



P.O. Box 1749
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Item No. 14.1.2
Halifax and West Community Council
November 4, 2025

TO: Chair and Members of Halifax and West Community Council

FROM: Erin MacIntyre, Acting Executive Director of Planning and Development

DATE: October 9, 2025

SUBJECT: **PLANAPP 2025-00497: Development Agreement for 65-71 Sunnybrae Avenue and 70 Central Avenue, Fairview**

ORIGIN

Application by Jodi Tsitouras, owner and operator of Magic Beings Child Care Centre.

EXECUTIVE SUMMARY

This report recommends a development agreement to permit a 134-space child care centre at 65 to 71 Sunnybrae Avenue and 70 Central Avenue, Fairview. The proposal consolidates four existing day care facilities along with a new day care at 71 Sunnybrae Avenue under a single agreement. No exterior alterations or changes to the existing buildings are proposed. Staff recommend that Halifax and West Community Council approve the proposed development agreement in accordance with Policy 3.20 of the Halifax Municipal Planning Strategy.

RECOMMENDATION

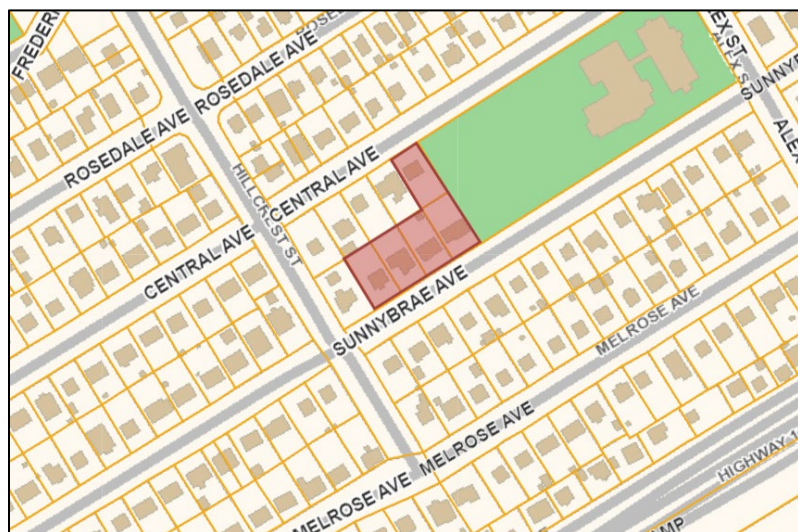
It is recommended that Halifax and West Community Council:

1. Give notice of motion to consider the proposed development agreement, as set out in Attachment A, to consolidate multiple day care facilities into a Child Care Center and expand the capacity by 48 to a total of 134 children at 65 to 71 Sunnybrae Avenue and 70 Central Avenue, Fairview, and schedule a public hearing;
2. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A; and
3. 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.

BACKGROUND

Jodi Tsitouras, owner and operator of Magic Beings Child Care Centre, is applying for a development agreement to consolidate multiple day care facilities into a child care center and expand the capacity by 48 to a total of 134 children at the five properties at 65 to 71 Sunnybrae Avenue and 70 Central Avenue, Fairview.

Subject Site	65-71 Sunnybrae Avenue and 70 Central Avenue, Fairview.
Location	Properties are adjacent to Burton Ettinger School
Regional Plan Designation	Urban Settlement (US)
Community Plan Designation (Map 1)	Residential (RES)
Zoning (Map 2)	R-2 (Two Family Dwelling) Zone
Size of Site	~3,450 square metres (~37,138 square feet)
Street Frontage	~95 metres (~311 feet)
Current Land Use(s)	Day Care Facilities and Residential Use
Surrounding Use(s)	Low Density Residential and Institutional Uses



Source: HRM Mapping

Proposal Details

The existing day care facilities are located on four separate properties, collectively known as Magic Beings Child Care Centre. The major aspects of the proposal are as follows:

- Consolidate the existing day care facilities into one child care centre;
- Incorporate 71 Sunnybrae Avenue into the child care centre; and
- Increase the total permitted number of children in care over the five properties from 86 to 134 (increase of 48 children).

No exterior changes to the existing buildings are proposed. Renovations would be permitted in accordance with the building code and the zone standards for the R-2 zone of the Halifax Mainland Land Use By-law (LUB).

Existing Uses

Prior to 2009, the Halifax Mainland LUB permitted day care facilities for up to 14 children in the R-2 Zone in the principal dwelling of the operator. In 2009, the bylaw was amended reducing the maximum number of children to eight.

In accordance with the *HRM Charter*, all existing day care facilities providing care to more than eight children became non-conforming uses after the adoption of this zoning change. Any new or expanded day care facility for more than eight children can be considered by development agreement under the Halifax Municipal Planning Strategy (MPS) Implementation Policies 3.20 and 3.20.1.

The existing day care facilities have operated continuously as follows:

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

Currently, only 67 Sunnybrae is used exclusively as a day care facility, with no associated residential use. These operations continued in their current form under the non-conforming use provisions of the *Halifax Regional Municipality Charter*, but will be consolidated into the child care center in the proposed development agreement..

Enabling Policy and LUB Context

The Halifax Mainland LUB allows a “Day Care Facility” (called a “child care centre” in the MPS) for up to eight children in the R-2 Zone in conjunction with a dwelling. Section 71(8) of the Halifax Mainland LUB and Implementation Policy 3.20 and 3.20.1 of the Halifax MPS enables consideration of child care centres not in compliance with the By-law by development agreement:

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.

Halifax MPS Policy 3.20.1 includes criteria that Community Council must consider (Attachment B).

DISCUSSION

Staff have reviewed the proposal relative to all relevant policies and advise that it is reasonably consistent with the intent of the MPS. Attachment B provides an evaluation of the proposed development agreement in relation to the relevant MPS policies.

Proposed Development Agreement

Attachment A contains the proposed development agreement for the subject site and the conditions under which the development may occur. The proposed development agreement addresses the following matters:

- 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 provisions;
- 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; and
- Non-substantive amendments permitted within the agreement including:
 - Changes to extend hours of operations for shift workers;
 - Changes to allow for additional on-site parking spaces; and
 - Extension to the dates of commencement and completion of development.

The attached development agreement will permit a child care centre of up to 134 children, subject to the controls identified above. Of the matters addressed by the proposed development agreement to satisfy the MPS criteria as shown in Attachment B, the following have been identified for detailed discussion.

Traffic and Parking

Implementation Policy 3.20.1 requires Council to consider traffic impacts when evaluating child care centre applications. A Traffic Impact Statement (TIS) was submitted with this proposal and concludes that the anticipated increase in traffic can be accommodated by the existing street network. The most notable impacts will occur during drop-off and pick-up periods; however, proposed operating hours of 7:00 a.m. to 6:00 p.m. will help distribute traffic over a broader timeframe.

The development agreement requires a minimum of nine off-street parking spaces, accommodated through existing driveways, with additional tandem spaces for staff. The Traffic Impact Statement concludes that these spaces, along with available on-street parking, provide adequate parking to support the expansion of Magic Beings Child Care Centre. Staff agree with this assessment and are satisfied the parking provisions will meet the site's operational needs.

Concentration of Child Care Centres

Implementation Policy 3.20.1(g) directs Council to consider whether approving the development agreement would produce a concentration of child care centres within a particular neighbourhood. Neighbourhood is not a defined term in the MPS, and staff identified the neighbourhood based on site-specific context, including land use, built form, street network, geography, and infrastructure. The neighbourhood area is predominantly single-unit residential with a grid street network bounded by collector and arterial roads: Dutch Village Road (east), Main Avenue (north), Dunbrack Street (west), and Highway 102 (south). Within this area, there are three child care centres, with several more nearby but outside the neighbourhood area. Given the low number of centres, the existing demand for child care, and that this application is for an expansion that will consolidate several existing operations into one child care centre, staff do not consider this proposal to create a concentration of centres in the neighbourhood.

Priorities Plans

In accordance with Policy G-14A of the Halifax Regional Plan, staff considered the objectives, policies and actions of the priorities plans, inclusive of the Integrated Mobility Plan, the Halifax Green Network Plan, HalifACT, and Halifax's Inclusive Economic Strategy 2022-2027 in making its recommendation to Council. In this case, no specific policies were identified as a conflict.

Conclusion

Staff have reviewed the proposal in terms of all relevant policy criteria and advise that the proposal is reasonably consistent with the intent of the MPS. The proposal maintains the residential character of the buildings and avoids creating a concentration of child care centres in the area, while increasing child care capacity to serve the broader community. Therefore, staff recommend that the Halifax and West Community Council approve the proposed development agreement.

FINANCIAL IMPLICATIONS

The applicant will be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this proposed development agreement. The administration of the proposed development agreement can be carried out within the approved 2025-2026 operating budget for Planning and Development.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application may be considered under existing MPS policies. Community Council has the discretion to make decisions that are consistent with the MPS, and such decisions may be appealed to the N.S. Regulatory and Appeals Board. Information concerning risks and other implications of adopting the proposed development agreement are contained within the Discussion section of this report.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy and the Public Participation Administrative Order (2023-002-ADM). The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, letters mailed to property owners within the notification area, and an online survey.

Attachment C contains a summary of the public engagement. A total of 98 letters were mailed to property owners and tenants within the notification area (Map 2). The HRM website received a total of 392 unique pageviews over the course of the application and 82 survey responses. No email or phone responses were received. The public comments received include the following topics:

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

A public hearing must be held by Halifax and West Community Council before they can consider approval of the proposed development agreement. Should Community Council decide to proceed with a public hearing on this application, in addition to the advertisement on the HRM webpage, property owners within the notification area shown on Map 2 will be notified of the hearing by regular mail.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

