

Public Hearing

PLANAPP-2025-00497

Development Agreement: 65-71 Sunnybrae
Ave & 70 Central Ave, Fairview
Halifax and West Community Council

Proposed Development



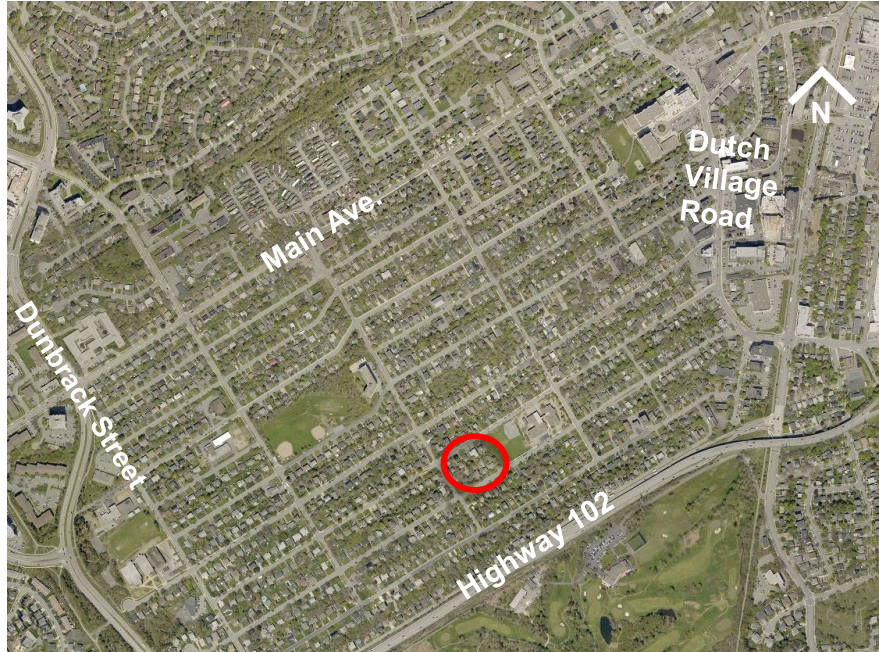
Applicant: Jodi Tsitouras

Location: 65-71 Sunnybrae Ave
& 70 Central Ave, Fairview

Proposal: Day Care Centre

Type of Application:
Development Agreement

Site Context



General Site location in Red



Site Boundaries in Red

2

Planning Policy Overview

Regional Plan &
Subdivision By-law

Community Plan

Land Use By-law
(Zoning)

Guide where population growth and the investment of services like transit, piped water and sewer should occur.

HALIFAX

Planning Policy Overview

Regional Plan &
Subdivision By-law

Community Plan

Land Use By-law
(Zoning)

Outlines where, how, and which types of development may occur. Some uses may only be allowed after community consultation and Council approval.

