

HALIFAX

Public Hearing for Case 22462

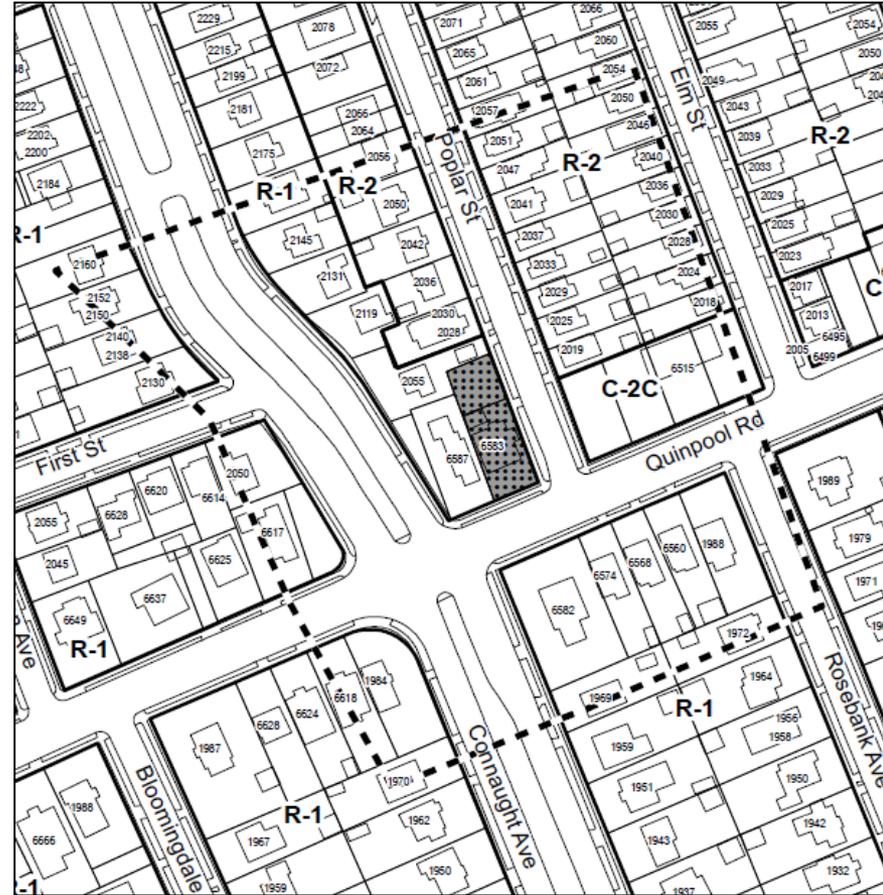
Development Agreement
6583 Quinpool Road
Halifax Peninsula

Applicant Proposal

Applicant: Michelle and Shawn Cleary

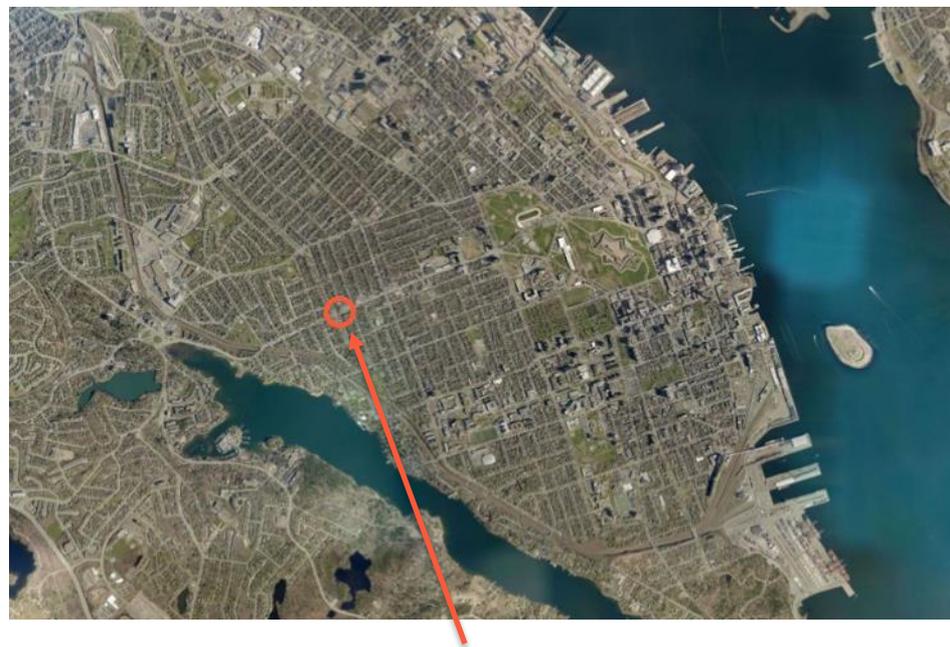
Location: 6583 Quinpool Road, Halifax

Proposal: Enter into a development agreement on to allow for the expansion of an existing day care from 14 to 20 children under care.