ALTERNATIVES

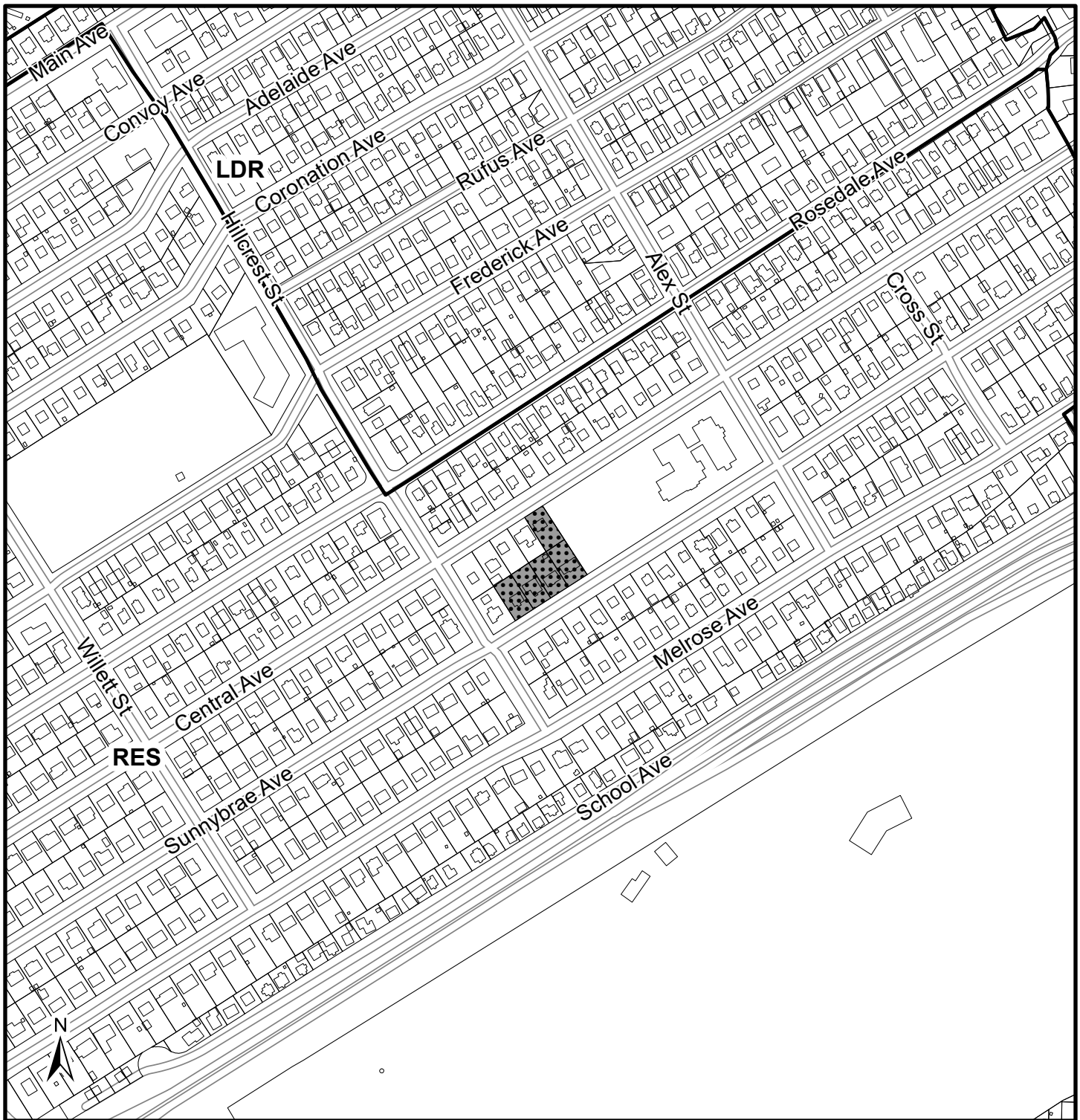
1. Halifax and West Community Council may choose to approve the proposed development agreement subject to modifications. Such modifications may require further negotiation with the applicant and may require a supplementary report or another public hearing. A decision of Council to approve this development agreement is appealable to the N.S. Regulatory and Appeals Board as per Section 262 of the *HRM Charter*.
2. Halifax and West Community Council may choose to refuse the proposed development agreement, and in doing so, must provide reasons why the proposed agreement does not reasonably carry out the intent of the MPS. A decision of Council to refuse the proposed development agreement is appealable to the N.S. Regulatory and Appeals Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

Map 1: Generalized Future Land Use
Map 2: Zoning and Notification Area

Attachment A: Proposed Development Agreement
Attachment B: Review of Relevant MPS Policies
Attachment C: Engagement Summary Report

Report Prepared by: Dean MacDougall, Acting Principal Planner - Urban Enabled Applications – 902.240.7085



Map 1 - Generalized Future Land Use

65-71 Sunnybrae Ave. and 70 Central Ave.,
Halifax

HALIFAX

Designation

 Subject Properties

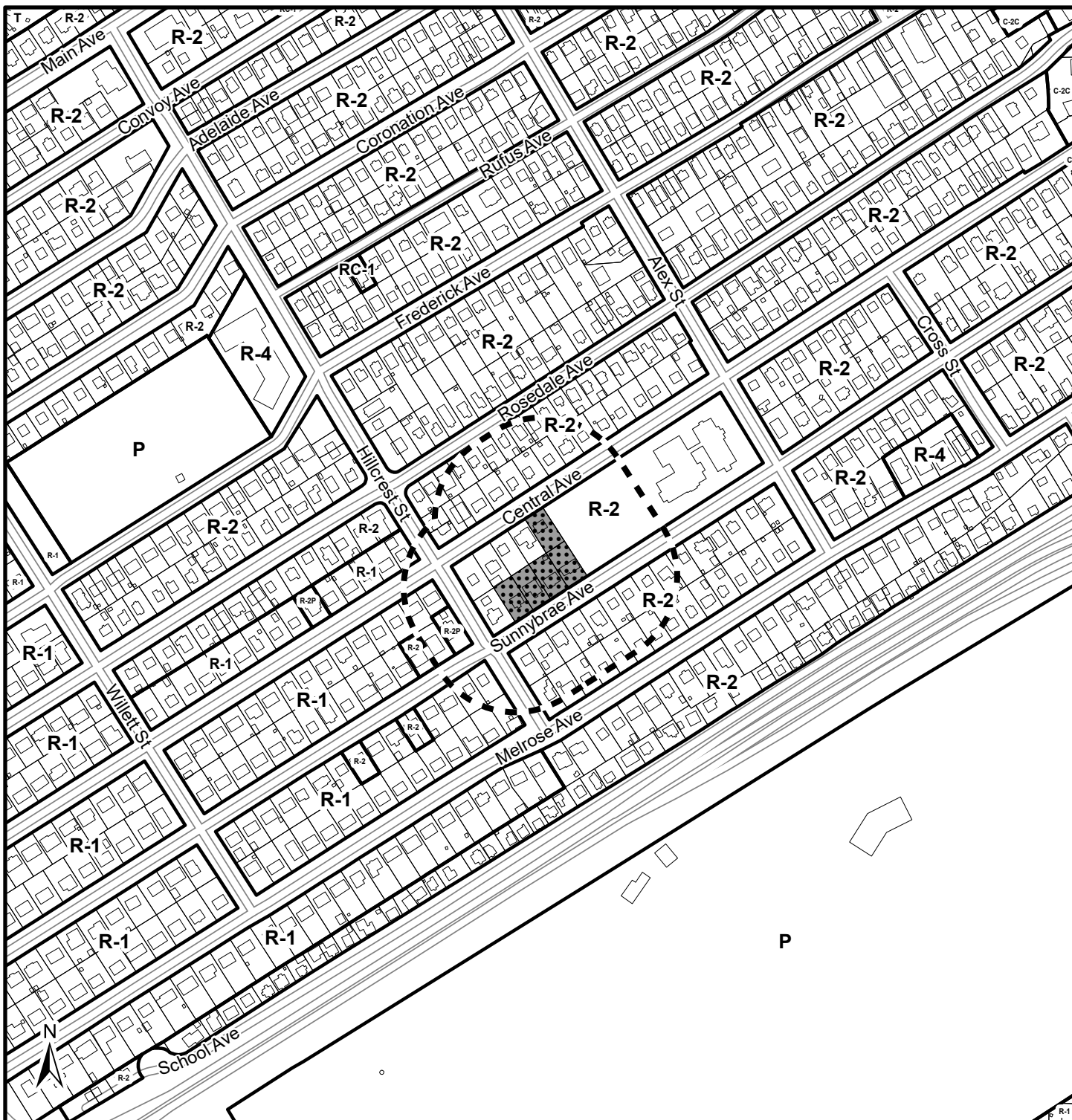
LDR Low Density Residential
RES Residential

0 40 80 120 160 m


This map is an unofficial reproduction of
a portion of the Generalized Future Land
Use Map for the plan area indicated.

The accuracy of any representation on
this plan is not guaranteed.

Halifax Plan Area



Map 2 - Zoning and Notification Area

65-71 Sunnybrae Ave. and 70 Central Ave.,
Halifax

 Subject Properties

 Area of Notification

Halifax Mainland
Land Use By-Law

Zone

C-2C	Dutch Village Road Mixed Use
P	Park and Institutional
R-1	Single Family Dwelling
R-2	Two Family Dwelling
R-2P	General Residential
R-4	Multiple Dwelling
RC-1	Neighbourhood Commercial
T	Mobile Home Park

0 40 80 120 160 m



This map is an unofficial reproduction of
a portion of the Zoning Map for the plan
area indicated.

The accuracy of any representation on
this plan is not guaranteed.

Attachment A: Proposed Development Agreement

THIS AGREEMENT made this **[Insert Date]** day of **[Insert Month]**, 2019,

BETWEEN:

[Insert Name of Corporation/Business LTD.]

a body corporate, in the Province of Nova Scotia

OF THE FIRST PART

- and -

[Insert Individual's name]

an individual, in the Halifax Regional Municipality,
in the Province of Nova Scotia

OF THE SECOND PART

- and -

[Insert Individual's name]

an individual, in the Halifax Regional Municipality,
in the Province of Nova Scotia

OF THE THIRD PART

(hereinafter collectively called the "Developer")

- and -

HALIFAX REGIONAL MUNICIPALITY

a municipal body corporate, in the Province of Nova Scotia
(hereinafter called the "Municipality")

OF THE FOURTH PART

WHEREAS the Developer is the registered owner of certain lands located at 65-71 Sunnybrae Avenue and 70 Central Avenue, Fairview (PIDs 00238188, 00238196, 00238204, 00238212, and 00238279) and which said lands are more particularly described in Schedule A hereto (hereinafter called the "Lands");

AND WHEREAS the Developer has requested that the Municipality enter into a Development Agreement to allow for a child care centre of up to 134 children on the Lands pursuant to the provisions of the *Halifax Regional Municipality Charter* and pursuant to Policies 3.20 and 3.20.1 of the Halifax Municipal Planning Strategy and Section 71(8) of the Halifax Mainland Land Use By-law;

AND WHEREAS the Halifax and West Community Council for the Municipality approved this request at a meeting held on **[Insert - Date]**, referenced as PLANAPP 2025-00497;

THEREFORE, in consideration of the benefits accrued to each party from the covenants herein contained, the Parties agree as follows:

PART 1: GENERAL REQUIREMENTS AND ADMINISTRATION

1.1 Applicability of Agreement

- 1.1.1 The Developer agrees that the Lands shall be developed and used only in accordance with and subject to the terms and conditions of this Agreement.

1.2 Applicability of Land Use By-law and Subdivision By-law

- 1.2.1 Except as otherwise provided for herein, the development, use and subdivision of the Lands shall comply with the requirements of the Land Use By-law for Halifax Mainland and the Regional Subdivision By-law, as may be amended from time to time.
- 1.2.2 Variances to the requirements of the Land Use By-law for Halifax Mainland shall be permitted in accordance with the *Halifax Regional Municipality Charter*.

