

**HALIFAX**

# **Public Hearing for Case 21971**

Development Agreement, Development  
Agreement Discharge & Rezoning for  
165 Roxbury, Halifax

Halifax and West  
Community Council,  
December 11, 2019

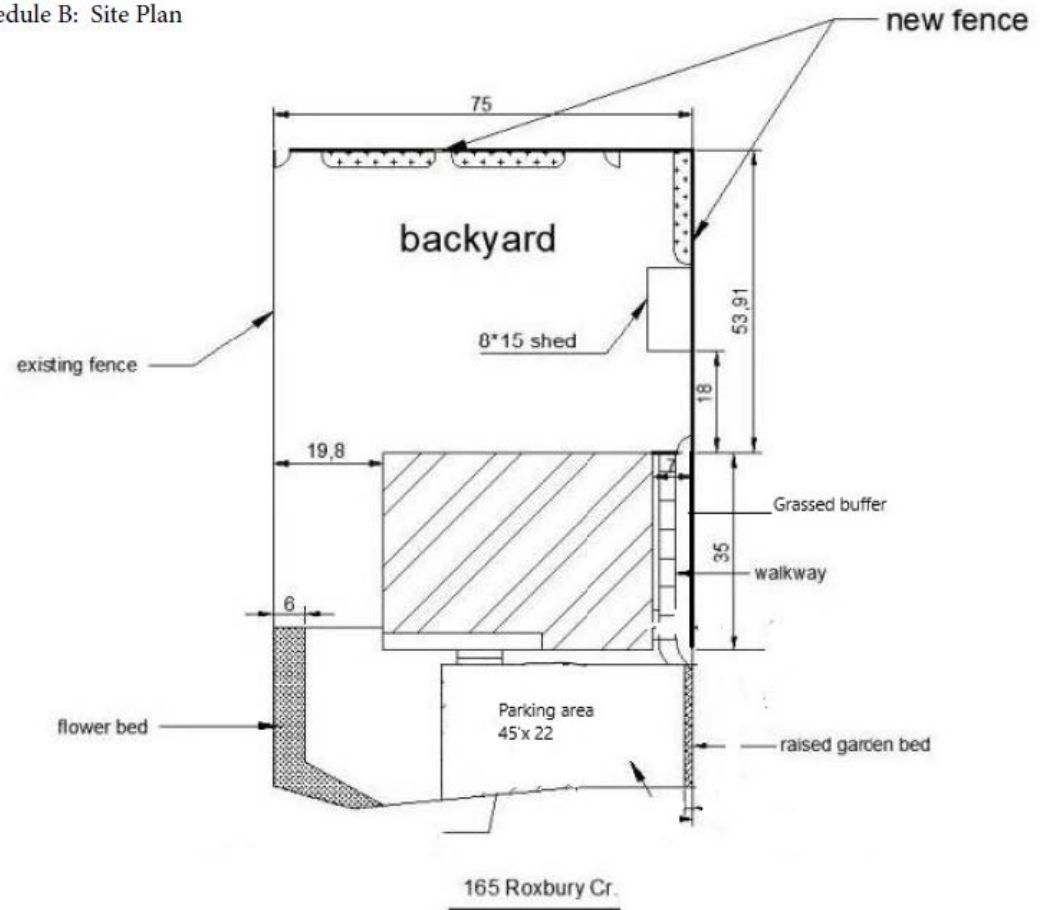
# Applicant Proposal

Schedule B: Site Plan

Applicant: Linda Liao

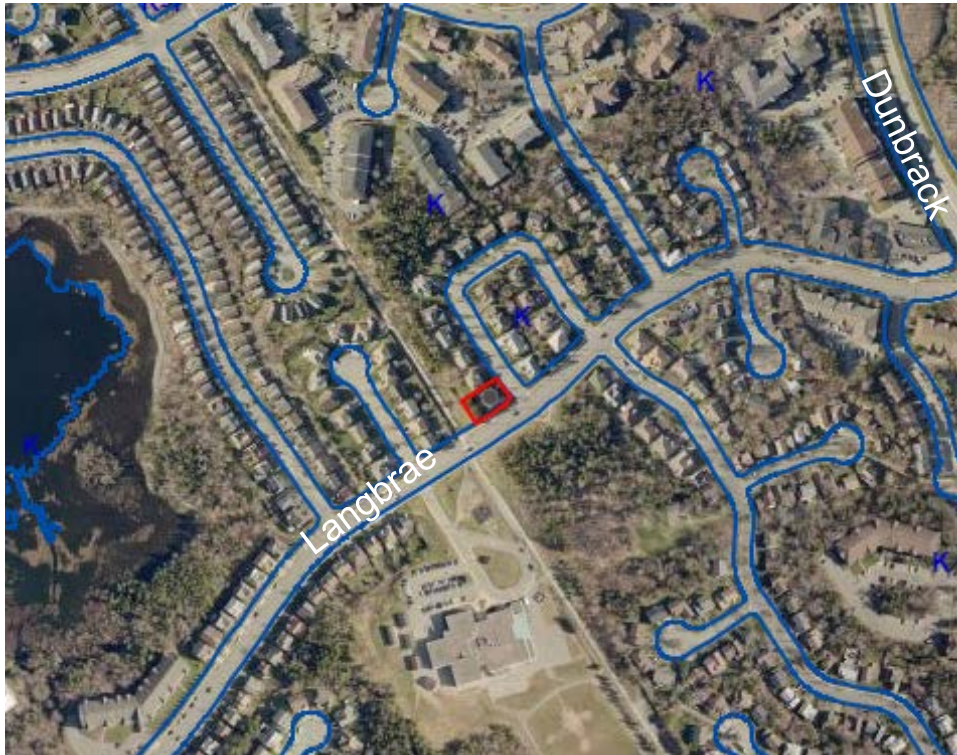
