



Administrative Report

To: Warden MacDonald and Members of Essex County Council

From: Allan Botham, P.Eng., Director, Infrastructure & Planning Services
David Sundin, BA (Hons), LL.B., Director, Legislative and Legal Services/County Solicitor

Date: Wednesday, March 19, 2025

Subject: Limited Use of Golf Cars on Roadways in Lighthouse Cove in the Municipality of Lakeshore

Report #: 2025-0319-LLS-R15-DS

Purpose

The purpose of this Administrative Report (the "**Report**") is to provide County Council with the request of the Municipality of Lakeshore ("**Lakeshore**") to allow for "Golf Cars" (defined below) to be used on that portion of County Road 39 that is known as Tisdelle Drive, located in the Community of Lighthouse Cove north of the CP railway tracks, and depicted in the highlighted portions of the map appended to this Report as **Appendix A**.

Background

In 2021, the Province through a regulation to the *Highway Traffic Act*, namely Ontario Regulation 407/21 (the "**Regulation**"), brought in a Pilot Project for the use of "Golf Cars" (defined below) on certain roadways. For ease of reference, a copy of the Regulation is appended to this Report as **Appendix B**.

The Regulation defined a "**Golf Car**" as being "a motor vehicle that is intended for use primarily on golf courses or on roadways where access and use of other motor vehicles is controlled". The same definition is used for the purpose of this Report.

The Regulation goes on to provide that the only Golf Cars that can be used on roadways, are those that have all of the following required features:

1. a steering wheel;
2. seating for 2 to 6 individuals;

3. service brakes;
4. parking or emergency brakes;
5. four tires that,
 - a. meet the requirements of Regulation 625/Tire Standards and Specifications (except for Sections 6 and 7 of the said Regulation 625), and
 - b. are in contact with the highway;
6. a rearview mirror;
7. a horn;
8. daytime running lights;
9. turn signal lights;
10. brake lights; and
11. reflectors.

The use of Golf Cars is further limited as follows:

1. Golf Cars can only be operated on highways by someone who holds a valid class A, B, C, D, E, F, or G licence.
2. Golf Cars cannot be operated by someone who is impaired by the use of alcohol and/or drugs.
3. A Golf Car cannot be used to transport any passenger under 8 years of age.
4. A Golf Car must be incapable of a rate of speed greater than 32 km/h or must be speed-modified to prevent the Golf Car from attaining a speed greater than 32 km/h.

Further information related to the Golf Car Pilot Project can be found at:

<https://www.ontario.ca/page/municipal-guidelines-golf-cart-pilot-program>

The use of Golf Cars on highways was originally limited to only the Township of Pelee Island and the Township of Huron-Kinloss. However, Lakeshore successfully petitioned to have the Regulation amended to also permit the use of Golf Cars in the Community of Lighthouse Cove.

At a meeting of Lakeshore Council held on February 11, 2025, Lakeshore Council approved a By-law to move forward with the Golf Car Pilot Project in the Community of Lighthouse Cove. Lakeshore has limited the use of Golf Cars as follows:

1. Golf Cars can only be used from April 1 to November 30 of each year; and
2. Golf Cars are not permitted until a licensing program is established.

Lakeshore has passed the necessary By-law for the Golf Car Pilot Project to proceed in Lighthouse Cove. However, due to County Road 39 being in the proposed area of the Golf Car Pilot Project, a By-law passed by County

Council will also be required for the Golf Car Pilot Project to proceed. A copy of Lakeshore's By-law, being By-law 12-2025 (the "**Lakeshore By-law**") is appended to this Report as **Appendix C**.

The period of the Pilot program is intended to be approximately 10 years. O.Reg. 407/21 is to be revoked on June 3, 2031 and Clause 2 (2) notes the Minister shall complete an evaluation of the use of golf cars on highways on or before the 10th anniversary of filing of the Regulation.

Discussion

The major area of concern for the County related to the Golf Car Pilot Project is the potential liability for any accidents that may occur. However, the Lakeshore By-law does provide for both insurance and indemnification. The Lakeshore By-law requires that a Permit be obtained prior to a Golf Car being used, and further, Section 14(c) and (d) of the Lakeshore By-law reads as follows:

An application for a Permit shall include at minimum:

...

- (c) Certificate of insurance, in a form satisfactory to the Permit Issuer, identifying the Golf Car, with a minimum liability coverage of \$2 million; and*
- (d) A signed waiver of liability, in a form satisfactory to the Permit Issuer, in favour of the Municipality and the County of Essex for any injury or damages that may occur from the operation of a Golf Car on a Road.*

Given the language of the Lakeshore By-law, and assuming there will be adequate insurance in place by the owner and operator of any Golf Car, and with a waiver being executed in favour of the County, the concerns related to liability are lessened. The liability risks are deemed to be acceptable, especially in light of the very limited scope of this Pilot Project on the County Road network, and the low speed of the section of County Road 39 (i.e. 50 km/h).

Financial Implications

The financial impact of this report is tied to liability risk. Allowing golf carts in Lighthouse Cove poses minimal liability for the County, as enforcement and road modifications are primarily the responsibility of Lakeshore, the local municipality. While accidents could lead to legal or insurance claims, the risk remains low and manageable within the County's existing insurance coverage and risk management practices.

Consultations

In preparing this Report, consultations were held with Lakeshore Administration.

Strategic Plan Alignment

Working as Team Essex County	Growing as Leaders in Public Service Excellence	Building a Regional Powerhouse
<input type="checkbox"/> Scaling Sustainable Services through Innovation <input type="checkbox"/> Focusing “Team Essex County” for Results <input type="checkbox"/> Advocating for Essex County’s Fair Share	<input type="checkbox"/> Being an Employer with Impact <input checked="" type="checkbox"/> A Government Working for the People <input type="checkbox"/> Promoting Transparency and Awareness	<input type="checkbox"/> Providing Reliable Infrastructure for Partners <input checked="" type="checkbox"/> Supporting Dynamic and Thriving Communities Across the County <input type="checkbox"/> Harmonizing Action for Growth <input type="checkbox"/> Advancing Truth and Reconciliation

Recommendation

That Essex County Council receive Report Number 2025-0319-LLS-R15-DMS, Limited Use of Golf Cars on Roadways in Lighthouse Cove, for information and adopt the necessary By-law to permit the Golf Car Pilot Project to proceed.

Approvals

Respectfully Submitted,

Allan Botham

Allan Botham, P.Eng., Director, Infrastructure and Planning Services

Concurred With,

David M. Sundin

David Sundin, BA (Hons), LL.B., Director, Legislative and Legal Services/County Solicitor

Concurred With,

Sandra Zwiers

Sandra Zwiers, MAcc, CPA, CA, Chief Administrative Officer

Appendix	Title
A	Map Depicting Area Golf Cars are Permitted to Use
B	Ontario Regulation 407/21
C	Lakeshore By-law 12-2025