1.3 Applicability of Other By-laws, Statutes and Regulations

- 1.3.1 Further to Section 1.2, nothing in this Agreement shall exempt or be taken to exempt the Developer, lot owner or any other person from complying with the requirements of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement), or any statute or regulation of the Provincial/Federal Government and the Developer or Lot Owner agree(s) to observe and comply with all such laws, by-laws and regulations, as may be amended from time to time, in connection with the development and use of the Lands.
- 1.3.2 The Developer shall be responsible for securing all applicable approvals associated with the on-site and off-site servicing systems required to accommodate the development, including but not limited to sanitary sewer system, water supply system, stormwater sewer and drainage system, and utilities. Such approvals shall be obtained in accordance with all applicable by-laws, standards, policies, and regulations of the Municipality and other approval agencies. All costs associated with the supply and installation of all servicing systems and utilities shall be the responsibility of the Developer. All design drawings and information shall be certified by a Professional Engineer or appropriate professional as required by this Agreement or other approval agencies.

1.4 Conflict

- 1.4.1 Where the provisions of this Agreement conflict with those of any by-law of the Municipality applicable to the Lands (other than the Land Use By-law to the extent varied by this Agreement) or any provincial or federal statute or regulation, the higher or more stringent requirements shall prevail.
- 1.4.2 Where the written text of this Agreement conflicts with information provided in the Schedules attached to this Agreement, the written text of this Agreement shall prevail.

1.5 Costs, Expenses, Liabilities and Obligations

- 1.5.1 The Developer shall be responsible for all costs, expenses, liabilities and obligations imposed under or incurred in order to satisfy the terms of this Agreement and all Federal, Provincial and Municipal laws, by-laws, regulations and codes applicable to the Lands.

1.6 Provisions Severable

- 1.6.1 The provisions of this Agreement are severable from one another and the invalidity or unenforceability of one provision shall not affect the validity or enforceability of any other provision.

1.7 Lands

- 1.7.1 The Developer hereby represents and warrants to the Municipality that the Developer is the owner of the Lands and that all owners of the Lands have entered into this Agreement.

PART 2: DEFINITIONS

2.1 Words Not Defined under this Agreement

- 2.1.1 All words unless otherwise specifically defined herein shall be as defined in the applicable Land Use By-law and Subdivision By-law, if not defined in these documents their customary meaning shall apply.

2.2 Definitions Specific to this Agreement

- 2.2.1 The following words used in this Agreement shall be defined as follows:
- (a) "Child Care Centre" shall have the same definition as in the Land Use By-law for Halifax Mainland under "Day Care Facility".
 - (b) "Existing" means in existence as of the effective date of this Agreement.

PART 3: USE OF LANDS, SUBDIVISION AND DEVELOPMENT PROVISIONS

3.1 Schedules

- 3.1.1 The Developer shall develop the Lands in a manner, which, in the opinion of the Development Officer, conforms with the following Schedules attached to this Agreement and filed with the Halifax Regional Municipality as PLANAPP 2025-00497:

Schedule A	Legal Description of the Lands
Schedule B	Child Care Centre Properties

3.2 Requirements Prior to Approval

- 3.2.1 Notwithstanding any other provision of this Agreement, the Developer shall not occupy or use the Lands for any of the uses permitted by this Agreement unless an Occupancy Permit has been issued by the Municipality. No Occupancy Permit shall be issued by the Municipality unless and until the Developer has complied with all applicable provisions of this Agreement and the Land Use By-law (except to the extent that the provisions of the Land Use By-law are varied by this Agreement) and with the terms and conditions of all permits, licenses, and approvals required to be obtained by the Developer pursuant to this Agreement.

3.3 General Description of Land Use

- 3.3.1 The use(s) of the Lands permitted by this Agreement are the following:
- (a) a Child Care Centre for not more than 134 children occupying the existing buildings; or
 - (b) any use within the R-2 (Two Family Dwelling) zone, subject to the provisions contained within the Land Use By-law for Halifax Mainland.
- 3.3.2 For greater clarity, the Child Care Centre is not required to be in conjunction with a residence and Section 23A of the Land Use By-law shall not apply.
- 3.3.3 The Development Officer may permit unenclosed structures attached to a main building such as verandas, decks, porches, steps, and mobility disabled ramps to be located within the required

minimum front, side and rear yards in conformance with the provisions of the Land Use By-law for Halifax Mainland, as amended from time to time.

- 3.3.4 One (1) accessory building, per the requirements of the Land Use By-law for Halifax Mainland, is permitted on each property.

3.4 Architectural

- 3.4.1 The existing buildings shall retain their residential character as a detached one-family dwelling subject to the provisions of the R-2 (Two Family Dwelling) zone of the Halifax Mainland Land Use By-law.

- 3.4.2 Section 3.4.1 shall not prevent building or property alterations required for accessibility reasons.

3.5 Outdoor Play Area

- 3.5.1 The outdoor play area and playground equipment shall not be located in the front yard, and playground equipment shall be permitted on the properties.

- 3.5.2 The outdoor play area in the yards that directly abut a property not associated with the child care centre shall be surrounded by an opaque fence no less than 6 feet in height and installed in a manner to ensure the safety and security of the children under care. Existing fencing may be used if it meets the requirements of this section. For greater clarity, an opaque fence shall include a chain link fence with privacy slats.

- 3.5.3 A gate may be installed in the rear yard segment of the fence provided it is secure against egress from the property by unescorted children.

3.6 Hours of Operation

- 3.6.1 The child care centre may operate Monday to Friday between the hours of 7:00 a.m. to 6:00 p.m.
- 3.6.2 Hours of operation shall conform with all relevant Municipal and Provincial legislation and regulations, as may be amended from time to time.

3.7 Parking, Circulation, and Access

- 3.7.1 The parking areas on all properties shall be hard surfaced.
- 3.7.2 The child care centre shall provide a minimum of nine (9) off-street parking spaces for the purpose of pick-up and drop-off activities.
- 3.7.3 A minimum of two (2) off-street parking spaces shall be reserved for staff use. Additional staff parking spaces may be permitted if provided in a tandem parking arrangement.
- 3.7.4 All off-street parking areas shall be maintained in a clear and unobstructed condition at all times throughout the year.
- 3.7.5 Each building shall provide a walkway from its entrance to the parking areas and to the street.

3.8 Outdoor Lighting

- 3.8.1 Lighting shall be directed to driveways, parking areas, loading area, building entrances and walkways and shall be arranged so as to divert the light away from streets, adjacent lots and buildings.

3.9 Maintenance

- 3.9.1 The Developer shall maintain and keep in good repair all portions of the development on the Lands, including but not limited to, the exterior of the building, fencing, walkways, recreational amenities, parking areas and driveways, and the maintenance of all landscaping including the replacement of damaged or dead plant stock, trimming and litter control, garbage removal and snow and ice control, salting of walkways and driveways.
- 3.9.2 All disturbed areas of the Lands shall be reinstated to original condition or better.

3.10 Signs

- 3.10.1 The sign requirements shall be accordance with the R-2 (Two Family Dwelling) Zone of the Land Use By-law for Halifax Mainland as amended from time to time.

3.11 Screening

- 3.11.1 Refuse containers located outside the building shall be fully screened from adjacent properties and from streets by means of opaque fencing, masonry walls, or foliage.

PART 4: STREETS AND MUNICIPAL SERVICES

4.1 General Provisions

- 4.1.1 All design and construction of primary and secondary service systems shall satisfy the most current edition of the Municipal Design Guidelines and Halifax Water Design and Construction Specifications unless otherwise provided for in this Agreement and shall receive written approval from the Development Engineering prior to undertaking the work.

4.2 Off-Site Disturbance

- 4.2.1 Any disturbance to existing off-site infrastructure resulting from the development, including but not limited to, streets, sidewalks, curbs and gutters, street trees, landscaped areas and utilities, shall be the responsibility of the Developer, and shall be reinstated, removed, replaced or relocated by the Developer as directed by the Development Officer, in consultation with the Development Engineer.

PART 5: ENVIRONMENTAL PROTECTION MEASURES

5.1 Private Storm Water Facilities

- 5.1.1 All private storm water facilities shall be maintained in good order in order to maintain full storage capacity by the owner of the lot on which they are situated.

5.2 Stormwater Management Plans and Erosion and Sedimentation Control Plan

- 5.2.1 Prior to the commencement of any site work on the Lands, including earth movement or tree removal other than that required for preliminary survey purposes, or associated off-site works, the Developer shall have been issued a Grade Alteration Permit in accordance with By-law G-200 Respecting Grade Alteration and Stormwater Management Associated with Land Development, as amended from time to time.

PART 6: AMENDMENTS

6.1 Non-Substantive Amendments

- 6.1.1 The following items are considered by both parties to be not substantive and may be amended in a matter consistent with the *Halifax Regional Municipality Charter*:
- (a) Changes to Section 3.6 to extend hours of operations;
 - (b) The granting of an extension to the date for Commencement of Development as identified in Section 7.3.1 of this Agreement; and
 - (c) The granting of an extension to the length of time for the completion of the development as identified in Section 7.4.3 of this Agreement.

6.2 Substantive Amendments

- 6.2.1 Amendments to any matters not identified under Section 6.1 shall be deemed substantive and may only be amended in accordance with the approval requirements of the *Halifax Regional Municipality Charter*.

PART 7: REGISTRATION, EFFECT OF CONVEYANCES AND DISCHARGE

7.1 Registration

- 7.1.1 A copy of this Agreement and every amendment or discharge of this Agreement shall be recorded at the Registry of Deeds or Land Registry Office at Halifax, Nova Scotia and the Developer shall incur all costs in recording such documents.

7.2 Subsequent Owners

- 7.2.1 This Agreement shall be binding upon the parties hereto, their heirs, successors, assigns, mortgagees, lessees and all subsequent owners, and shall run with the Lands which are the subject of this Agreement until this Agreement is discharged by the Chief Administrative Officer for the Municipality.
- 7.2.2 Upon the transfer of title to any lot(s), the subsequent owner(s) thereof shall observe and perform the terms and conditions of this Agreement to the extent applicable to the lot(s).

7.3 Commencement of Development

- 7.3.1 In the event that development on the Lands has not commenced within two (2) years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Lands shall conform with the provisions of the Land Use By-law for Halifax Mainland.
- 7.3.2 For the purpose of this section, commencement of development shall mean issuance of a Development Permit.
- 7.3.3 For the purpose of this section, the Municipality may consider granting an extension of the commencement of development time period through a resolution under 6.1 if the Municipality receives a written request from the Developer.

