

HALIFAX

Public Hearing for Case 21389

Development Agreement for a Daycare Centre
55 Kearney Lake Road and 4 Grosvenor
Road, Halifax

Halifax and West Community Council
November 13, 2019

Planner: Jamy-Ellen Klenavic, MCIP LPP
Urban Enabled Applications

Applicant Proposal

Applicant:

WM Fares, on behalf of property owners LSJ Holdings Limited

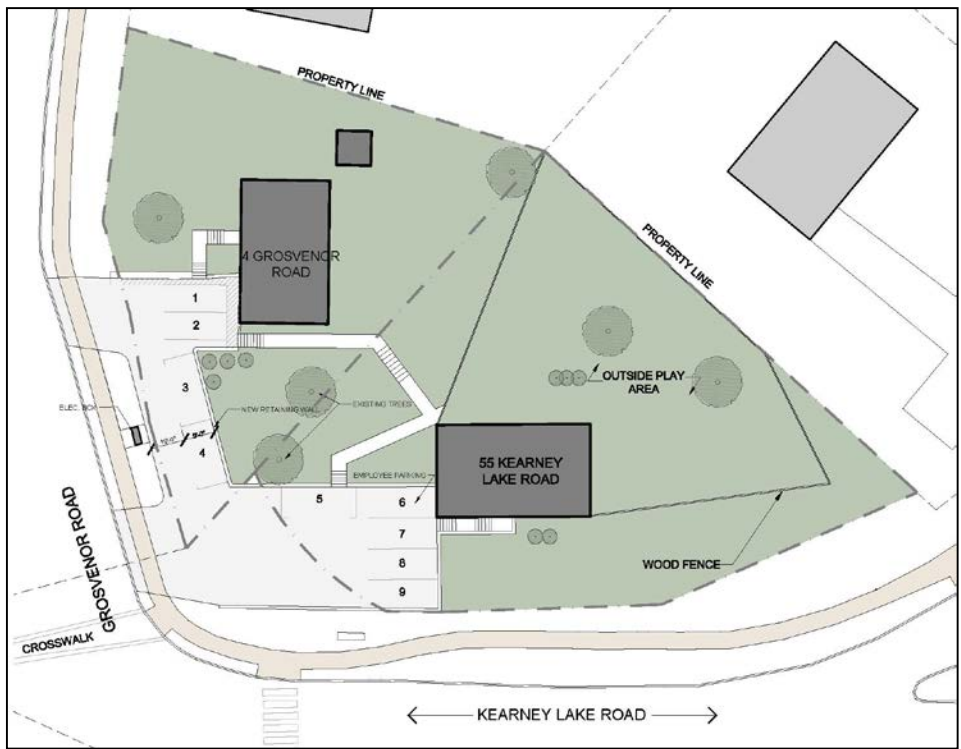
Location:

55 Kearney Lake Road and 4 Grosvenor Road, Halifax

Proposal:

- (1) Increase the number of children in an existing daycare at 55 Kearney Lake Road from 38 to 40 by development agreement; and

- (2) Increase the number of children in an existing daycare at 4 Grosvenor Road from 8 to 40 by development agreement;



