trail.

(c) Without restricting the sections above, no person shall operate an E-Bike on the Hub Trail. **[amended by By-law 2024-68]**

3. **EXCEPTIONS**

Section 2 of this by-law does not apply to:

- (a) Ambulances, Police or Fire Services Vehicles, or any other emergency Vehicle which is actively engaged in the performance of their duties;
- (b) Vehicles actually and actively engaged in works undertaken for or on behalf of the City, a public transit agency authorized to operate in the City, or a public utility, including telecommunications, energy, water supply, wastewater related services, and the Sault Ste. Marie Region Conservation Authority; and
- (c) A Person with a Mobility Needs utilizing a Personal Mobility Device. **[amended by By-law 2024-68]**

4. **SPEED LIMIT ON THE HUB TRAIL**

At no time shall any person travel faster than 20 km/h while travelling on the Hub Trail.

5. **SIDEWALKS**

Where a portion of the Hub Trail would meet the definition of a “sidewalk” pursuant to the definition under Traffic By-law 77-200, as amended, and in the event of a conflict between Traffic By-law 77-200 and this by-law with respect to which Vehicles are permitted to be used on the Hub Trail, this by-law shall take precedence.

6. **ENFORCEMENT**

The enforcement of this by-law shall be the responsibility of Sault Ste. Marie Police Services or its designee.

7. **PENALTY**

Every person who contravenes any provision of this by-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

8. **SCHEDULE “A”**

Schedule “A” hereto forms a part of this by-law.

9. **EFFECTIVE DATE**

This by-law takes effect on the day of its final passing.

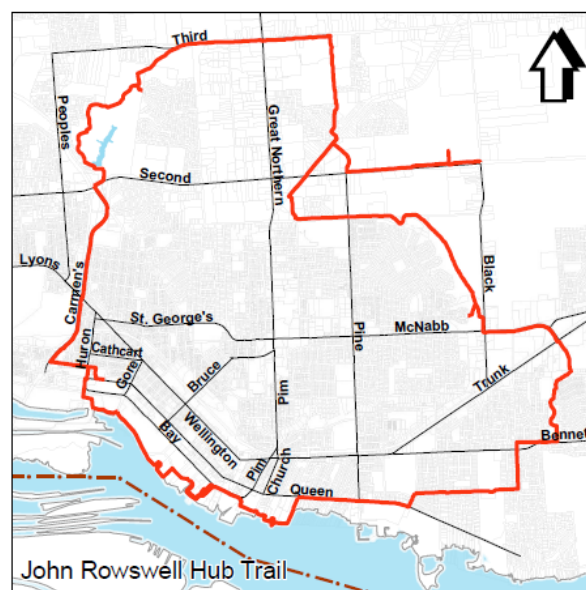
PASSED in open Council this 5th day of February, 2018.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

Street Name or Designated Section of Trail	From Street	To Street	Total Distance	Trail Type	Trail Surface
JRHT "The Boardwalk"	Canal Drive	East Street at Bay Street	2.85 km	Multi-use Path	Asphalt/ Boardwalk/ Paving Brick
JRHT "Historic District"	East Street at Bay Street	Pine Street at Queen Street East	2.27 km	Multi-use Path	Asphalt
JRHT "East Neighbourhood"	Pine Street at Queen Street East	Churchill Boulevard	Approx. 578 m	Multi-use Path	Asphalt
JRHT "East Neighbourhood"	Churchill Boulevard	Mark Street	Approx. 172 m	Multi-use path	Asphalt
JRHT "East Neighbourhood"	Mark Street at Churchill Boulevard	Hugill Street	Approx. 650 m	On Road	Asphalt
JRHT "East Neighbourhood"	Hugill Street at Mark Street	Black Road at McNabb Street	Approx. 3.94 km	Multi-use Path	Asphalt
JRHT "Finn Hill"	Black Road at McNabb Street	Pine Street at Northern Avenue	2.65 km	Multi-use Path	Asphalt
JRHT "Northern Corridor"	Pine Street at Northern Avenue	Willow Avenue at SSM Emergency Services Restricted Area	Approx. 600 m	On Road	Asphalt
JRHT "Northern Corridor"	Willow Avenue at SSM Emergency Services Restricted Area	Old Garden River Road	Approx. 300 m	Multi-use Path	Asphalt
JRHT "Northern Corridor"	Old Garden River Road at Emergency Services Entryway	Eastwood Street at Cedarwood Drive	Approx. 1.12 km	On Road	Asphalt
JRHT "Northern Corridor"	Eastwood Street at Cedarwood Drive	Northern Entrance to Fort Creek	Approx. 2.939 km	Multi-use Path	Asphalt
JRHT "Northern Corridor"	Old Garden River Road at Entrance to St. Mary's	Second Line East at Black Road	Approx. 1946 km	Multi-use Path	Asphalt
JRHT "Fort Creek"	Third Line East at Northern Entrance to Fort Creek	Second Line East at Carmen's Way	2808 km	Multi-use Path	Asphalt
JRHT "Carmen's Way"	Second Line East at Carmen's Way	White Oak Drive West	Approx. 211 m	On Road	Asphalt
JRHT "Carmen's Way"	White Oak Drive West at Carmen's Way	Canal Drive	Approx. 3.109 km	Multi-use Path	Asphalt
JRHT "Carmen's Way"	Huron Street at Albert Street West	John Street at Queen Street West	Approx. 310 m	Multi-use Path	Asphalt

Below Map for illustrative purposes only



The Corporation of the City of Sault Ste. Marie

Schedule "B" Part 1 Provincial Offences and Set Fines

Short Form Wording	Provision Creating or Defining Offence	Set Fine
Drive prohibited vehicle on Hub Trail	2(a)	\$75.00
Permit to drive prohibited vehicle on Hub Trail	2(b)	\$75.00
Operate an E-bike on Hub Trail	2(c)	\$75.00
Travel faster than 20km/h on the Hub Trail	4	\$75.00