7.4 Completion of Development

- 7.4.1 Upon the completion of the whole development, the Municipality may review this Agreement, in whole or in part, and may:
- (d) retain the Agreement in its present form;

- (b) negotiate a new Agreement;
 - (c) discharge this Agreement; or
 - (d) for those portions of the development which are completed, discharge this Agreement and apply appropriate zoning pursuant to the Halifax Municipal Planning Strategy and Land Use By-law for Halifax Mainland as may be amended from time to time.
- 7.4.2 For the purpose of this section, completion of development shall mean successful application for an Occupancy Permit.
- 7.4.3 In the event that development on the Lands has not been completed within five (5) years from the date of registration of this Agreement at the Registry of Deeds or Land Registry Office, as indicated herein, the Lands shall conform with the provisions of the Land Use By-law.

7.5 Discharge of Agreement

- 7.5.1 If the Developer fails to complete the development after ten (10) years from the date of registration of this Agreement, the Municipality may review this Agreement, in whole or in part, and may:
 - (a) retain the Agreement in its present form;
 - (b) negotiate a new Agreement; or
 - (c) discharge this Agreement.

PART 8: ENFORCEMENT AND RIGHTS AND REMEDIES ON DEFAULT

8.1 Enforcement

- 8.1.1 The Developer agrees that any officer appointed by the Municipality to enforce this Agreement shall be granted access onto the Lands during all reasonable hours without obtaining consent of the Developer. The Developer further agrees that, upon receiving written notification from an officer of the Municipality to inspect the interior of any building located on the Lands, the Developer agrees to allow for such an inspection during any reasonable hour within twenty-four hours of receiving such a request.

8.2 Failure to Comply

- 8.2.1 If the Developer fails to observe or perform any condition of this Agreement after the Municipality has given the Developer 30 days written notice of the failure or default, then in each such case:
 - (a) The Municipality shall be entitled to apply to any court of competent jurisdiction for injunctive relief including an order prohibiting the Developer from continuing such default and the Developer hereby submits to the jurisdiction of such Court and waives any defence based upon the allegation that damages would be an adequate remedy;
 - (b) The Municipality may enter onto the Lands and perform any of the covenants contained in this Agreement or take such remedial action as is considered necessary to correct a breach of the Agreement, whereupon all reasonable expenses whether arising out of the entry onto the Lands or from the performance of the covenants or remedial action, shall be a first lien on the Lands and be shown on any tax certificate issued under the *Assessment Act*;
 - (c) The Municipality may by resolution discharge this Agreement whereupon this Agreement shall have no further force or effect and henceforth the development of the Lands shall conform with the provisions of the Land Use By-law; or
 - (d) In addition to the above remedies, the Municipality reserves the right to pursue any other remedy under the *Halifax Regional Municipality Charter* or Common Law in order to ensure compliance with this Agreement.

WITNESS WHEREAS the said parties to these presents have hereunto set their hands and affixed their seals the day and year first above written.

SIGNED, SEALED AND DELIVERED in the presence of:

Witness

(Insert Registered Owner Name)

Per: _____

Print Name: _____

Print Position: _____

Date Signed: _____

SIGNED, SEALED AND DELIVERED in the presence of:

Witness

(Insert Registered Owner Name)

Per: _____

Print Name: _____

Date Signed: _____

SIGNED, SEALED AND DELIVERED in the presence of:

Witness

(Insert Registered Owner Name)

Per: _____

Print Name: _____

Date Signed: _____

=====

=====

HALIFAX REGIONAL MUNICIPALITY

SIGNED, DELIVERED AND ATTESTED to by the
proper signing officers of Halifax Regional
Municipality, duly authorized in that behalf, in the
presence of:

Witness

Witness

Per: _____
MAYOR

Date signed: _____

Per: _____
MUNICIPAL CLERK

Date signed: _____

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

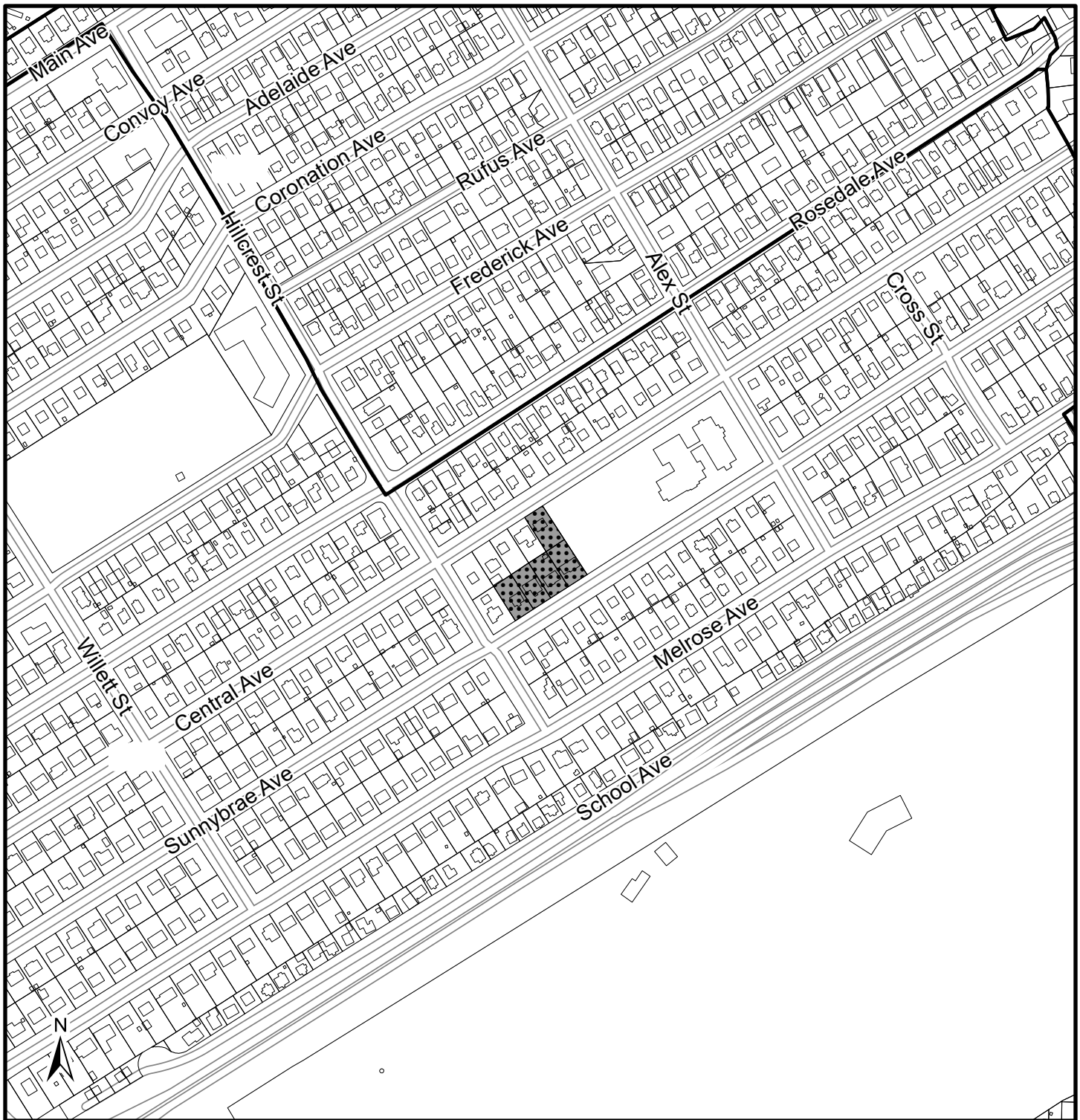
On this _____ day of _____, A.D. 20____, before me, the subscriber personally came and appeared _____ a subscribing witness to the foregoing indenture who having been by me duly sworn, made oath and said that _____, _____ of the parties thereto, signed, sealed and delivered the same in his/her presence.

A Commissioner of the Supreme Court
of Nova Scotia

PROVINCE OF NOVA SCOTIA
COUNTY OF HALIFAX

On this _____ day of _____, A.D. 20____, before me, the subscriber personally came and appeared _____ the subscribing witness to the foregoing indenture who being by me sworn, made oath, and said that Andy Fillmore, Mayor and Ian MacLean, Clerk of the Halifax Regional Municipality, signed the same and affixed the seal of the said Municipality thereto in his/her presence.

A Commissioner of the Supreme Court
of Nova Scotia



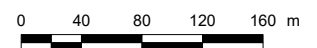
Schedule B - Child Care Centre Properties

65-71 Sunnybrae Ave. and 70 Central Ave., Halifax

HALIFAX



Subject Properties



This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Halifax Plan Area

Attachment B – Review of Relevant MPS Policies

Halifax Municipal Planning Strategy	
SECTION II: CITY WIDE OBJECTIVES AND POLICIES	
Policy	Staff Comments
Part 2: RESIDENTIAL ENVIRONMENTS	
Objective: The provision and maintenance of diverse and high quality housing in adequate amounts, in safe residential environments, at prices which residents can afford.	
2.1 <i>Residential development to accommodate future growth in the City should occur both on the Peninsula and on the Mainland and should be related to the adequacy of existing or presently budgeted services.</i>	The subject site is located in Halifax Mainland and in a neighbourhood already developed and fully serviced.
2.2 <i>The integrity of existing residential neighbourhoods shall be maintained by requiring that any new development which would differ in use or intensity of use from the present neighbourhood development pattern be related to the needs or characteristics of the neighbourhood and this shall be accomplished by Implementation Policies 3.1 and 3.2 as appropriate.</i>	The proposed land use will result in a decrease in residential intensity and an increase in commercial activity. Day care facilities are considered a hybrid land use, incorporating commercial (fee-for-service), residential (providing care in a domestic-like setting where children eat, sleep, and play), and institutional/educational (delivering a curriculum under a license from the Provincial Department of Education) components. The existing day cares have been in continuous operation since the following year: 67 Sunnybrae Avenue - 1996 65 Sunnybrae Avenue- 2003 69 Sunnybrae Avenue - 2007 70 Central Avenue - 2018. The applicant has demonstrated ongoing community demand through a waitlist for enrolment. The surrounding neighbourhood includes housing stock and schools that are well-suited to families with dependent children. Local schools are currently near capacity, indicating a high level of demand for family-supportive services. Child care is regulated under the provincial Early Learning and Child Care Act, further reinforcing its educational function. Implementation Policy 3.1 and Policy 3.2 were repealed.