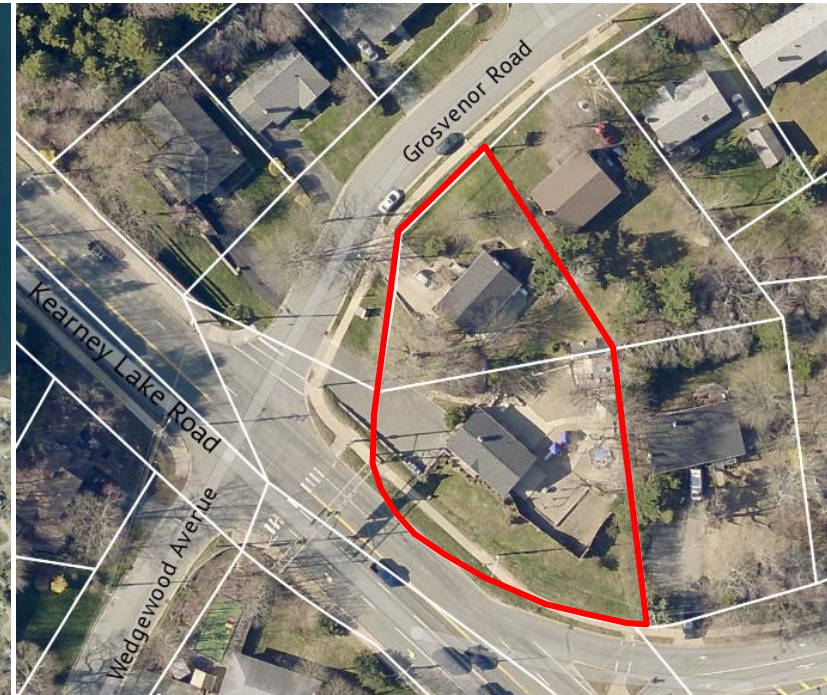
Proposed Site Plan

Site Context

Dunbrack Street and Wentworth Drive, Halifax

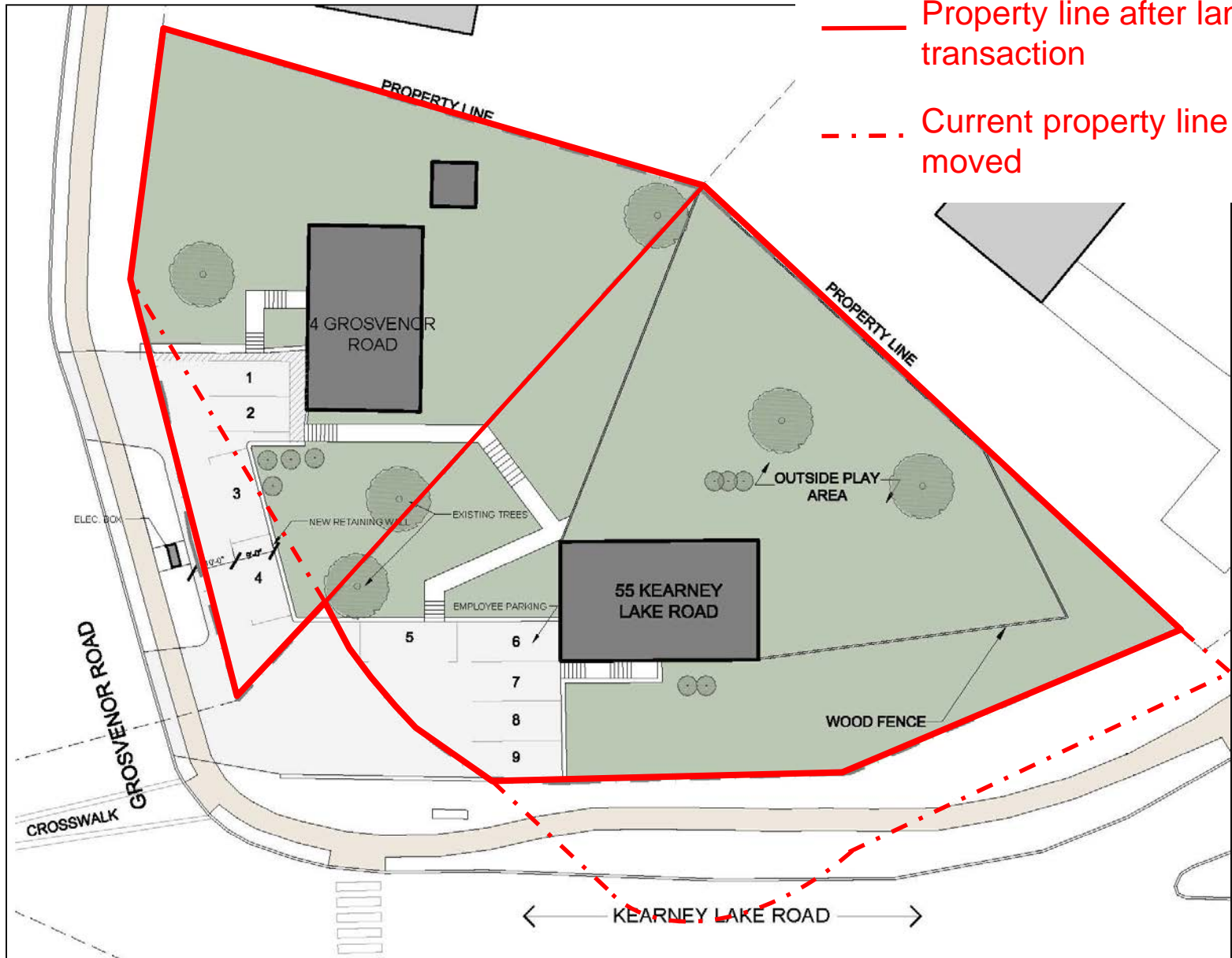


General site location



Existing site boundaries in red

→ There is an existing daycare for up to 16 children at 56 Kearney Lake Road (Case 21795)



Land Transaction (underway)

Proposed Site Plan



55 Kearney Lake Road



55 Kearney Lake Road



4 Grosvenor Road

Planning Policy

Halifax Municipal Planning Strategy

Designation:

