



## STAFF REPORT

**Title:** Wendy Ballachay and Reverend Jeremy Willment - February 25, 2025 Delegation

**Meeting Date:** March 11, 2025

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### **Executive Summary:**

Wendy Ballachay and Reverend Jeremy Willment attended Council's regular meeting held February 25, 2025 as a delegation.

### **Background:**

#### **February 25, 2025 Delegation**

*Mayor Copeland welcomed Wendy Ballachay and Reverend Jeremy Willment to the meeting at this time being 6:11 p.m.*

*Ms. Ballachay and Rev. Willment advised that they are representing the local GIO mobility scooter owners. They expressed concern with regards to Council's recent decision regarding the use of GIO mobility scooters in Cold Lake.*

*Ms. Ballachay read aloud the letters to Council, which were included in the agenda package.*

*Rev. Willment advised that he is not able to drive anymore because he has been deemed legally blind. This doesn't mean that he can't see, it just means his numbers are too low to drive. In addition, he has neuropathy, so his feet and hands freeze in subzero temperatures. Having a GIO, has allowed him to still function as a clergyman in the community. It allows him to go to people in need (i.e. someone who was willing to take their own life, end of life care at the hospital) when his wife is not available to take him. For him, if this is taken away, he becomes a prisoner again because he can't get out on his own. He noted that seniors will also benefit from these units and asked that Council take into consideration those who use them for the betterment of their lives. He noted that the disabled community takes pride in doing things themselves and want to be independent. The GIO mobility scooter gives them the opportunity to not be a burden on friends and family and gives them a sense of independence. He asked Council to consider all the angles and those who have no other choices.*

*Extensive questions and comments from Council, Administration, and the Delegation ensued.*

*Mayor Copeland and Administration clarified that the Province of Alberta sets the criteria for the classification of vehicles under the Transportation Act, not municipalities. In this case, the GIO falls under the category of golf cart or mini vehicle, meaning, they are not allowed to drive on public roads, highways, or trails, restricting their usage to private property. They also noted that the province has a pilot project to test the concept of permitting these vehicles on public roadways,*



*this was the discussion at the January 21, 2025 Corporate Priorities Committee meeting of Council. Council has decided not to pursue the pilot project at this time, due to many reasons, one being mini vehicles cannot safely travel stretches of Highway 28. However, they may reconsider at a future meeting of Council.*

*Mayor Copeland thanked Ms. Ballachay and Rev. Willment for their delegation and encouraged them to contact MLA Scott Cyr regarding their concerns, as reclassification would need to occur at a provincial level.*

*Ms. Ballachay returned to the gallery at this time being 6:50 p.m.*

*Rev. Willment left the meeting at this time being 6:50 p.m.*

The delegation specifically requested the following:

- The City of Cold Lake need to repeal the bylaw and/or amendments that has restricted the use of GIO's;
- Council needs to make a public announcement of the errors of its ways (the recent GIO' Bylaw is discriminatory against a group of people, causing contempt.
- The citizens of Cold Lake deserve to all be treated equally without the fear of contempt or discrimination whether disabled, a senior, or others that choose to drive a GIO scooter.

The following are administrative comments:

The following is a media article by CBC relating to the pilot project allowing the use of "golf carts and mini vehicles" (not directly relating to the use of the GIO models as this is brand name):

<https://www.cbc.ca/news/canada/calgary/alberta-golf-carts-roads-1.7362287>

Seven (7) municipalities have been included in the initial approvals according to the CBC article:

- Town of Coaldale
- Town of Delburne
- Village of Acme
- Village of Linden
- Summer Village of Whispering Hills
- Summer Village Half Moon Bay



- County of Lacombe (for its small villages and rural subdivisions such Birch Bay, Parkland Beach, Maridian Beach, etc. and excluding the City of Lacombe and Town of Blackfalds).

For reference purposes, we've attached a copy of the Lacombe County's Bylaw No. 1418/24 - Pilot Project (Golf Carts) Bylaw which depicts the requirements for approval to participate in the pilot project. Of interest, the bylaw further specifies the requirement that "No person shall operate a golf cart unless they are the holder of a subsisting operator's license issued pursuant to the Act (being Traffic Safety Act, RSA 2000, T-6)". If this particular bylaw informs requirements of the pilot project and/or requirements for the City of Cold Lake, it would not address the concerns of the delegation. That being said, perhaps the City would have its own expectations for competency and health thresholds.

None of the "City's" have entered into these considerations that we're aware of, at this time.

Key considerations in the development of a pilot project, if desired by City Council:

1. Would the City allow for all roads that have a posted speed limit of 50 km/hr (or less) or designated specific roads only.:

The framework of a pilot project announced by the Government of Alberta would enable the municipality to designate roadways that mini vehicles can be used. That said, these roadways must have a posted speed limit of 50 km/hr or less.