2.4.2 <i>In residential neighbourhoods alternative specialized housing such as special care homes; commercial uses such as daycare centres and home occupations; municipal recreation facilities such as parks; and community facilities such as churches shall be permitted. Regulations may be established in the land use by-law to control the intensity of such uses to ensure compatibility to surrounding residential neighbourhoods.</i>	Day care centres are recognized as a permitted use within residential neighbourhoods under this policy. The application is enabled under the Implementation Policies 3.20 and 3.20.1.
IMPLEMENTATION POLICIES	
3.20 <i>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.</i>	The existing childcare operation has been in business for over 29 years, demonstrating sustained local demand. The applicant has provided evidence of continued need, noting the closure of a local day care and that the nearby school is currently at capacity. Additionally, the existing day care facilities maintains a waitlist. These factors suggest that the neighbourhood and broader community include a significant number of families with dependent children, and that access to child care is an essential service for local residents. A development agreement is required to permit the establishment of a child care centre on the subject site, as the proposed capacity may exceed the maximum number of children allowed under the Halifax Mainland Land Use By-law (LUB).
3.20.1 <i>In considering approval of such development agreements, Council shall consider the following:</i>	
<i>a. for a child care centre located within a dwelling, alterations to the exterior of the building shall not be such that the building no longer appears to be residential in nature. This shall not prevent facilities for physically challenged children, or playground equipment to be erected on the property.</i>	External alterations are not proposed and the building will maintain its residential character by requiring the regulations of the R-2 Zone apply to the site.
<i>b. the hours of operation shall be such that adverse impacts of noise and traffic</i>	The proposed hours of operation are 7:00 a.m. to 6:00 p.m., allowing for staggered drop-off and pick-up times to help mitigate potential noise and

<i>movements on adjacent residential uses are reduced.</i>	traffic impacts. Day care centres are considered a form of commercial use and activity generally aligns with peak commuter periods; the submitted Transportation Impact Statement (TIS) indicates that arrivals are typically distributed over time. The busiest period occurs between 8:00 and 8:30 a.m., which overlaps with the neighbourhood's peak traffic window. According to the TIS, the average drop-off time is approximately three minutes. There are 19 parking spaces (on and off-site) located near the site, which are generally unoccupied during morning peak hours. As a result, the TIS concludes that the existing parking supply can accommodate the anticipated demand due to the high turnover rate of parking spaces during drop-off and pick-up periods.
<i>c. parking shall be required on the site of the child care centre to accommodate the employees of the centre. Parking areas should, where necessary, be visually buffered from any adjacent residential uses by the use of fences, screening and/or landscaping as appropriate.</i>	The development agreement will require a minimum of 9 on-site parking spaces, which will be accommodated using the existing driveways on the site. Additional parking is available; however, some spaces may involve tandem parking arrangements, which are suitable for staff use. The TIS concludes that the existing parking supply, both on and off site, is adequate to support the proposed expansion of Magic Beings Child Care Centre. Staff have reviewed the TIS and are satisfied that the parking provision is sufficient to meet the operational needs of the site.
<i>d. site design features, including landscaping, outdoor play space, parking areas and driveways shall be designed, sized, and located to provide for the needs of the users of the facility, as well as to address potential impacts on adjacent residential uses.</i>	The existing driveways, which has supported child care operations for over 29 years, is considered adequate to accommodate the proposed increase in activity. Outdoor play areas will be enclosed with fencing to ensure child safety and provide visual and some acoustic buffering from adjacent properties.
<i>e. vehicular access to and egress from the child care centre and pedestrian movement shall be accommodated in a manner which encourages safety.</i>	The site design includes a designated pedestrian pathway connecting the on-site parking and drop-off areas to the building entrance to ensure safe access for children and caregivers. Given the limited availability of on-site parking, some vehicle movements—particularly for drop-off and pick-up—are expected to occur along the public street. Designated pedestrian pathway connecting the buildings to the street are provided and required in the development agreement.

<i>f. signs for the child care centre shall be of a size, design and placement on the lot which reduces impacts on adjacent residential uses.</i>	The development agreement reverts to the signage requirements and regulations found in the Halifax Mainland Land Use By-law.
<i>g. centres shall not be located so as to produce a concentration within a particular neighbourhood. In addition, only one centre with a licensed capacity of more than 14 children shall be permitted on any cul-de-sac.</i>	The subject site is not located on a cul-de-sac. When determining a neighbourhood staff rely heavily on the context specific to the site, as it relates to its surroundings in terms of use, form, development patterns, geography, and infrastructure. Staff reviewed the built form, street network, and geography, and infrastructure when identifying the neighbourhood. The form is predominantly single unit residential with a grid street network bounded by collector and arterial roads. Based on this definition of neighbourhood, the neighbourhood applicable to this application could be defined by the major streets that surround it, which are Dutch Village Road to the east, Main Ave to the north, Dunbrack St to the west, and Highway 102 to the south. Staff believe this is a broad definition of the neighbourhood. Within this neighbourhood there are a total of 3 child care centres (including PLANAPP 2025-00730), with several more just outside this defined area. This relatively low number, coupled with the fact that there is significant demand for more spaces and that this centre is an existing daycare currently in operation, staff do not believe this expansion will result in a concentration within this neighbourhood.
<i>h. all other relevant policies of the municipal planning strategy with particular reference to the Residential Environments section.</i>	Staff are of the opinion that all relevant policies have been identified in the policy matrix.

Halifax Regional Municipal Planning Strategy (Regional Plan)

9.6 PRIORITIES PLANS

Since the adoption of this Plan in 2014, Regional Council has approved several priority plans including the Integrated Mobility Plan, Halifax Green Network Plan, HalifACT, and Halifax's Inclusive Economic Strategy 2022-2027. The second review of this Plan began in 2020 and is expected to be readopted by Regional Council in 2023. The review will revise the policies of this Plan to ensure they are consistent with the priorities plans as approved. In the interim, this Plan supports the priorities plans which are actively used by staff to guide ongoing work.

G-14A <i>In considering development agreements or amendments to development agreements, or any proposed amendments to the Regional Plan, secondary planning strategies, or land use by-laws, in addition to the policies of this Plan, HRM shall consider the objectives, policies and actions of the priorities plans approved by Regional Council since 2014, including:</i> <i>(a) The Integrated Mobility Plan;</i> <i>(b) Halifax Green Network Plan;</i> <i>(c) HalifACT;</i> <i>(d) Halifax's Inclusive Economic Strategy 2022-2027; and</i> <i>(e) any other priority plan approved by Regional Council while this policy is in Effect</i>	In accordance with Policy G-14A of the Halifax Regional Plan, staff considered the objectives, policies and actions of the priorities plans, inclusive of the Integrated Mobility Plan, the Halifax Green Network Plan, HalifACT, and Halifax's Inclusive Economic Strategy 2022-2027 in making its recommendation to Council. In this case, no specific policies were identified as a conflict.
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Attachment C: Engagement Summary Report

WHAT WE HEARD Summary of Feedback

PLANAPP 2025-00497

Application for a development agreement to consolidate multiple daycare facilities into a childcare center under a single agreement and expand capacity by 48 children to a total of 134 children at 65-71 Sunnybrae Avenue and 70 Central Avenue, Fairview.

Engagement

Public consultation took place from May 22 to July 10, 2025. Engagement efforts included the following:

- Mailout Notification: Nearby residents received a mailed notice outlining the proposal, providing details on where to find more information, and explaining how to submit comments or feedback.
- Online Survey: A dedicated webpage was created on Shape Your City, which included a survey inviting residents to share their feedback.

Methodology

A summary of the notifications sent and the corresponding response rate is included.

Recurring comments have been organized into key themes and are summarized below. The detailed survey responses are provided in the attached document for reference.

Data (for public consultation period)

Total Notification Mailouts	98
Website Views (unique)	311
Survey Respondents	82
Survey Responses	83
Emails/Phone Calls Received	0
Response Rate (based off notification mailouts)	Website: 317.3% Survey (respondents): 83% Email/phone call: 0%

Data Correction

During the analysis of the survey responses, it was discovered that one respondent submitted two entries; however, it is unknown which respondent submitted the duplicate. Additionally, one response was mistakenly attributed to Planning Application 2025-00730 — a similar proposal for 110 Frederick Avenue in Fairview — and two responses were incorrectly attributed to this application instead of the correct file, PLANAPP 2025-00730. The single misattributed response has been retained in the analysis below, while the two incorrectly attributed responses have been removed.

Survey Summary

The survey included five main questions:

- Familiarity with the daycare facility.
- Support for the proposed expansion of daycare capacity.
- Concerns about the expansion (e.g., traffic, parking, noise, safety, screening/buffering).
- Perceived benefits of the expansion (e.g., increased access to childcare, support for local families).
- Proximity, asking whether the respondent lives or works near the proposed site.

Survey Results Summary

Total responses: 82, from 81 respondents

Very familiar with the existing business: 71 of 82 responses (86.5%)

Support of the expansion: 79 of 82 responses (96.3%)

Live Nearby: 67 of 82 responses (81.7%)

Themes of Comments

Concerns (Minority of respondents)

1. Traffic & Parking:
 - "Traffic in this area can be bad during school hours and during drop-off and pickups... parking should only be on one side of the street during school/daycare hours to make it safer for the children."
 - "Pick up and drop off traffic management could be assisted with more driveway space at the existing buildings. This would also assist local traffic by reducing street parking"
2. Child & Pedestrian Safety:
 - "Sidewalks on Sunnybrae need to be extended... to ensure the safety of children walking to school."
 - "The volume of people dropping off children in the morning creates extremely dangerous walking conditions for elementary-age students attending school at Burton Ettinger."

Benefits (Majority of respondents)

1. Increased Access to Childcare:

- "Families are desperate for child care services. It supports families and enables them to work and provide for their children."
- "This benefits essential workers... who require earlier drop-off times than a typical 9-5 job."

2. Supportive Community Environment:

- "Magic Beings has been a community and support system for my child... it is her safe space."
- "The quality of childcare at this centre exceeds the quality of most others... families will be lucky to get spaces there."

PLANAPP 2025-00497: 65-71 Sunnybrae Ave. and 70 Central Ave., Fairview.