Location: 165 Roxbury,  
Halifax

Proposal: Convert a  
residential building to allow  
for a daycare for 32 children

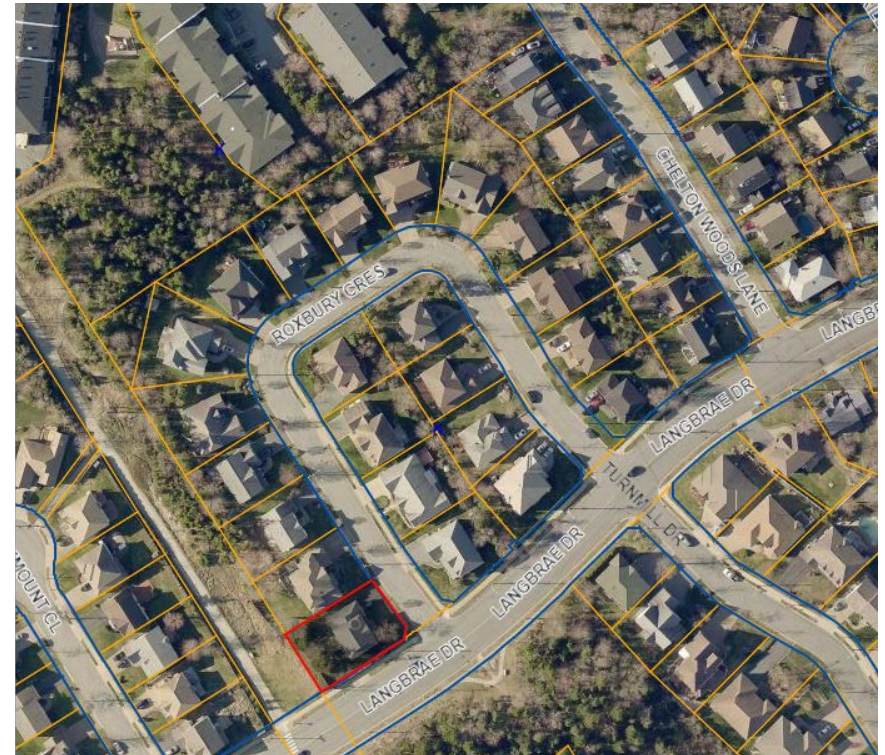


# Site Context

5 Champ de Mars, Paris



General Site location



Site Boundaries in Red

# Site Context

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Subject site seen from the Roxbury Crescent