In theory, the municipality could attempt to designate all roadways that have a posted speed limit of 50 km/hr (or less).

In a case such as Cold Lake, in an amalgamated municipality that has roadways connecting each other that are posted greater than 50 km/hr, an alternative solution would have to be considered. Examples could include:

- Reducing the speed limit between Cold Lake North, Cold Lake South from 80 km/hr to 50 km/hr so that the roadway could be designated as such for such a pilot project.
- Add a new and widen the existing "roadway" between Cold Lake North and Cold Lake South adjacent to the existing twinning road to be designated as such for the pilot project.



- Designate and delineate part of the existing twinned “roadway” between Cold Lake North and Cold Lake South for mini-vehicles with its own posted speed limit. An example of this would be bike lanes in various metropolitan centres.
- Design and construct roadways between Cold Lake North and Cold Lake South that have a posted speed limit of 50 km/hr (or less). This example would include the roadway extensions in the “Meadows Neighborhood” and “North Tri-City Estates Neighborhood”. This would essentially connect the North and South Committees with a lower posted speed limit.
- Further discussion would need to occur on the roadways between Cold Lake South and CFB Cold Lake (Federal Properties commences near Lion’s Park). The posted speed limit is 60 km/hr. Similar options as noted above would need to be considered for Veteran’s Drive and Kingsway.

## 2. Operator Competency Requirements

Should operators of a mini vehicle have some sort of education and/or competency on the use of roadways? The Government of Alberta requires any “motor vehicle” under the Highway Traffic Act to comply with requirements. The following website provide an example of the Province of Alberta’s requirements: [Steps to getting a driver's licence | Alberta.ca](https://www.alberta.ca/steps-to-getting-a-driver's-licence.aspx)

Some of the expectations and requirements for driving have been amendment from time to time, typically when a major accident occurs (e.g. Humboldt Broncos Bus Accident on April 6, 2018).

The following are examples as listed on the website:

Stage 1. Learner (Class 7 Licence) - To get a learner’s driver’s licence you must:

- be 14 years of age or older
- have parental or guardian consent if you are under 18 years of age
- pass a knowledge test
- pass a vision test

Stage 2. Probationary (Class 5-GDL Licence) - To get a probationary driver’s licence you must:

- be 16 years of age or older
- have parental or guardian consent if you are under 18 years of age



- have had a Class 7 learner's licence for at least 12 months
- pass the basic road test

Stage 3. Full, non-GDL (Class 5 Licence) - To become a fully-licensed driver you must:

- be at least 18 years of age
- have completed the 24 months of probationary driving
  - Drivers may be eligible to reduce their 24-month probationary period by up to 6 months by completing a Class 5 or Class 6 driver training program from a driver training school licensed by Transportation and Economic Corridors.
- be suspension and demerit free for the last 12 months

Further to the above, Class 6 licences for motorbikes and mopeds (that are generally greater than 50cc) are required to meet the following requirements:

- be at least 16 years of age
- already have a full Class 5 driver's licence, you'll need to take a Class 6 knowledge and road test.
- Class 5 or Class 7 licence will need to complete all the requirements of Class 7, pass a Class 6 knowledge and road test, and be placed in the Graduated Driver's Licence (GDL) program before you can get a full Class 6 licence.
- Class 5 or Class 7 licence, will need to take a Class 6 knowledge and road test.

Mini-Mopeds and motorbikes (less the 50cc) with speed restrictions will require a Class 7 learner's licence c/w vehicle registration and minimum insurance requirements.

### 3. Disabilities and/or the extent of disabilities

Subject to operator competency requirements (as noted above), some framework on disabilities and/or the extent of disabilities will need consideration for the use of mini vehicles. The Province of Alberta requires medical exams in some circumstances and/or medical conditions that may impact a person's ability to safely operate a vehicle.

Further information can be found on the following website:

[Driver medical fitness review | Alberta.ca](https://www.alberta.ca/driver-medical-fitness-review.aspx)



In summary, the following are examples of medical conditions that may impact a persons ability to drive safely on public roadways (as listed on the Province of Alberta's Website):

- Abdominal Aortic Aneurysm
- Aortic dissection
- Cardiovascular diseases (myocardial infarctions, atrial fibrillation, pacemaker/ICD)
- Cerebrovascular diseases
- Cognitive impairment including dementia
- Diabetes – Hypoglycemia (if treated with insulin)
- Deep vein thrombosis (DVT) – Pulmonary embolism
- Intracranial tumours
- Multiple Sclerosis, Cerebral Palsy, Parkinson's
- Musculoskeletal (amputations, paralysis, limb malformations)
- Narcolepsy
- Peripheral arterial disease-severe claudication
- Psychiatric disorders (bipolar, schizophrenia/schizoaffective, psychosis)
- Respiratory diseases (COPD, oxygen use)
- Seizures and epilepsy
- Sleep apnea
- Syncope (loss of awareness and consciousness)
- Traumatic brain injuries
- Vestibular disorders (vertigo and dizziness)
- Vision impairment

Others could include ADHD and Autism Spectrum Disorders.