SURVEY RESPONSE REPORT

01 July 2013 - 09 July 2025

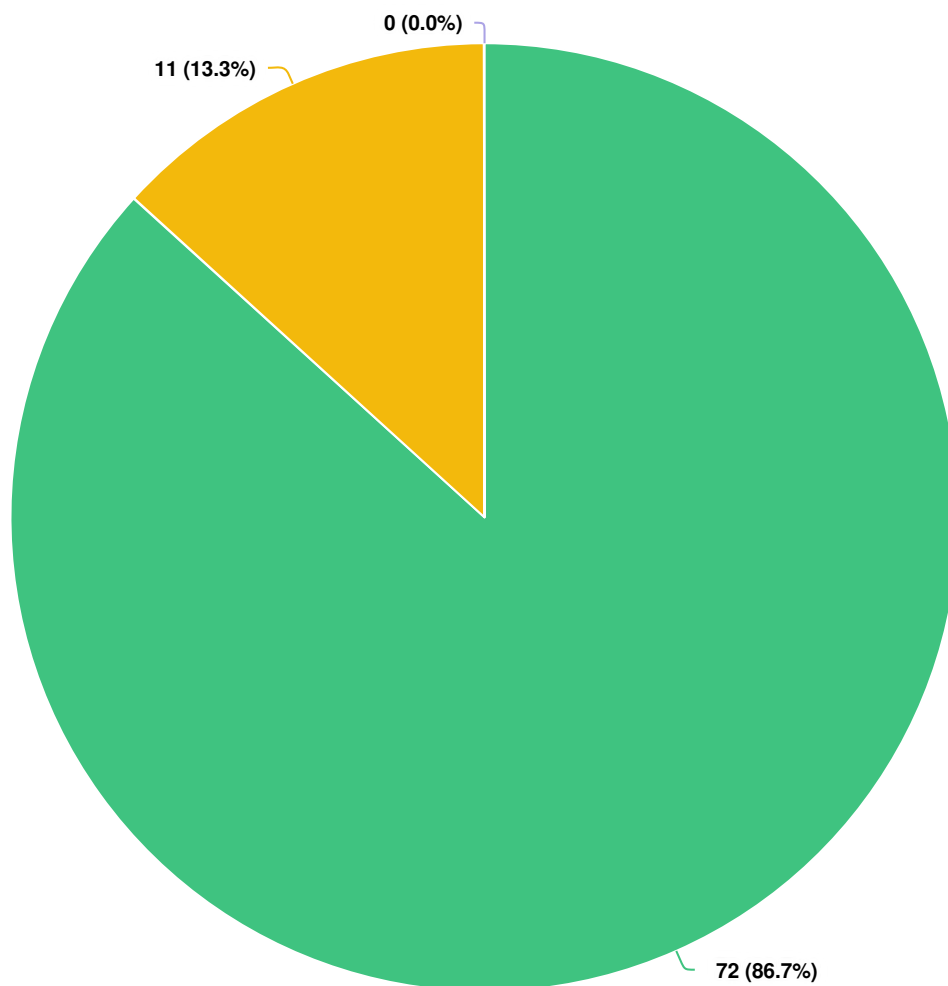
PROJECT NAME:

Planning Applications



SURVEY QUESTIONS

Q1 How familiar are you with the daycare facility at this location?



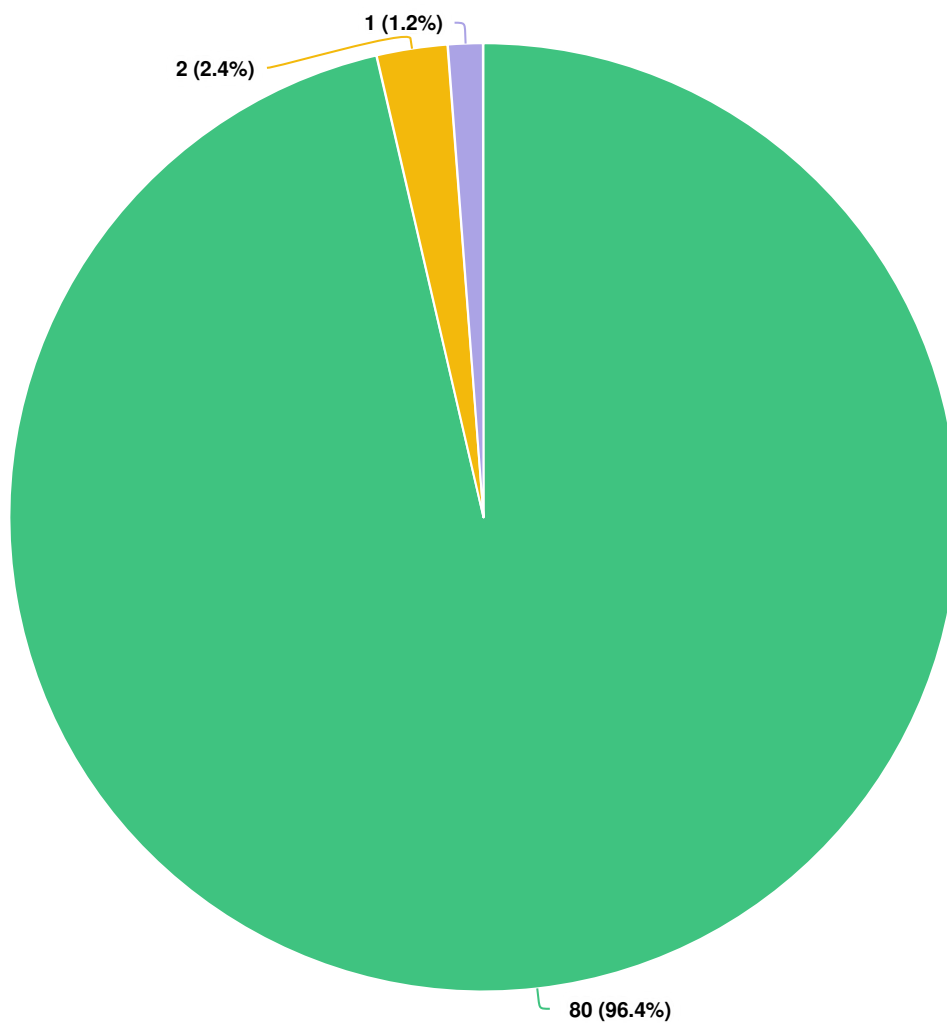
Question options

☒ Very familiar ☐ Somewhat familiar ☐ Not familiar

Mandatory Question (83 response(s))

Question type: Radio Button Question

Q2 Do you support the proposed expansion of daycare capacity at this location?



Question options

☒ Yes ☐ No ☐ Maybe

Mandatory Question (83 response(s))
Question type: Radio Button Question

Q3 | Do you have any concerns related to the proposed expansion (e.g., traffic, parking, noise, safety, screening/buffering)?

Anonymous
5/23/2025 06:55 PM

no magic beings is so respectful to others

Anonymous
5/23/2025 07:05 PM

No

Anonymous
5/23/2025 07:13 PM

No, it appears the daycare is well established and the community already accepts and celebrates the children. I've read through the attached studies and understand that the street has the capacity for the additional vehicular traffic.

Anonymous
5/23/2025 07:22 PM

Extended sidewalk

Anonymous
5/23/2025 07:24 PM

None at all.

Anonymous
5/23/2025 07:40 PM

No.

Anonymous
5/23/2025 08:45 PM

No

Anonymous
5/23/2025 07:53 PM

None

Anonymous
5/23/2025 08:04 PM

No

Anonymous
5/23/2025 08:27 PM

No

Anonymous
5/23/2025 08:28 PM

No

Anonymous
5/23/2025 08:37 PM

No concerns at this time

Anonymous

5/23/2025 08:49 PM

No, I think it will be an amazing add to support the families within the community

Anonymous

5/23/2025 09:02 PM

No issues.

Anonymous

5/23/2025 09:05 PM

No concerns

Anonymous

5/23/2025 09:05 PM

No it's usually quite easy to navigate as it's a good distance away from the main traffic of the school.

Anonymous

5/23/2025 09:09 PM

No, the listed concerns wouldn't make sense as it's already next to an elementary school. Not a private quiet cul-de-sac

Anonymous

5/23/2025 09:15 PM

No

Anonymous

5/23/2025 09:22 PM

No, I feel this is an excellent decision for expansion and will serve many children and families, well, especially those who are in need of earlier accommodations that most BAP, Excel, and YPHD programs cannot. Essential Health care workers rely strongly on this daycare facility

Anonymous

5/23/2025 09:26 PM

Kids laughing and singing is not noise, I don't see any issues why this shouldn't be approved

Anonymous

5/23/2025 09:29 PM

No

Anonymous

5/23/2025 09:32 PM

No!

Anonymous

5/23/2025 09:50 PM

No concerns,great addition to an already great community

Anonymous

5/23/2025 09:50 PM

No concerns! This facility has been amazing with both of my kids!

Anonymous

5/23/2025 09:51 PM

None at all ! Our growing neighborhood needs this!

Anonymous

5/23/2025 09:51 PM

N/A

Anonymous

5/23/2025 09:54 PM

No - allowing children to be dropped off in a larger time frame prior to the school opening significantly lessens congestion at the school during regular drop off and pick up times, increasing safety !

Anonymous

5/23/2025 09:59 PM

No

Anonymous

5/23/2025 10:03 PM

No

Anonymous

5/23/2025 10:04 PM

No

Anonymous

5/23/2025 10:06 PM

Pick and drop off traffic management could be assisted with more driveway space at the existing buildings. This would also assist local traffic by reducing street parking

Anonymous

5/23/2025 11:35 PM

Nothing

Anonymous

5/23/2025 11:41 PM

Na

Anonymous

5/24/2025 12:00 AM

No

Anonymous

5/24/2025 12:13 AM

No

Anonymous

5/24/2025 12:13 AM

No

Anonymous

5/24/2025 12:23 AM

No

Anonymous

5/24/2025 08:29 AM

None

Anonymous

5/24/2025 09:14 AM

Absolutely zero concerns. These locations already operate as a child care centre, adding a few more spaces isn't going to negatively affect the area surrounding the centre. If anything it will be beneficial as parents will have a safe space to send their children that need child care.

Anonymous

5/24/2025 09:34 AM

No

Anonymous

5/24/2025 10:00 AM

absolutely not

Anonymous

5/24/2025 10:01 AM

None

Anonymous

5/24/2025 10:03 AM

No concerns. I fully support this project.

Anonymous

5/24/2025 11:04 AM

No

Anonymous

5/24/2025 11:22 AM

No

Anonymous

5/24/2025 11:46 AM

None

Anonymous

5/24/2025 12:19 PM

No concerns!

Anonymous

5/24/2025 12:35 PM

No

Anonymous

5/24/2025 12:38 PM

No concerns

Anonymous

5/24/2025 12:50 PM

No

Anonymous

5/24/2025 01:13 PM

No, they need more room!

Anonymous

5/24/2025 02:23 PM

No

Anonymous

5/24/2025 06:31 PM

no

Anonymous

5/24/2025 07:04 PM

None at all. This daycare is run by the most caring people ever.

Anonymous

5/24/2025 08:31 PM

None, it is a wonderful place for children

Anonymous

5/24/2025 10:49 PM

No I do not

Anonymous

5/25/2025 12:41 AM

No concerns

Anonymous

5/25/2025 10:57 AM

No

Anonymous

5/25/2025 01:44 PM

None

Anonymous

5/25/2025 04:04 PM

No

Anonymous

5/25/2025 04:15 PM

No

Anonymous

5/25/2025 05:50 PM

None

Anonymous

5/25/2025 08:02 PM

Nope

Anonymous

No

5/26/2025 12:13 AM

Anonymous

5/26/2025 08:18 PM

No - childcare is an essential part of our economy and this location is an excellent addition to our community.

