

HALIFAX

**Public Hearing - Case 21795
Development Agreement for
56 Kearney Lake Drive, Halifax**

Halifax and West Community Council

August 6, 2019

Jamy-Ellen Klenavic, MCIP LPP

Applicant Proposal

Applicant:

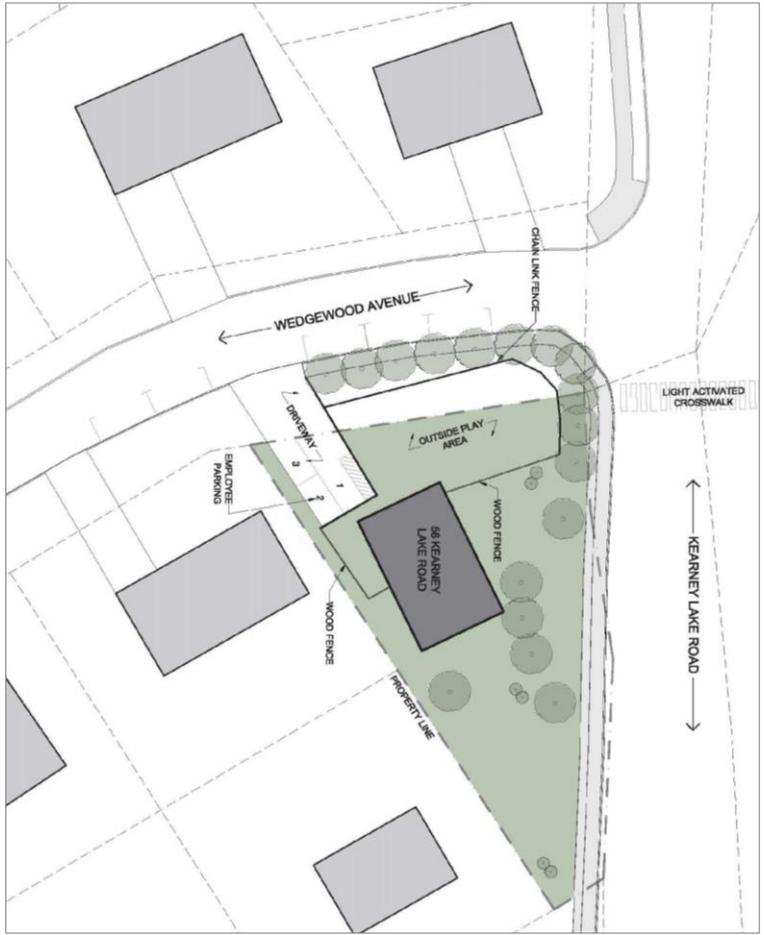
WM Fares, on behalf of property owners LSJ Holdings Limited

Location:

56 Kearney Lake Road, Halifax

Proposal:

Increase the number of children in an existing non-conforming day care from 14 to 16 by development agreement



Site Plan

Site Context

Dunbrack Street and Wentworth Drive, Halifax



General site location



Site boundaries in red



Wedgewood Avenue



Subject site from the north



Subject site from the west

Wedgewood Avenue

Planning Policy

Halifax Municipal Planning Strategy

Designation:

- Residential Environments;

Existing Use:

- Non-conforming daycare for 14 children;