The above list is not intended to be an exhaustive list of disorders however the above does provide an example of disability and/or the extent (severity) of disabilities that will need to be considered in the framework.

If a pilot project requires that the operator have and maintain a valid "Alberta operator's license", medical conditions may restrict participation in the mini-vehicle pilot project.

#### 4. Age Restriction Framework

Subject to operator competency requirements (as noted above) and disability thresholds (also noted above), what minimum and/or maximum age will be permitted to operate a mini vehicle.



The Province of Alberta has age restrictions for use of vehicles on roadways. The following website outlines the minimum age requirements associated with the use of vehicles (note that these are not applicable to mini-vehicles):

[Steps to getting a driver's licence | Alberta.ca](#)

The following are some non-commercial use examples:

Class 7 Licence Learner - 14 years of age or older  
Class 5 Licence GDL - 16 years of age or older  
Class 5 Licence Full - 18 years of age

Further to the minimum age, the following Q and A posted by Alberta Transportation provide some considerations for aging drivers:

[QA Regarding Aging Drivers.pdf](#)

Further to the Pilot Project (Golf Carts) regulations (including mini vehicles), the following are minimum requirements:

Under the Pilot Project (Golf Carts) Regulation:

- operators must be 14 years of age or older
- golf carts may not be operated at night the number of passengers is limited to the number of seats as provided by the manufacturer
- operators must carry and show proof of municipal authorization upon request of any bylaw, peace or police officer
- operation of golf carts is only allowed on roads within a municipality:
  - that have been identified in a municipal bylaw
  - where the maximum speed limit is 50 km per hour or less
  - that cross a road with a speed limit over 50 km per hour only at points that have been specified in municipal bylaw in communities that have erected signage as specified in municipal bylaw
- golf carts are maintained as prescribed by the manufacturer and:
  - must be in good working order
  - may not be home-built or modified
  - the towing of vehicles or equipment is not allowed
- operators must follow all rules of the road unless otherwise included in the above operating parameters
- rental businesses and their golf carts are not included in the pilot project at this time and are not eligible for municipal authorization



- unless specified in the regulation, golf carts are subject to all other rules, terms and conditions as if they were a motor vehicle – and they must be operated as such
- Provide quarterly reports to the Government of Alberta on January 31, April 30, July 31 and October 31 based on the quarterly reporting guidelines.
- Provide annual reports to the Government of Alberta on November 30 of each year based on the annual reporting criteria.

Municipalities must also notify TEC via email at [tec.permitprojects@gov.ab.ca](mailto:tec.permitprojects@gov.ab.ca) within 24 hours of any major incidents that involve damages over \$5,000, injuries that require medical care, or fatalities. With that, all permits will have a reporting obligation.

Further to the above, the Municipal bylaws must include the following (but not limited to):

- note the coming into force and expiry dates
- include any operating parameters that exceed the requirements and limitations as outlined in the regulation
- specify the form, process and fees for operators to obtain proof of municipal authorization (for example, permit or registration)
- clearly designate routes and include a map of such routes:
- when submitting proposed bylaws and routes, municipalities also include a document that explains why the routes (highways) were selected and demonstrates consideration of:
  - collision statistics for the routes
  - traffic volume for the routes
  - whether the routes are primarily used for local or recreational traffic
- indicate that data will be collected and reported as required by the Registrar
- specify that operators must:
  - report collisions resulting in property damage, injury or death directly to the municipality
  - outline the form and manner in which that information must be reported

We've attached a copy of the application form for reference purposes.

If support exists for this pilot project, it is recommended that the City of Cold Lake retain resources for development and implementation. The Government of Alberta also highly recommends the municipality seek legal advice on the liability exposure to the municipality for such a program and initiative. With that qualification, we've attached the Government of Alberta's sample bylaw for reference purposes.





**Alternatives:**

City Council may consider the following alternatives:

1. The Council accept the delegation as information and direct administration to prepare and draft an application for a pilot project for the use of Golf Carts and Mini-Vehicles within the City of Cold Lake, and that the draft application be referred to Council Corporate Priorities Committee for recommendation.
2. The Council accept the delegation as information.

**Recommended Action:**

That Council accept Wendy Ballachay and Reverend Jeremy Willment's delegation presentation made at the February 25, 2025 regular meeting of Council as information.

**Budget Implications (Yes or No):**

No

**Submitted by:**

Kevin Nagoya, Chief Administrative Officer