Anonymous

5/27/2025 12:00 PM

During drop off and pick up cars do not slow down in front of the daycares. The speedbumps are well past the daycares which does not slow down traffic IN FRONT of the daycares. Fredrick is on a bend and is quite scary when cars come around the bend.

Anonymous

5/27/2025 07:27 PM

None

Anonymous

5/27/2025 09:41 PM

Baseball season on Frederick; cars always parked on either side of the street..parking maybe an issue for parents at the Frederick location

Anonymous

5/27/2025 10:04 PM

The sidewalks on Sunneybrae need to be extended (this should just happen anyways).

Anonymous

5/28/2025 08:48 PM

None

Anonymous

5/29/2025 09:07 AM

No

Anonymous

5/30/2025 05:01 PM

My biggest concern is child safety.

Anonymous

6/17/2025 08:50 PM

No

Anonymous

6/21/2025 06:47 PM

Parking should only be on one side of the street on this portion of Sunnybrae to ensure child safety when children are being dropped off and picked up from the school and daycare. Parking enforcement should be there to ensure that no stopping is occurring on the other side ESPECIALLY during winter when snowbanks further restrict the flow of traffic. It would also be beneficial to see a sidewalk expand to go further up and down sunnybrae to ensure the safety of the children who walk to commute to school.

Anonymous

6/21/2025 09:26 PM

Yes, traffic in this area can be bad during school hours and during drop off and pickups to help mitigate the risks associated with this parking should only be on one side of the street during school /daycare hours to make it safer for the children. Additionally I feel a sidewalk should be added to help with safety in this area since the whole block consists of a school and daycares.

Anonymous

6/22/2025 04:32 PM

es, I do have some concerns regarding the proposed expansion. Traffic in this area tends to be heavy, especially during school hours and at drop-off and pick-up times. To help mitigate these issues and improve safety, I suggest restricting parking to only one side of the street during school and daycare hours. Additionally, I believe adding a sidewalk along this block would greatly enhance pedestrian safety, particularly since the area is primarily occupied by a school and several daycare centres.

Anonymous

6/22/2025 09:05 PM

No

Anonymous

6/25/2025 07:17 PM

Yes, I am very concerned about the safety of students at Burton Ettinger we are currently walking to school or hoping to do so but are afraid due to the traffic congestion, created by those who are dropping of their children at this Child Care Centre. This Child Care Centre is extremely busy in the morning (8:15-8:35 am) as it is now, because most parents (almost 2/3 of them) drop off children by car at the existing facilities' driveways. The volume of people dropping off children in the morning creates extremely dangerous walking conditions for elementary-age students attending school at Burton Ettinger. According to the traffic impact report and maps provided, the number of on-street parking spaces would not have any serious impact on traffic and parking. As noted in the traffic impact statement report, by Design Point on March 5, 20225, 60% of the drop offs take place in the morning, between 8 and 8:30 am. Since the centre currently has 86 spaces, there are currently 51 kids being dropped off during this 30 min time period. So, adding 48 new spaces will add 29 more kids to the existing drop-off volume. So, a total of 48+29 drop-offs will take place in front of the Child Care Centre, in 30 minutes, which means there will be 2.9 cars drop-off every minute! Due to the fact that on-street parking on that street is very limited, parents drop-off their children in the Child Care's private driveway. However, both on-street parking or driveway parking is just as dangerous for children walking to school by the Child Care Centre, as cars going in and backing up are a safety hazard for vulnerable pedestrians such as children. Burton Ettinger is a school community that is actively doing its best to promote walking to school and encourage less driving. Evidence collected during the 2-week School Streets Pilot project --

whereby cars (including those dropping off at the Child Care) were not allowed to enter Sunnybrae Avenue between Alex and Hillcrest -- clearly demonstrated that during the closure, the number of people walking increased by 98% [1]. The owner of the Child Care was asked to collaborate with the schools AT promotion efforts by encouraging those families who drive and drop-off their children at their centre to park 1-2 blocks away, but refused. This expansion would increase the number of children by 36%, and given the increase in the volume of cars and drop-offs will increase likewise. So, allowing this expansion would clearly make matters even more dangerous for all the other students attending school. For this reason, I am totally opposed to it. [1] See, <https://drive.google.com/file/d/10Y76XAkonTxDtP9qYRkPHgBLSXtYspBs/view?usp=sharing>

Anonymous

6/25/2025 07:27 PM

No, I currently live one block away and I think this is exactly where daycares should be. Integrated right into the community. It's good for the children and these streets are relaxed for traffic and parking so it's safer for children. No concerns.

Anonymous

6/26/2025 12:19 AM

No

Anonymous

6/26/2025 10:09 AM

none. more kids are great for the neighbourhood, they make it feel alive.

Anonymous

6/26/2025 02:03 PM

No

Anonymous

6/26/2025 10:02 PM

Traffic & parking will become a major issue for the walking students & families. I observed the morning drop off chaos while participating in the recent Safe School Streets pilot, endorsed by HRM. The parents at the Day Care refused to walk their students 1 block but drive through the barrier, left cars idling & doors open while delivering children. It was not safe on Sunnybrae or Central for pedestrians or drivers with little or no attention to no parking signs, etc. Staff of Burton Ettinger have enough challenge to park safely without being hit. There is a history of previous damage to vehicles by drivers accessing the Daycare facilities. This would be on record with HRP no doubt. I trust you have made the BE staff aware of this proposal.

Mandatory Question (83 response(s))

Question type: Essay Question

Q4 | Are there any benefits you see in the proposed expansion (e.g., increased access to childcare, support for local families)?

Anonymous

5/23/2025 06:55 PM

we need more places like magic beings in every community, they created a safe and happy environment for my daughters that absolutely loves magic beings and now my youngest is so excited to go there in the summer.

Anonymous

5/23/2025 07:05 PM

Increased access to childcare

Anonymous

5/23/2025 07:13 PM

I am a parent who lost care when the neighboring center The Children's Garden closed May 1st. We were beyond lucky to have found space with Magic Beings. The center and staff are amazing. It would be a devastating loss a second time to lose care that's being provided with Magic Beings. Knowing my girls have care facilities so close to the elementary school gives me extreme comfort. Previously they were walking all the way down the hill twice a day, rain or shine. I also LOVE the included lunch program. Having fresh meals for lunch is such an advantage.

Anonymous

5/23/2025 07:22 PM

There is a huge need in our community.

Anonymous

5/23/2025 07:24 PM

Yes, I'm a single mom of 4 small school age children.

Anonymous

5/23/2025 07:40 PM

The community will benefit with increased access to childcare, support for local families. The quality of childcare at this centre exceeds the quality of most others. Extra families will be lucky to get spaces there.

Anonymous

5/23/2025 08:45 PM

Need in the community

Anonymous

5/23/2025 07:53 PM

We are in dire need of childcare in our neighbourhood I supported fully

Anonymous 5/23/2025 08:04 PM	Increase childcare support by an extremely well done facility. We are lucky to have this in our community.
Anonymous 5/23/2025 08:27 PM	We need more daycares for the children
Anonymous 5/23/2025 08:28 PM	Familiar with current operations of day care and can't see any downside to facility expansion. Facility is better maintained than many other properties in the area.
Anonymous 5/23/2025 08:37 PM	Access to childcare Resources and support for families
Anonymous 5/23/2025 08:49 PM	Support for local families, children having access to quality care
Anonymous 5/23/2025 09:02 PM	Incredibly important for families to have access to high quality childcare. It is wonderful to see this in a neighbourhood setting as opposed to an institutional or commercial setting. The development utilizes the natural back yards of the properties keeping treescapes in place as much as possible.
Anonymous 5/23/2025 09:05 PM	The proposed expansion is needed and beneficial to families that have children attending school or live in the neighborhood.
Anonymous 5/23/2025 09:05 PM	At a time where we need more quality childcare options I couldn't think of a better place than Magic Beings. The care and attention these facilitators have for all the children is second to none
Anonymous 5/23/2025 09:09 PM	This is the only way it is possible for families to survive in Halifax today. We need childcare before and after school as it's next to impossible to find a job that to support a family that also aligns with school hours.
Anonymous 5/23/2025 09:15 PM	Definitely
Anonymous 5/23/2025 09:22 PM	Yes, this benefits those essential workers, healthcare workers, essential government employees that require earlier drop-off times than a typical 9-5 and 8-5 job need. They also help to make childcare

more affordable for those who make less than 50K and single mothers with no support system

Anonymous

5/23/2025 09:26 PM

Access to childcare ,perfect location

Anonymous

5/23/2025 09:29 PM

Support for local families and increased childcare spaces in a sector that is crying for more spaces

Anonymous

5/23/2025 09:32 PM

Increased childcare , magic beings is a AMAZING daycare , I recommend it anyone I know S their staff take the extra mile

Anonymous

5/23/2025 09:50 PM

A great place for the children with amazing support

Anonymous

5/23/2025 09:50 PM

Childcare access, and more space for expanding families

Anonymous

5/23/2025 09:51 PM

All of the above. We have such a shortage of daycares and after school care and camps in our neighbourhood.

Anonymous

5/23/2025 09:51 PM

Supporting families in need of child care.

Anonymous

5/23/2025 09:54 PM

Everyone deserves access to the extremely high quality of care at Magic Beings. We are incredibly fortunate to have a current space and plan to send our second child there soon as well. Being able to drop off both children at the same time would be a huge benefit for us. Magic Beings has been a community and support system for my child who did not settle well in her classroom and it is her safe space.

Anonymous

5/23/2025 09:59 PM

Increased access to childcare

Anonymous

5/23/2025 10:03 PM

More access to childcare.

Anonymous

5/23/2025 10:04 PM

Access to child care

Anonymous 5/23/2025 10:06 PM	There is not enough childcare options in Halifax. Magic beings has been serving the community very well and an expansion would better serve the area.
Anonymous 5/23/2025 11:35 PM	Support for local families as one day care closed recently
Anonymous 5/23/2025 11:41 PM	Support for local families
Anonymous 5/24/2025 12:00 AM	Absolutely, it will help so many families!
Anonymous 5/24/2025 12:13 AM	Families are desperate for child care services. It supports families and enables them to work and provide for their children.
Anonymous 5/24/2025 12:13 AM	Yes increased access to childcare
Anonymous 5/24/2025 12:23 AM	Yes lots of benefits, more childcare, there is next to none in our area. magic Beings is the best thing that ever happened to our family, no the expansion will help other families access this care!
Anonymous 5/24/2025 08:29 AM	Yes - this centre is amazing and we feel So safe and supported with having our children there . It's an incredible centre with the most caring staff. It's a safe street with the school Right there so vehicles are often respectful
Anonymous 5/24/2025 09:14 AM	Absolutely! Having more spaces available will allow the centre to accept new children from the area which will benefits families searching for child care close to home/school.
Anonymous 5/24/2025 09:34 AM	Yes
Anonymous 5/24/2025 10:00 AM	allowing families access to affordable & trustworthy childcare would definitely be beneficial to those in Fairview
Anonymous 5/24/2025 10:01 AM	The whole province needs childcare, this is a huge benefit for the area. Great for the community and supports local working families.