Planning Policy Overview

Regional Plan &
Subdivision By-law

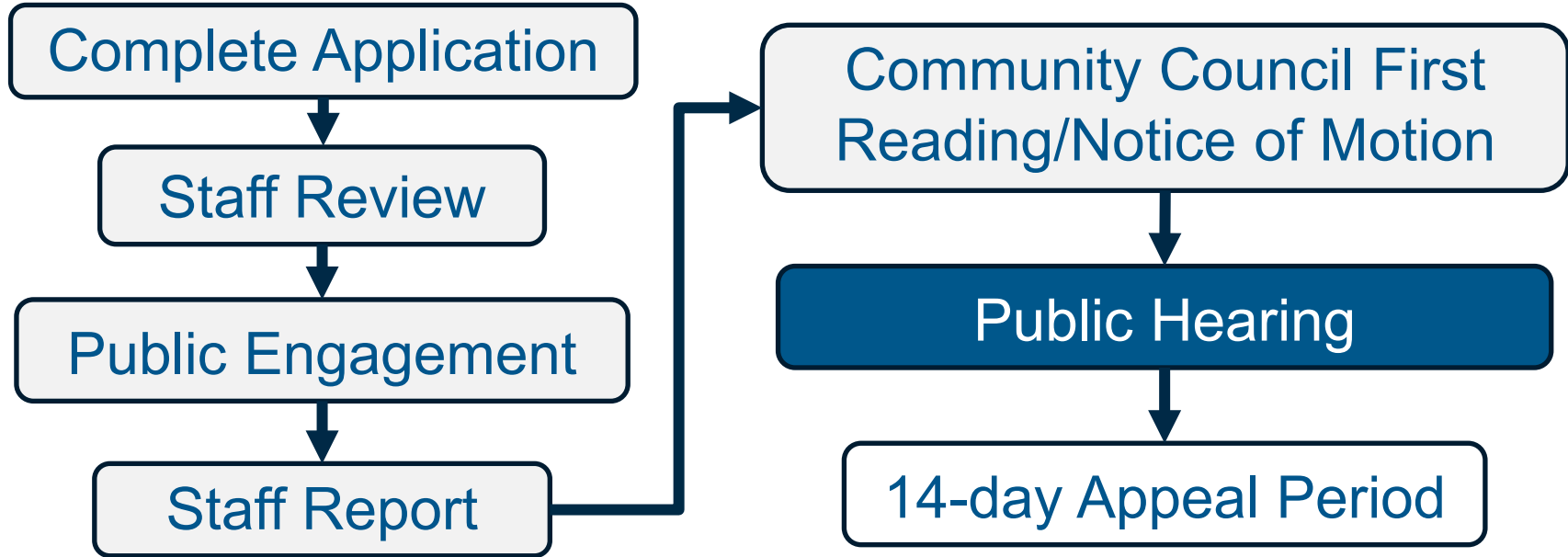
Community Plan

Land Use By-law
(Zoning)

Specifies what can be approved without going to Council and seeking feedback from the public.

HALIFAX

Development Agreement



Planning Overview



Municipal Sewer and/or Water: Yes



Zone: R-2 (Two Family Dwelling) Zone



Designation: Residential



Existing Use: 4 Day Care Facilities



Enabling Policy: Policies 3.20 and 3.20.1

Policy Consideration

Enabling Policy 3.20 & 3.20.1:

This policy enables Council to consider, by development agreement, child care centres that are not in compliance with the LUB.

Policy requires consideration of the following:

- Whether buildings maintain a residential appearance
- Traffic movements and impacts
- The concentration of child care centres in the area

Proposal Consideration

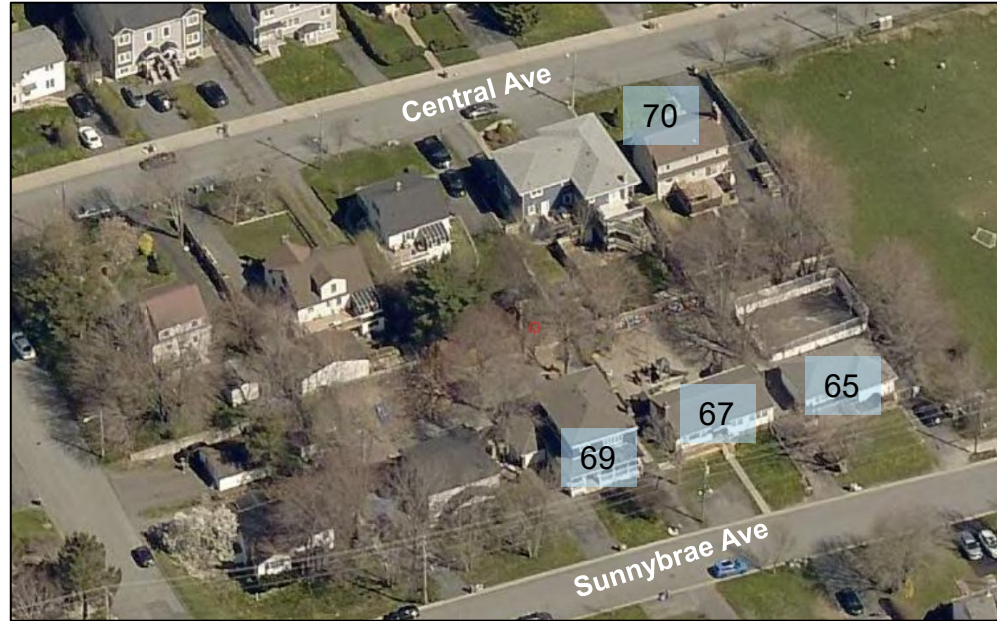
Council must consider the following in rendering a decision:

Relevant Matters of Policy Consideration	Evaluation/Assessment
Whether buildings maintain a residential appearance	No exterior alterations to existing dwellings.
Traffic movements and impacts	Adequate - parking provisions will meet the site's operational needs.
The concentration of child care centres in the area	Expansion will not create a concentration in the area.