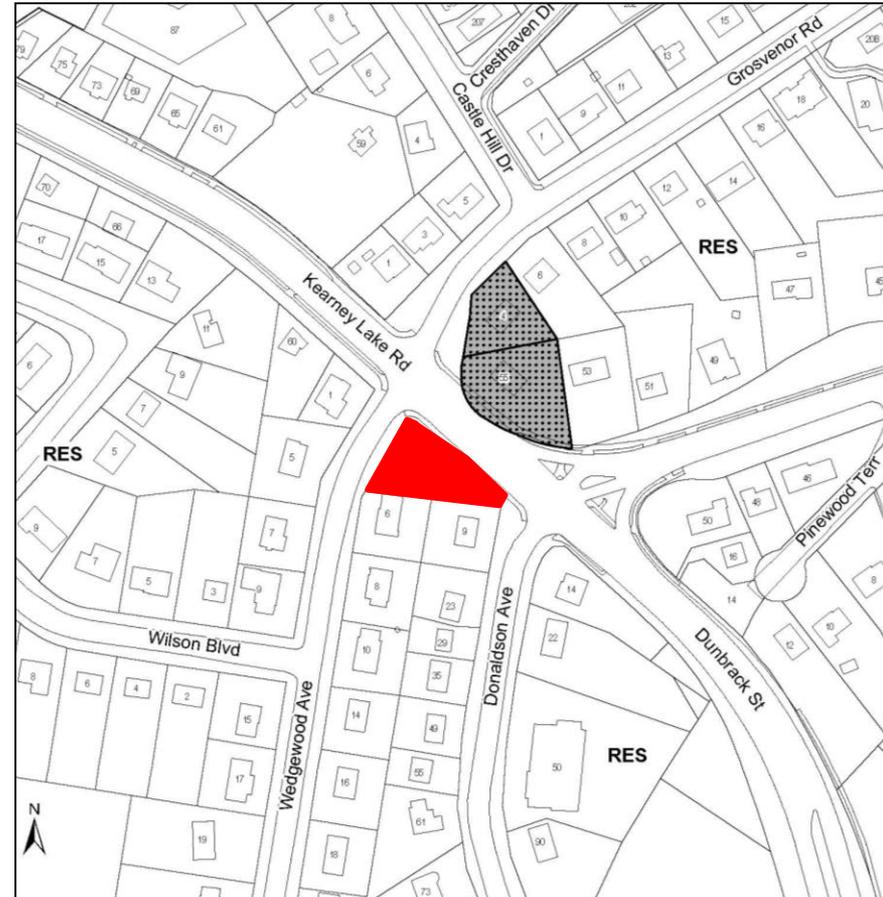
Enabling Policy:

- Halifax MPS Implementation Policy 3.20 – Child Care Centres enabled by Development Agreement

Objective of Enabling Policy:

“...to encourage the establishment of child care centres in a variety of locations to meet the varied needs of families, and to allow the consideration of the specific circumstances of an individual location.”

No Secondary Plan Area



Generalized Future Land Use Map

Planning Policy

Halifax Municipal Planning Strategy

Halifax MPS Implementation Policy 3.20.1 requires that a development agreement for a day care:

- Maintains residential form;
- Regulates operating hours;
- Requires on-site employee parking;
- Promotes safety;
- Controls signage;
- Does not produce a concentration of day cares in one neighbourhood;

Land Use By-law

Halifax Mainland

Current Zone: R-1 (Single Family Dwelling) – no change

Permitted uses:

- Single unit dwelling;
- Day care facility for not more than 8 children in conjunction with a dwelling;
- Office of a professional person within a dwelling;
- Home occupation;
- Special care home for up to ten people;
- Accessory uses.



Zoning Map

Public Engagement Feedback

Level of engagement completed was consultation achieved through a mail out notification and a Public Information Meeting held on November 1, 2018.

Feedback from the community generally included the following:

- Traffic, especially parents dropping off and picking up children;
- Safety and nuisance;
- Parking for staff;
- Street parking in general and use of private driveways for turning around; and
- Concern over use of the crosswalk on Kearney Lake Road by young children.

Meeting
Attendees



20

Letters/Emails
Telephone Calls



11

After the consultation, the applicant reduced the proposed number of children at 56 Kearney Lake Road from 46 to 16.

Summary: Key Aspects of Proposed Development Agreement

- Day care for up to 16 children;
- R-1 uses permitted;
- Fenced outdoor play area;
- Hours of operation of 7:00 a.m. to 6:30 p.m.;
- Minimum parking for 3 vehicles – parking area must have a hard surface and a pedestrian connection to the building; and
- Minimum standards for outdoor lighting, signage, refuse screening, and maintenance.

Non-Substantive Amendments

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:

- Changes to the mandatory dates of completion and commencement in Section 5.1

Staff Recommendation

Staff recommend that Halifax and West Community Council:

1. Approve the proposed development agreement as set out in Attachment A of the staff report dated May 30, 2019

HALIFAX

Thank You