Anonymous

5/24/2025 10:03 AM

Absolutely! So many benefits! Magic Beings has the most amazing staff and serves the community and its families so well. The care they have for the children that attend is amazing! More spaces are needed for children as it is very difficult to find daycares with availability, so this is very welcomed!

Anonymous

5/24/2025 11:04 AM

Increased access to great childcare Extra Support for families also with school aged children !!

Anonymous

5/24/2025 11:22 AM

Extra support is needed in the community

Anonymous

5/24/2025 11:46 AM

Support for the community. Many children attend school next door . This daycare provides safe care for children and it would be great to extend this to even more school age families. As well as the preschool age group.

Anonymous

5/24/2025 12:19 PM

Yes. Children at Burton ettinger require extra space to have children go for lunch to help with growing numbers. Having magic beings there helps kids go there for lunch, lowering the number of lunch monitors. It's very helpful for families in the area!

Anonymous

5/24/2025 12:35 PM

Yes, as a mom it was challenging to find a spot in a daycare. There are not enough daycare spots in the city for families. We need this expansion for our families in the community.

Anonymous

5/24/2025 12:38 PM

Yes, allowing people to work and not struggle to find child care, without magic beings i would not be able to work as a single mom and support myself or my children

Anonymous

5/24/2025 12:50 PM

Magic beings is a wonderful centre. There is a great sense of community, and offers extra support for local families (open PD days unlike excel). Before and afterschool care is limited in the area so having such a great spot allows increased access to childcare for families. Magic beings also offers summer care which is hard to find in Halifax without spending a small fortune for other summer camps. We love magic beings!

Anonymous

They are wonderful there? They deserve more space.

5/24/2025 01:13 PM

Anonymous

5/24/2025 02:23 PM

There is a child care crisis expansion of spaces is extremely important

Anonymous

5/24/2025 06:31 PM

I think it's a really good idea. They need more after school childcare. Both my boys went there as well as my granddaughter is attending and it's a wonderful facility. I think expansion is necessary due to the growth in our community.

Anonymous

5/24/2025 07:04 PM

Increased access to childcare. More children and families would greatly benefit.

Anonymous

5/24/2025 08:31 PM

Support the low income community. It has been a reliable and stable place for children.

Anonymous

5/24/2025 10:49 PM

Increased access to childcare

Anonymous

5/25/2025 12:41 AM

More access to childcare is needed in this area

Anonymous

5/25/2025 10:57 AM

Continued childcare to existing and new families in the neighborhood that is absolutely needed.

Anonymous

5/25/2025 01:44 PM

Absolutely there are there would definitely be increased access to childcare and support for local families. There is not enough childcare spaces and this is a well-known program that meets needs and is well established with no violations.

Anonymous

5/25/2025 04:04 PM

Need for quality childcare

Anonymous

5/25/2025 04:15 PM

Yes. Increased access to childcare. I am a single parent and rely heavily on before school, after school, summer and PD day childcare. My career as a family law lawyer would be in jeopardy without this childcare. There are many families who rely on this center. There are not enough Excel spaces at the school. Children who attend this center form close and lasting friendships in their community.

Anonymous

5/25/2025 05:50 PM

Fairview is growing and this expansion should accommodate the needs of the community

Anonymous

5/25/2025 08:02 PM

Nope

Anonymous

5/26/2025 12:13 AM

Great opportunity for children

Anonymous

5/26/2025 08:18 PM

Many benefits - families need access to childcare and this location is one of very few facilities that offer before/after school care, which is critical for working parents.

Anonymous

5/27/2025 12:00 PM

More childcare for the community!!!

Anonymous

5/27/2025 07:27 PM

Accessible child care in your community should always be available.

Anonymous

5/27/2025 09:41 PM

Increasing capacity would help parents find good trustworthy care and alleviate the burden of finding that care.

Anonymous

5/27/2025 10:04 PM

There's currently a wait list for the facility, this will help with that.

Anonymous

5/28/2025 08:48 PM

Lots of benefits for all families

Anonymous

5/29/2025 09:07 AM

Increase in the childcare demand for families. Support all families and children.

Anonymous

5/30/2025 05:01 PM

Increased access to childcare and more support for families is of concern and I think there would be a lot of value in taking the time to do this right so that child and family safety is prioritized.

Anonymous

6/17/2025 08:50 PM

More families need daycares in the city. Definitely needed.

Anonymous

Yes, childcare is nearly impossible to find. This would be incredibly

6/21/2025 06:47 PM

beneficial to the community.

Anonymous

6/21/2025 09:26 PM

Looking for childcare has been an incredibly difficult process and having more spots would alleviate this stress for many families in the area.

Anonymous

6/22/2025 04:32 PM

Of course, increased access to childcare is important in the neighbourhood as it shifts to younger families once again.

Anonymous

6/22/2025 09:05 PM

Yes, daycare spots are needed in the community

Anonymous

6/25/2025 07:17 PM

Yes, this expansion may provide more child care spaces to families, but the argument made by the owner in the rationale letter regarding the Fairview being the one with the highest rate of low-income families can be very misleading - yes, the Child Care is located in Fairview, but those who attend are not necessarily be Fairview residents.

Anonymous

6/25/2025 07:27 PM

We need increased access to childcare in this city as it impacts women most of all. Studies show that when women thrive, so to does the rest of society. Having childcare in the middle of the community and in walkable spaces reduces congestion on main streets.

Anonymous

6/26/2025 12:19 AM

A centre just closed in the area and we need another space. The wait lists are incredibly long in all areas of the city. We need this space so parents can work and children can be safe and supported.

Anonymous

6/26/2025 10:09 AM

We desperately need more childcare in the neighbourhood to support the number of kids who live here. On my block alone (Coronation Ave. from Alex to Birch) there are 4 toddlers that I'm aware of and there will soon be 2 more. We also need more afterschool spaces. While some families have parents who work from home or in the neighbourhood many many of us work downtown or outside of Fairview so we need childcare after school. I started calling around in 2024 trying to sort out childcare for my son when he starts primary in 2026 because I know how hard it is to get spots. We need more spots to support the families in the neighbourhood, particularly as there are more and more families moving in as more housing gets built.

Anonymous

Additional childcare is a big need in the area . This would be a help to

6/26/2025 02:03 PM

the community

Anonymous

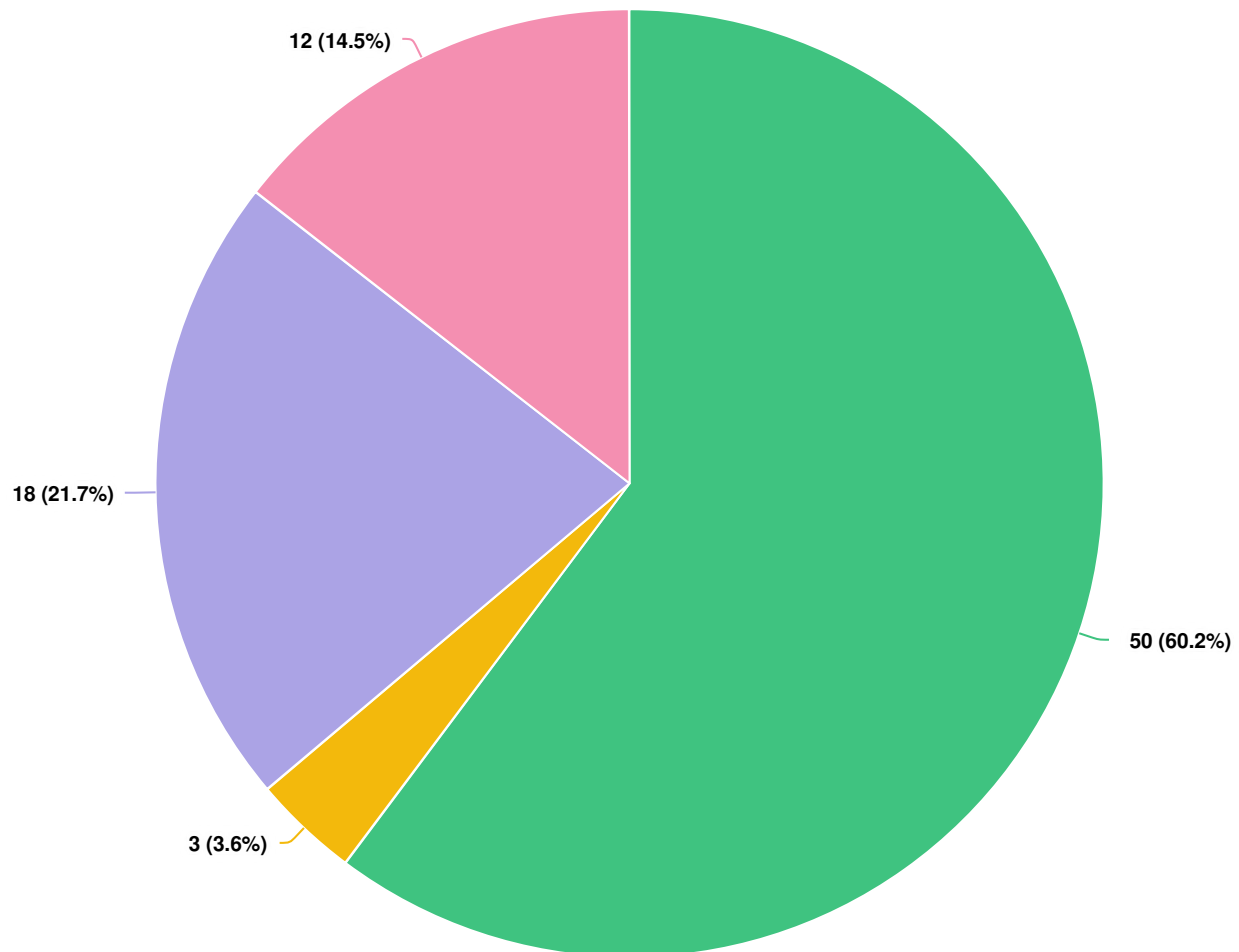
6/26/2025 10:02 PM

The school may be able to increase the in house child care service. I am concerned that the quality of care, 2 new staff for 48 children, is unacceptable. There are standards that must be met. This is not an HRM decision but a certification for licensing that will not be met. It's a safety issue. This should not be approved.

Mandatory Question (83 response(s))

Question type: Essay Question

Q5 Do you live or work near the proposed site?



Question options

● Yes, I live nearby ● Yes, I work nearby ● Yes, I live and work nearby ● No

Mandatory Question (83 response(s))
Question type: Radio Button Question