



Town of Niagara-on-the-Lake

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REPORT #: CAO-24-013

COMMITTEE DATE: 2024-03-19

DUE IN COUNCIL: 2024-03-26

REPORT TO: COTW-General

SUBJECT: 2024 Caleche Renewal Agreements

1. RECOMMENDATION

It is respectfully recommended that:

- 1.1 Three (3) caleche operators be granted Licences to Occupy Town Land (LOTLA) for the 2024 season as follows:
 - a) Sentineal Carriages Inc. (Fred and Laura Sentineal)- three (3) licences;
 - b) Queens Royal Tours Inc. (Jeff Sentineal) - one (1) licence with approval to sublet, and,
 - c) 1000220148 Ontario Inc. (Ronda Cave) - one (1) licence;
- 1.2 The LOTLA fee of \$500 be applicable to each of the five (5) licenses in recognition of exclusive space allocation, lost parking revenue, and administrative costs;
- 1.3 Staff report back by Q4 2024 on the outstanding request from Council for information about the operational framework for the caleche service; and,
- 1.4 Staff be authorized to prepare agreements and any other actions necessary to give effect hereto.

2. EXECUTIVE SUMMARY

This report provides Council with recommendations for the allocation of the five (5) available LOTLA for caleche operators in Niagara-on-the-lake for the 2024 season and clarity on the application of the LOTLA fee.

3. PURPOSE

The purpose of this report is to obtain the necessary Council approvals to proceed with the issuance of LOTLA for caleche operators for the 2024 season.

4. BACKGROUND

- In order for a caleche business to operate on-demand/walk-up business operations from land owned by the Town, a caleche operator must obtain, beyond the business licencing requirements prescribed by Niagara Region, one of five (5) available LOTLA granted by the Town.

- At its meeting on May 16, 2023, Committee of the Whole considered report OPS 23-032 which provided recommendations on the annual renewal agreements related to the five LOTLA (3 to Sentineal Carriages Inc., and 2 to Queens Royal Tours Inc.) and further, considered an expansion request from a new operator (1000220148 Ontario Inc - Ronda Cave) for an additional license increasing the number of available licenses to six (6).
 - The matter was referred back to staff to comment on:
 - The expansion request;
 - The development of a more detailed operating framework;
 - An update to the terms of reference;
 - Options to recover lost parking revenue for the reserved spaces on King Street, and;
 - Opening up the license application process to other potential operators based on defined criteria.
- In 2023, Queens Royal Tours Inc. placed its business license in “non-use” status. This resulted in 2 Town LOTLA being available to be reassigned by Council.
 - As per Section 25 of the Caleche Operating Terms of Reference (OTR), a LOTLA is “owned” by the Town and may not be bought, transferred, assigned, or sold without authorization by Council or their staff designate.
- At its meeting on June 20, 2023, Council directed staff to provide one of the two available LOTLA to 1000220148 Ontario Inc. through the 2023 season and the other licence to Queens Royal Tours Inc. with Council’s permission to sublet the license to Meghan Sentineal.
- Staff have not completed the study of the Caleche service requested by Council, including proposed criteria and an application process to allocate the five (5) LOTLA. They commit to reporting back to Council by Q4 2024, in time for decision-making related to the 2025 Caleche season.
- Queens Royal Tours Inc.’s business license continues to be in "non-use" status, making two (2) LOTLA available again this year for Council determination.
- As there is time sensitivity with LOTLA licenses due to renew on April 1, 2024, it is recommended that the status quo be maintained for the 2024 season and that the same three (3) operators be allocated the five (5) LOTLA as detailed in this report.

5. DISCUSSION / ANALYSIS

The licencing framework for the caleche business is multilayered. Niagara Region’s Business Licensing Department requires that the owner of a caleche business obtain a licence annually to operate as per the Niagara Region Business Licensing By-law No. 2021-58 (as amended). The Regional By-law requires a Caleche operation to obtain a Caleche Business Licence, a Carriage Licence for each carriage, a Caleche Operator Licence for each carriage operator, and a Horse Licence for each horse to be used in the operation. The licences require specific documentation for each licence category, including commercial general liability insurance, criminal record and judicial matters, police checks, and veterinarian assessments. Licences issued by the Region are for the entire Regional Municipality of Niagara.

In addition to the above-noted requirements, in order for a caleche business to operate from land owned by the Town, the caleche business must also obtain a separate LOTLA licence from the Town. This licence allows the Caleche business to occupy the land to conduct on-demand/walk-up business operations. The Town only grants five (5) LOTLA to operate from the King & Queen Street location. Last year, the LOTLA were allocated as follows:

- Sentineal Carriages Inc. - three (3) licences
- Queens Royal Tours Inc. - one (1) licence with approval to sublet.
- 1000220148 Ontario Inc. - one (1) licence;

According to the Region's Business Licensing Department, there is another caleche operator in Niagara-on-the-Lake with a business license beyond these three. This operator is not seeking a LOTLA from the Town at this time, as they intend to operate only between two wineries.

There is currently no criteria-based application process in place to assign the five (5) LOTLA. This will be part of the staff report back to Council by Q4, 2024, in time for decision-making related to the 2025 caleche season. There is time sensitivity due to the existing LOTLA licenses expiring on March 31, 2024. It is recommended that the status quo be maintained for the 2024 season and that the same three (3) operators be allocated the five (5) LOTLA as detailed in this report.

Section 2.01 of the LOTLA identifies the requirements for payment of an Annual Licence Fee. That fee is \$500 per caleche operator per year. This creates an inequity between operators who have one license vs multiple licenses. This approach does not recognize the value of exclusive space allocation, lost parking revenue, and administrative costs. It is proposed that the annual fee be applicable to each LOTLA as opposed to each operator. A review of the fee for the LOTLA will be part of the staff report back in Q4. Beyond the refinement of how the fee is assessed, an increase is not proposed for this year.

6. STRATEGIC PLAN

The content of this report supports the following Strategic Plan initiatives:

Pillar

1. Vibrant & Complete Community

Priority

1.3 Strategies & Masterplans

Action

Other

7. OPTIONS

- 7.1 **Option 1:** The status quo be maintained for the 2024 season and that the same three (3) operators be allocated the five (5) LOTLA as detailed in this report. **(Recommended)**
- 7.2 **Option 2:** Council propose a different allocation of the five (5) LOTLA among duly licensed caleche operators.

8. FINANCIAL IMPLICATIONS

Allocating the LOTLA fee of \$500 to each license as opposed to each operator will:

- Begin to recognize the exclusive space allocation, lost parking revenue, and administrative costs, and;
- Result in a small revenue increase of \$1000

An assessment of the fee for the LOTLA will be part of the staff review due back to Council in Q4, 2024.

9. ENVIRONMENTAL IMPLICATIONS

There are no environmental implications to this report.

10. COMMUNICATIONS

Upon approval by Council, Staff will meet with the Caleche operators to finalize the LOTLA requirements. Town Staff will also forward Council's decision to the Niagara Region Business Licensing Department.

11. CONCLUSION

LOTLA licenses are time-sensitive and due to expire on March 31, 2024. Therefore, as detailed in this report, it is recommended that the status quo be maintained for the 2024 season and that the same three (3) operators be allocated the five (5) LOTLA.

12. PREVIOUS REPORTS

- OPS-22-022 - Caleche – Licence to Operate
- OPS-23-032 - Caleche – Annual Renewal Agreements and Expansion Request
- CAO-23-058 - Caleche Operations – Response to May 16, 2023, Motion

13. APPENDICES

None

Respectfully submitted:

Prepared and submitted by:



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