# Site Context

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Subject site, other views

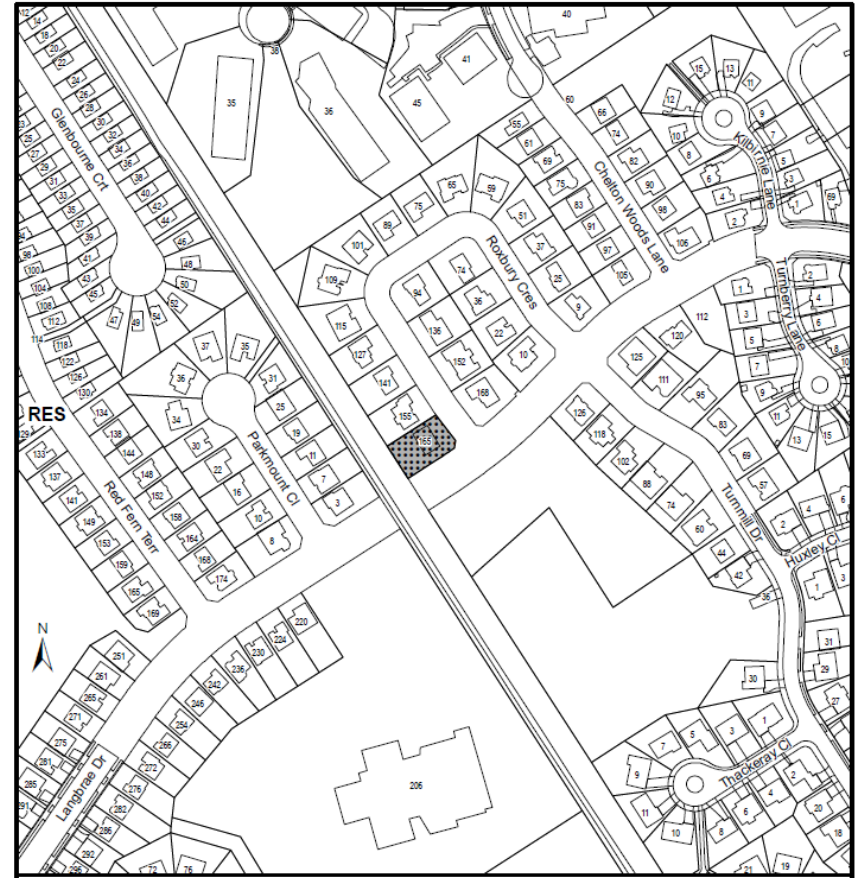


# Planning Policy

## Halifax Municipal Planning Strategy

Implementation Policy 3.20 and 3.20.1 allows for consideration of daycares in residential areas

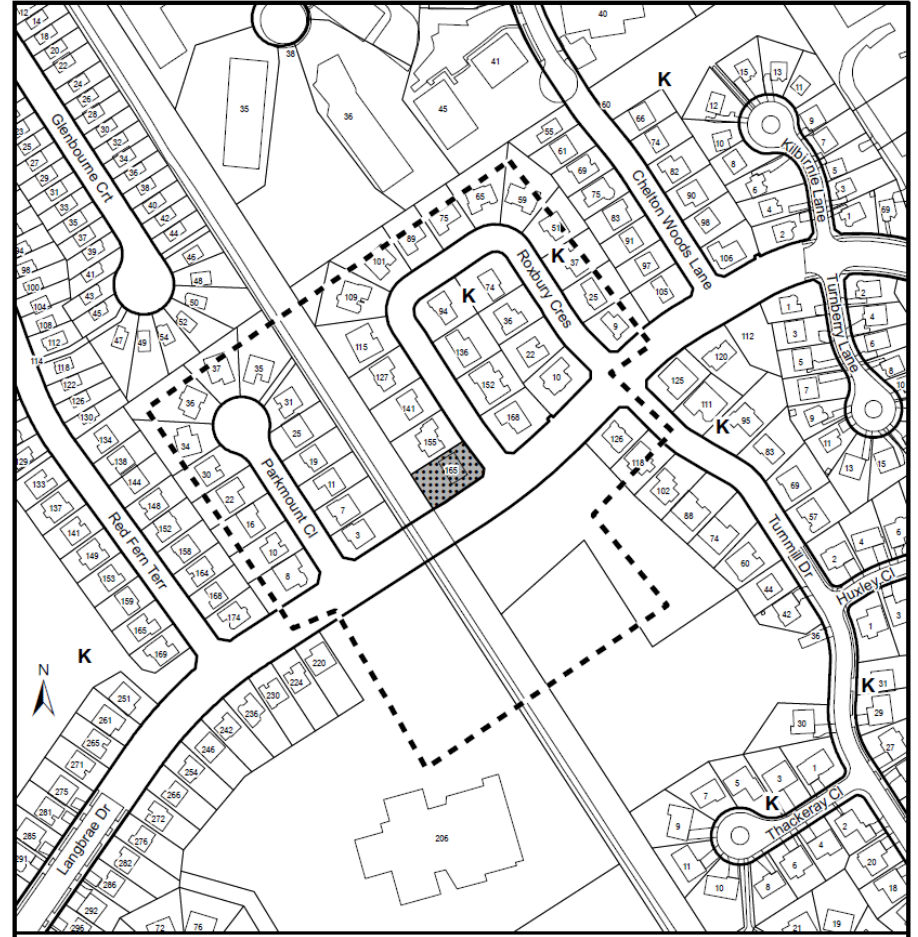
- Maintain residential form and context
- Regulate operating hours
- Employee parking on site
- Site design to minimize community impact
- Safe vehicular and pedestrian access
- Appropriate signage
- Avoid a concentration of child care centres
- Other citywide residential policies