- Residential Environments;

Existing Use:

- Daycare for 38 children at 55 Kearney Lake Road; and
- Daycare for 8 children at 4 Grosvenor Road

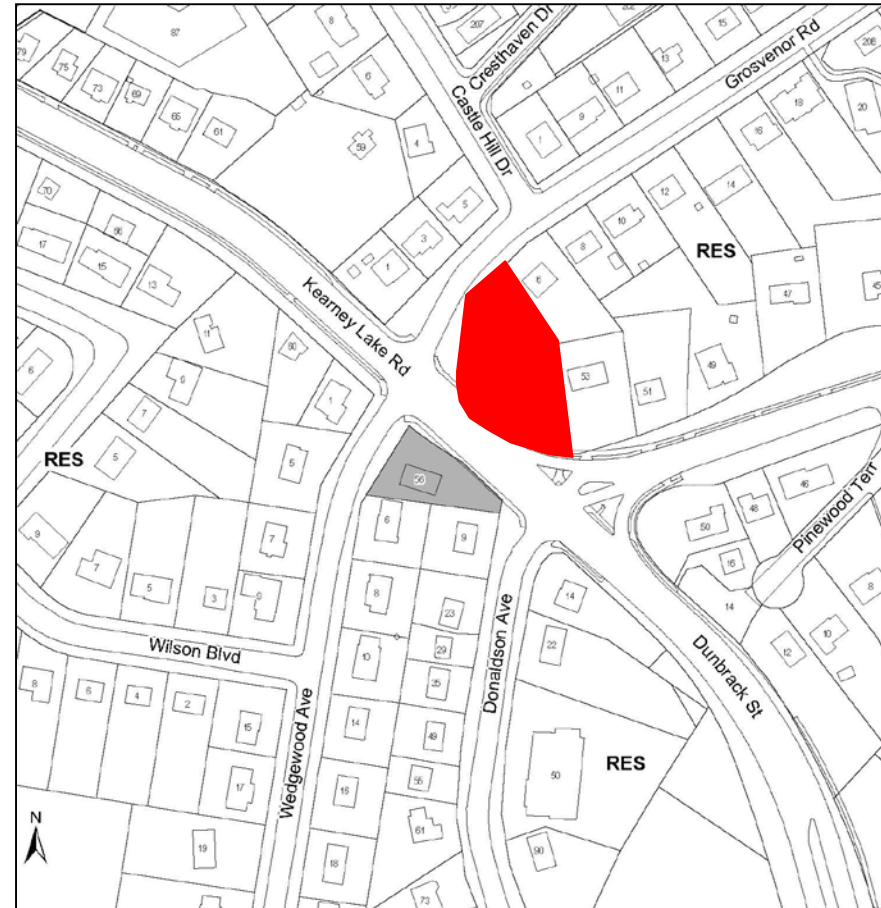
Enabling Policy:

- 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 daycare:

- Maintains residential form and context;
- Regulates operating hours;
- Requires on-site employee parking;
- Minimizes community impact;
- Promotes safety;
- Controls signage;
- Does not create a concentration of day cares;