Site Context

6583 Quinpool Road, Halifax



General Site location



Site Boundaries in Red

Site Context



Quinpool Street



Poplar Street



Policy & By-law Overview

Halifax Municipal Planning Strategy – Halifax Peninsula LUB

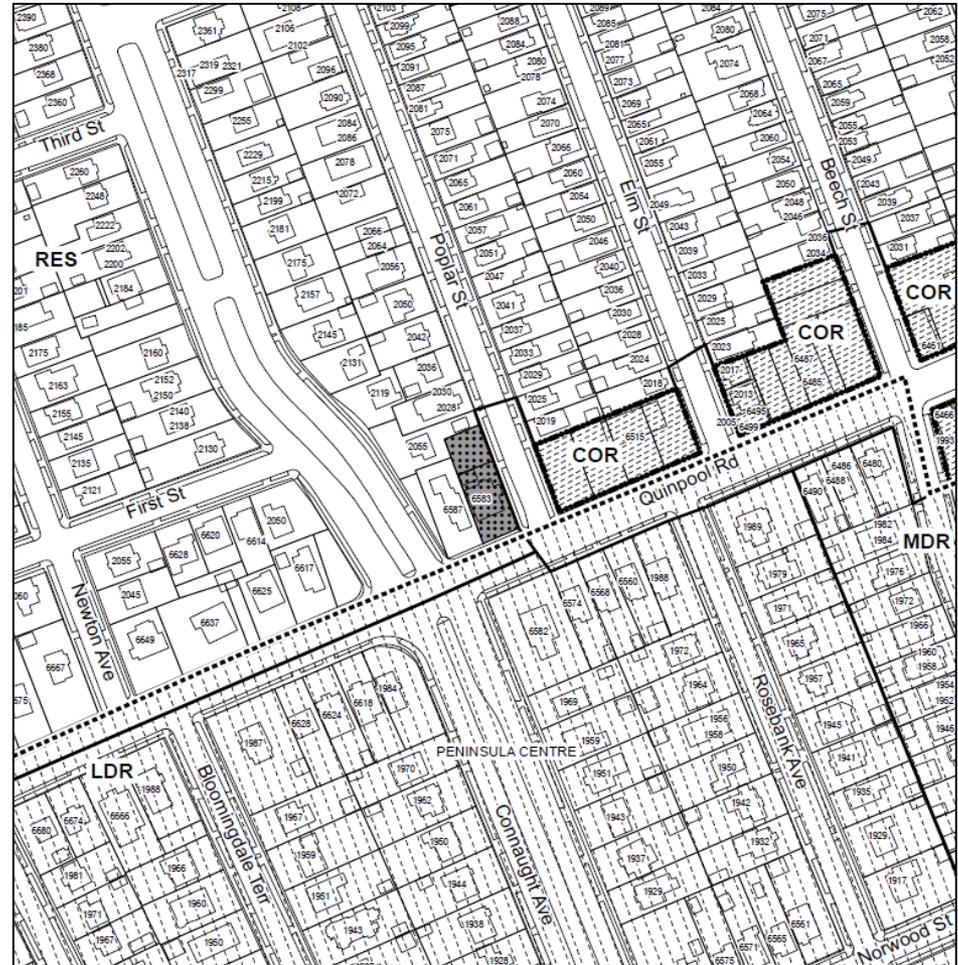
- **Zone**
 - Single Family Residential Zone (R-1)
- **Designation**
 - Residential (RES)
- **Existing Use**
 - Residential, Daycare Facility (Maple Tree Montessori)
- **Enabling Policy**
 - 2.4.2 Residential Environment Policy
 - 3.20 Implementation Policy
 - 3.20.1 Implementation Policy

Planning Policy

Halifax Municipal Planning Strategy

Halifax MPS

- Residential (RES)