Proposal Details: History

The existing day care facilities have operated continuously as follows:

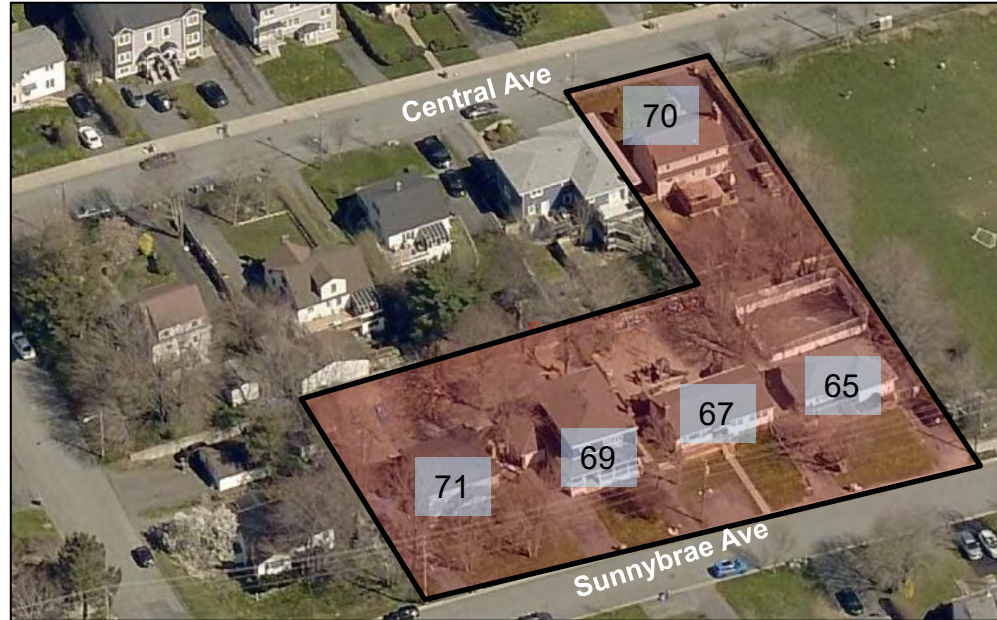
- 65 Sunnybrae Ave.
(since 2003, 14 children)
- 67 Sunnybrae Ave.
(since 1996, 50 children)
- 69 Sunnybrae Ave.
(since 2007, 14 children)
- 70 Central Ave.
(since 2018, 8 children).



Proposal Details

The major aspects of the proposal are as follows:

- Consolidate all facilities into one child care centre;
- Incorporate 71 Sunnybrae Avenue into the child care centre;
- Increase from 86 to 134 children (increase of 48 children).
- Opaque fence 6 feet high to be installed along perimeter.



Temporary License

In March 2025, the operator was granted a conditional occupancy increase of 40 children while the current planning application was under review.

This temporary licence was issued as an emergency measure to support families affected by the sudden closure of the Children's Garden Day Care at 3461 Dutch Village Road, effective April 2025.

Public Engagement Feedback

Notifications Mailed



98

Individual Calls/Emails



0

Webpage Views



392

Survey Submissions



82

Level of engagement completed was consultation achieved through site signage, HRM website, a mail out notification, and an online survey.

HALIFAX

Public Engagement Feedback

Feedback included:

- Concerns with traffic and parking;
- Concerns over child and pedestrian safety; and
- Positive comments relative to an increase in access to child care.

Elements of Development Agreement

- A maximum of 134 children under care permitted over the 5 properties
- R-2 uses are permitted if child care centre is no longer operational
- Each building must retain residential characteristics
- Outdoor play area required with side and rear yards with screening
- Hours of operation from 7:00 a.m. to 6:00 p.m.
- 9 vehicle on-site parking spaces for the purposes of pick-up and drop-off activities, and dedicated walkways to the buildings
- Minimum standards for outdoor lighting, signage, refuse screening, and maintenance

Non-Substantive Amendments

A 'Non-Substantive Amendment' is a change to the agreement which can be made without a formal Public Hearing. The Development Officer or Community Council could authorize this change by resolution. These include:

- Changes to extend hours of operations for shift workers;
- Extension to the dates of commencement and completion of development

Staff Recommendation

The staff recommendation contained in the staff report was arrived at after a detailed analysis of all relevant policies in the Regional and local Municipal Planning Strategies. Staff recommend:

1. *Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A; and*
2. *Require the agreement be signed by the property owner within 120 days, or any extension thereof granted by Council on request of the property owner, from the date of final approval by Council and any other bodies as necessary, including applicable appeal periods, whichever is later; otherwise this approval will be void and obligations arising hereunder shall be at an end.*

Thank You

Planner's Name



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