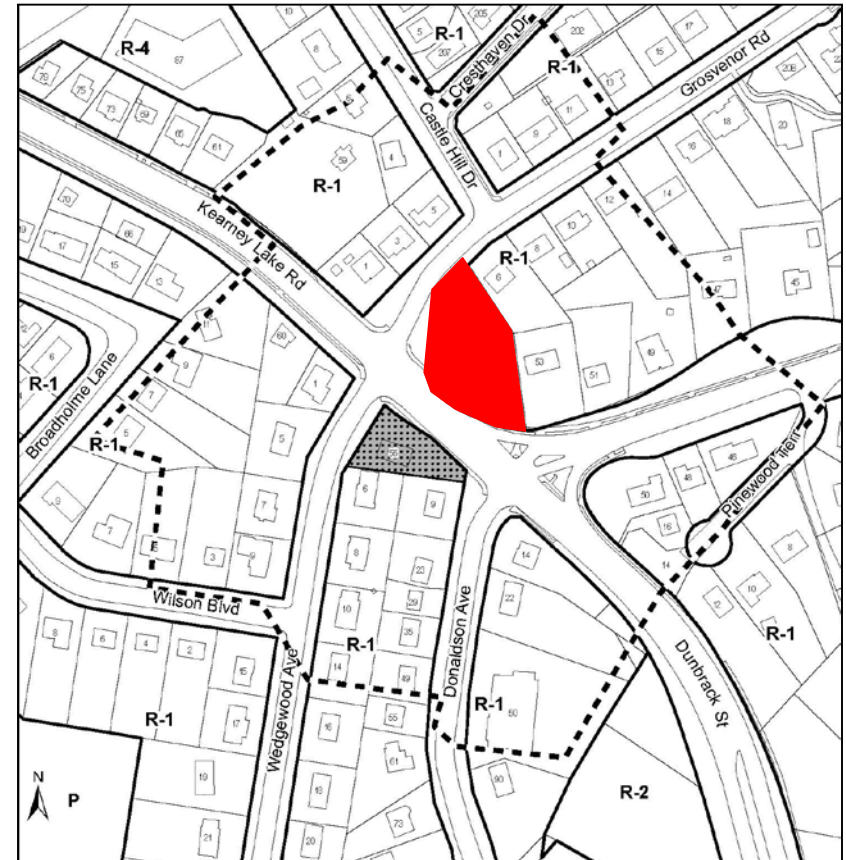
Land Use By-law

Halifax Mainland

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

Permitted uses:

- Single unit dwelling;
- Day care for up to 8 children within a dwelling;
- Office of a professional person within a dwelling;
- Home occupation;
- Special care home for up to ten people;
- Accessory uses.



Zoning Map

→ Existing daycare at 55 Kearney Lake Road is a legal non-conforming use – could continue as is.

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:

- Concern over traffic, especially dropping off and picking up children;
- Concern over vehicular and pedestrian safety and nuisance;
- Concern over parking for staff on and off site;
- Concern over street parking in general and use of private driveways for turning around;
- Support for expanding the daycare; and
- Emphasizing the need for community based child-care

**Meeting
Attendees**



20

**Letters/Emails
Telephone Calls**



18

Summary: Key Aspects of Proposed Development Agreement

- Up to 40 children permitted in daycare at 55 Kearney Lake Road;
- Up to 40 children permitted in daycare at 4 Grosvenor Road;
- R-1 uses permitted;
- Outdoor play area requires fencing and screening;
- Hours of operation from 7:00 a.m. to 6:30 p.m.;
- On-site parking for 9 vehicles;
- Parking requires hard surface and a pedestrian connection to the building;
- On-site bicycle parking; 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 date of commencement

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 September 4, 2019

HALIFAX

Thank You

Halifax Mainland LUB – Amendment History – Daycare Centres

Prior to September 28, 1989: 35 children permitted in daycare in R-1 zone by-right, 4 more children can be added for every 1,000 sf over 6,000 sf. (property size).

September 28, 1989: Halifax Mainland LUB amended to limit daycares to 16 children by-right, and imposed a separation distance of 500 feet.

July 15, 1997: Council added ability to have >16 children in a day care in R-1 zone by development agreement.

March 3, 2009: Council further reduced number of children in a day care in R-1 zone permitted by-right from 16 to 8, development agreement option for more than 8 children still available.