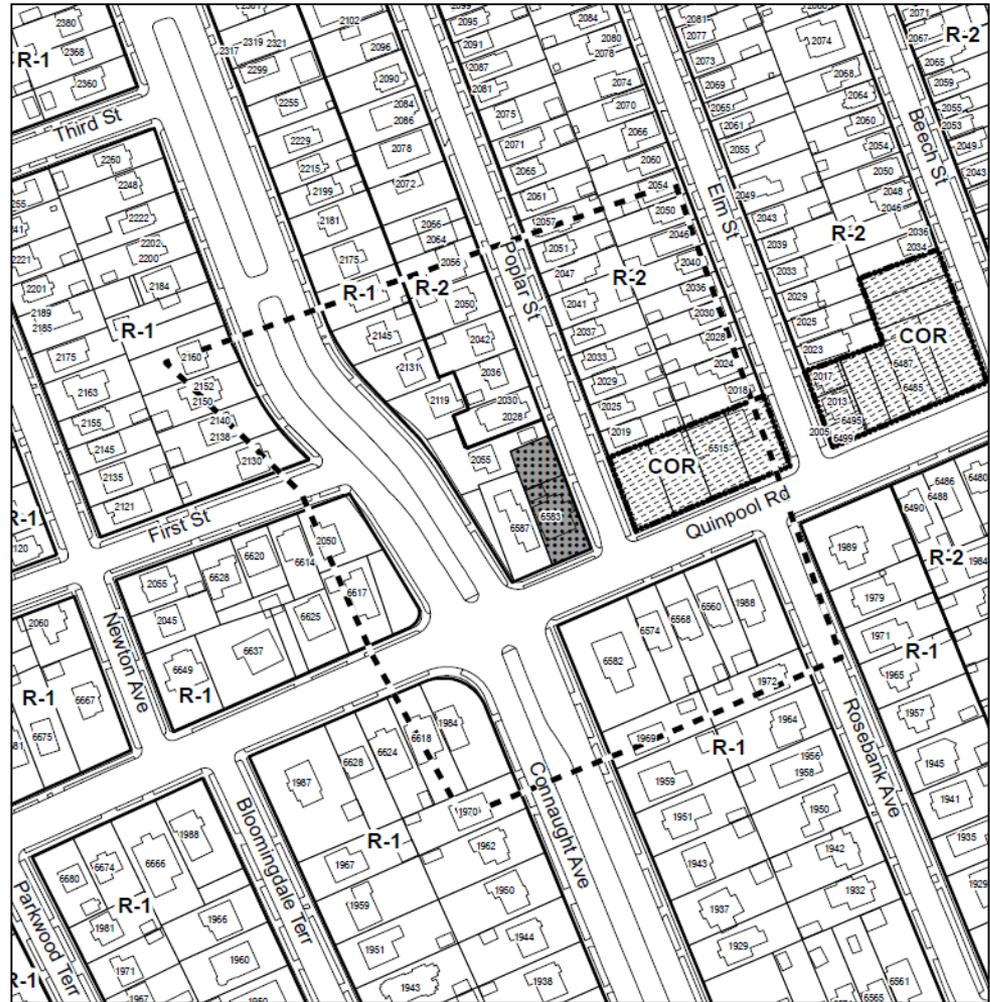


Planning Policy

Halifax Peninsula Land Use By-law

Halifax Peninsula LUB

- Zoned R-1
- Primarily R-1/R-2 Neighbourhood
- Neighbouring R-1, R-2, and C-2C



Enabling Policy

Residential Environment Policy 2.4.2

“In residential neighbourhoods alternative specialized housing such as special care homes;...**commercial uses such as daycare centres and home occupations;** ...”

Implementation Policy 3.20

In order 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**, a child care centre which does not meet applicable land use bylaw regulations may be **permitted by development agreement**.

Enabling Policy

Implementation Policy 3.20.1

In considering approval of such development agreements, Council shall consider the following:

“

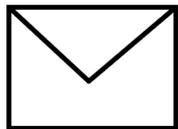
- a) *Maintain residential form and context*
- b) *Regulate operating hours*
- c) *Employee parking on site and screened*
- d) *Site design to minimize community impact*
- e) *Safe vehicular and pedestrian access*
- f) *Appropriate signage*
- g) *Avoid a concentration of child care centres*
- h) *Other citywide residential policies*

”

Public Engagement Feedback

- Level of engagement completed was consultation achieved through a mail out notification, newspaper ad, website and a public information meeting (October 28, 2019)
- Feedback from the community included the following:
 - Questions about signs on residential properties
 - Question about screening from outdoor play space

**Notifications
Mailed**



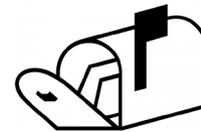
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**Meeting
Attendees**



1

**Email/Letters
Received**



1

**Calls
Received**



1

Halifax Peninsula PAC Recommendation

November 5, 2019

The PAC provided the following feedback:

- “Comforted by the fact that the application was fully compliant with relevant provincial legislation regulating daycares”; and
- Proceeded without significant discussion

The PAC recommended that Halifax and West Community Council proceed with the Development Agreement as per Case 22462

Summary: Key Aspects of Proposed Development Agreement

- Uses permitted:
 - Daycare for not more than 20 children on first floor;
 - Existing Residential dwelling occupying the second/third floors;
 - Existing second dwelling unit contained in the basement; and
 - Any use permitted by the applicable Land Use Bylaw.
- Hours of Operation
 - 6:30 am to 7:00pm
- Screening
 - A 1.5 metre opaque fence, or dense vegetative buffering, shall be located along the east section of the back yard to provide a buffer for the rear yard of the neighbouring property.

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:

- The granting of an extension to the date of Commencement of Development; and
- Changes to the signage requirements.

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 February 5, 2020

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Thank You

Centre Plan

- Zoned ER-3 in Package B

Daycare Uses in ER-3, ER-2, ER-1, and LLC Zones

64 Within an ER-3, ER-2, ER-1, or LLC zone a daycare use shall meet the following requirements:

- (a) one daycare use is permitted on any lot containing a low-density dwelling use;
- (b) the principal operator of a daycare use shall reside in the dwelling unit where the daycare use is located and may employ additional staff;
- (c) excluding staff and the principal operator, a maximum of 14 people may attend a daycare use at a time;
- (d) any outdoor recreational spaces or play areas accessory to a daycare use shall meet the screening requirements of Subsection 260;
- (e) Signage for a daycare use shall comply with Section 309; and
- (f) Parking requirements for a daycare use shall comply with Section 272.