# Land Use By-law

## Halifax Mainland LUB

- Schedule K: Comprehensive development
- Stage I and II Development Agreement for Langbrae Gardens
- Stage I:
  - Conceptual design that id'ed location of commercial and residential areas, number of units, building heights and phasing plan
- Stage II: Allocated 36 Single unit dwellings to this area



# Proposal

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- Rezone 165 Roxbury Crescent from Schedule K to R-1 (Single Family Dwelling Zone)
- Discharge Stage I and II Development Agreements from 165 Roxbury Crescent
- Enter into a development agreement for 32 children within an existing building

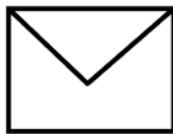


# Public Engagement Feedback

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- Level of engagement completed was consultation achieved through a mail out notification and a public information meeting on March 12, 2019.
- Feedback from the community generally included the following:
  - Concerns over traffic generation in the community;
  - Concerns over the number of children;
  - Concerns over the introduction of commercial uses into residential area;
  - Concerns over on street parking during pick-up and drop off; and
  - Identifying a need for child care in this area.

**Notifications  
Mailed**



**45**

**Meeting  
Attendees**



**79**

**Letters/Emails  
Received**



**39**

# Amendments Made Responding to Consultation

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- Number of children decreased from 58 to 32
- Fencing extended to the front property wall
- Landscaping provided along shared property edge
- Hours of operation extended to help spread arrival and drop off times

# Policy Consideration

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Implementation Policy 3.20 and 3.20.1 allows for consideration of daycares in residential areas

- Maintain residential form and context
- Regulate operating hours
- Accommodate employee parking on site
- Site design to minimize community impact
- Safe vehicular and pedestrian access
- Appropriate signage
- Avoid a concentration of child care centres in a neighbourhood

# Concentration of Daycares

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- Staff reviewed the lot fabric to define the neighbourhood
- Langbrae Dr, Dunbrack St, Parkland Dr and Farnham Gate Road identified as neighbourhood edges.
- 2 daycares identified
  - One on Roxbury Crescent for less than 8 children
  - Langbrae and Dunbrack St 37 children
- 26 children daycare at 65 scotch pine, 450 m away in a straight line but 800 m away by road.

# Impact on Residential Properties

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- Rear yard abuts Mainland North Linear Parkway, buffering the residential properties on Parkmount Close
- Property only abuts one residential property to the North
  - Opaque fencing proposed around outdoor play area
  - Site plan revised to extend fencing to front property wall, to further reduce impacts
  - Landscaping proposed along property boundary to reduce potential for shortcutting across neighbours property
- 45 x 22 ft parking area proposed on site to provide space on site for parking and loading
- During peak times short term parking will be affected
- Garbage areas must be fully enclosed and buffered

# Summary: Key Aspects of Proposed Development Agreement

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- Allows the internal conversion of the interior to create a child care center;
- Allows the use of the building as a child care center not to exceed 32 children;
- Requires an outdoor play area in the rear yard;
- Requires a 6 ft high fencing around the outdoor play area;
- Requires 3 parking spaces; and
- Limits the hours of operation from 6:30 am to 7 pm.

# Non-Substantive Amendments

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A 'Non-Substantive Amendment' is a change to the agreement which could be made without a formal Public Hearing. Instead, Community Council could authorize this change by resolution.

As proposed, Non-Substantive Amendments within this agreement include the following:

- Granting of an extension to the date for Commencement of Development

# Staff Recommendation

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Staff recommend that Halifax and West Community Council:

1. That Halifax and West Community Council adopt the amendment to Map ZM-1 of the Halifax Mainland Land Use By-law as set out in Attachment A of this report.
2. Contingent upon the amendment to the Halifax Mainland Land Use By-law being approved by Community Council and becoming effective pursuant to the requirements of the Halifax Regional Municipality Charter, it is further recommended that Halifax and West Community Council:

That Halifax and West Community Council:

1. Approve, by resolution, the proposed Discharging Development Agreement, which shall be substantially of the same form as set out in Attachment C of this report;
2. Approve the proposed Development Agreement, which shall be substantially of the same form as set out in Attachment B of this report with the exception of Schedule B, which shall be substantially of the same form as the Schedule B that was circulated at the Halifax and West Community Council meeting on December 11, 2019;



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**Thank You**