



Staff Report to Council

DATE: Monday, August 19, 2024

DEPARTMENT: Parks and Recreation

SUBJECT: Licence Agreement for Off-Leash Area at 860 Langford Pkwy (Wal-Mart)

EXECUTIVE SUMMARY:

Staff have been in discussions with Wal-Mart Canada Corp. regarding a potential Licence Agreement that will allow the City to establish a fenced off-leash area for dogs on a portion of 860 Langford Parkway (see map below). Staff are seeking Council approval to enter into the attached five-year licence agreement.

BACKGROUND:

Based on staff interaction with the public, there is a desire from the public to have additional off-leash areas for dogs within the City Centre. Staff have researched land acquisition and licensing options that would achieve the goal of creating a further off-leash area in the downtown core (recognizing the presence of both the Danbrook Park and Station Avenue off-leash areas). The unused portion of grassed land on the Wal-Mart Canada Corp. property at 860 Langford Parkway was identified as a potential partnership opportunity. Staff reached out to Wal-Mart Canada to gauge their interest in partnering with the City. A Licence Agreement, which has been approved in principle by Wal-Mart Canada, is attached to this report for the consideration of Council.

COMMENTARY:

Staff have been in discussions with Wal-Mart Canada Corp. regarding a potential licence that will allow the City to establish an off-leash area on a portion of the property at 860 Langford Parkway. As this is not City owned land, the licenced area should not be viewed as long-term option.

As a requirement of this licence, the City will be responsible for installing and maintaining a fence around the licenced area as defined in Schedule A of the draft Licence (and as shown in the map below), as well as maintaining the lands within the fenced area and garbage receptacles that serve the off-leash area. No additional services or amenities have been discussed for this area at this time; however, the installation of benches and dog bag dispensers may occur as necessary.



The land is currently zoned C3 (District Commercial); however, Section 3.01.01(6) of Zoning Bylaw No. 300, states that “Parks, playgrounds and playing fields, hiking and bicycling paths, horse riding trails and ecological reserves” are uses permitted in any zone.

The Municipal Parks Regulation Bylaw No. 177 will be applied and enforced on these lands as it has been applied and enforced with the City leased portions of the Gravity Zone and Nature Trails. The Parks Regulation Bylaw No. 177 also addresses topics of open and closed hours, appropriate behaviours and activities, as well as prohibited activities.

FINANCIAL IMPLICATIONS:

The City will be required to pay the nominal sum of two dollars (\$2.00) for the term (five years) of the licence. The City will also be required to install fencing around the approved area to ensure safety of users, which is estimated to cost approximately thirty thousand dollars (\$30,000). Additionally, the City will assume the cost of maintenance services such as the mowing of grass and emptying of garbage cans within the fenced area, this can be expected to cost roughly \$6,000 annually. Both services can be included into existing Parks and Boulevard contract with Victoria Contracting, and would be funded

from existing parks budgets.

LEGAL IMPLICATIONS:

The City will enter into a Licence Agreement with Wal-Mart Canada Corp. for a five-year term, with the potential to renew on an annual basis thereafter.

STRATEGIC PLAN ALIGNMENT:

This initiative aligns with Strategic Priority Six – Quality of Life, more specifically Objective 6I – Increased Access to Recreation Infrastructure and Services. This type of partnership demonstrates a creative way to increase access to recreation and amenities for residents in the City Centre where land is at a premium.

OPTIONS:

Option 1

THAT Council authorize staff to execute the Dog Park Area Licence with Wal-Mart Canada Corp. to establish an off-leash area on a portion of 860 Langford Parkway, Victoria, British Columbia V9B 2S2 substantially as drafted and attached to this report, with such minor amendments as may be necessary.

OR Option 2

THAT Council direct staff to execute the Dog Park Area Licence with Wal-Mart Canada Corp. to establish an off-leash area at 860 Langford Parkway, Victoria, British Columbia V9B 2S2 with the following amendments:

- a. _____;
- b. _____;
- c. _____.

OR Option 3

THAT Council take no action regarding a licence with Wal-Mart Canada Corp. to establish an off-leash area at 860 Langford Parkway, Victoria, British Columbia V9B 2S2.

SUBMITTED BY: Wolfgang Schoenefuhs, Parks Planning Coordinator

Concurrence: Yari Nielsen, Director of Parks, Recreation and Facilities

Concurrence: Melisa Miles, Manager of Legislative Services

Concurrence: Donna Petrie, Senior Manager of Communications & Economic Development

Concurrence: Matthew Baldwin, RPP, MCIP, Director of Development Services

Concurrence: Katelyn Balzer, P.Eng., Director of Engineering and Public Works

Concurrence: Marie Watmough, Director of Legislative & Protective Services

Concurrence: Braden Hutchins, Deputy Chief Administrative Officer
Attachment 1: Draft Licence with Wal-Mart