



Subject: Tot's Academy Child Care Society Unsubstantial Development Agreement Amendment
To: CAO for Planning Advisory Committee, October 8, 2024
Date Prepared: October 3, 2024
Related Motions: None
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Approved by: John Woodford, Director of Planning and Development

Summary

The Planning and Development Department has received an application from Tot's Academy Child Care Society to unconditionally amend an existing development agreement with the Municipality of East Hants. The application requests the following:

1. An increase to the number of parking stalls.

The property is located at 480 Highway 2, Enfield.

Financial Impact Statement

The requested amendment will not have a financial impact on the municipality.

Recommendation

That the requested unsubstantial amendment be approved.

Recommended Motion

Planning Advisory Committee recommends that Council:

Approve the application by Tot's Academy Child Care Society for an unsubstantial amendment to its existing Development Agreement to allow for an increase in the number of parking stalls.

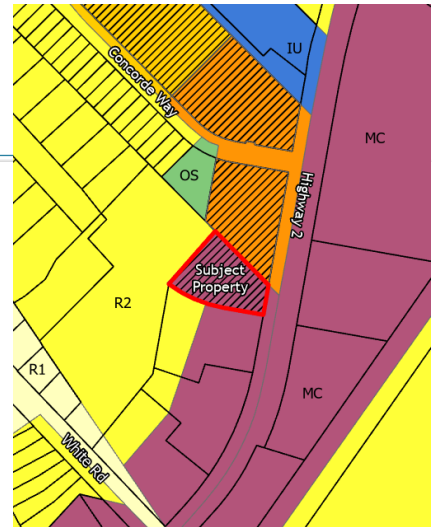
Background

In October 2009, East Hants Council approved entering into a development agreement with Monk Mobile Corporation Limited to enable the construction of a childcare facility. Tot's Academy Child Care Society is now seeking approval to unilaterally amend the existing agreement to permit an increase in the number of parking stalls at the facility. The subject property is located at 480 Highway 2, Enfield.

Subject Property

The subject property is shown on the map to the right and is identified as PID 45382769 and located at 480 Highway 2, Enfield. The total area of the subject land is approximately 0.26 ha.

The property is zoned Mixed Use Centre (MC) Zone. Property to the north is zoned Multiple Unit Residential (R3) Zone. Property across Highway 2 and to the south is zoned Mixed Use Centre (MC) Zone and property to the west is zoned Two Dwelling Unit Residential (R2) Zone.



Development Proposal

The purpose of the application is to increase the number of parking stalls by creating a new parking area in the front yard of the childcare facility. Approximately 5 to 6 new parking stalls will be located in the light grey area shown on the site plan to the right. The Mixed Use Centre (MC) Zone permits parking to be located in the front yard. The new parking stalls are required to accommodate additional staff to support an increase of 46 spots in the childcare facility.

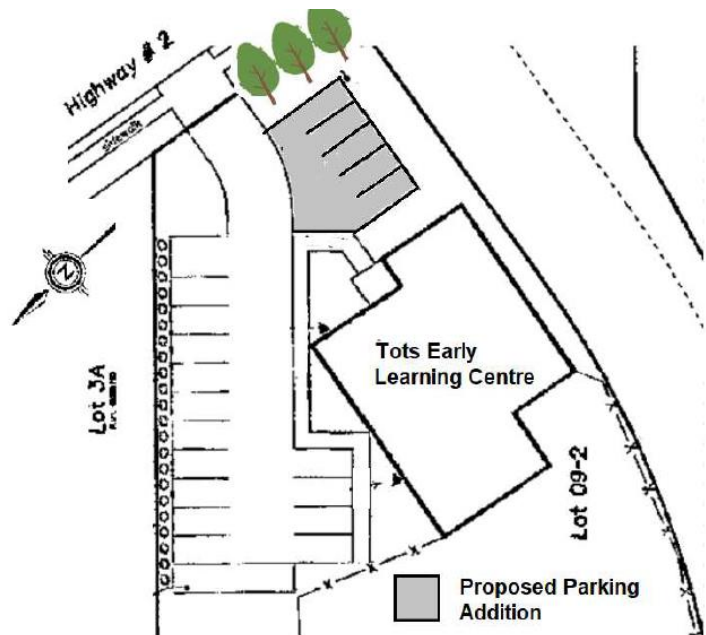
No other changes have been proposed that differ from the original development agreement.

Policy Analysis

The Planning and Development Department has reviewed this application based on applicable sections of the Municipal Government Act, the current development agreement, and the policies contained in the Municipal Planning Strategy. Based on this review, the Planning and Development Department has concluded that this application is identified as an unimportant development agreement. Those items in a development agreement not considered substantial do not require a public hearing.

The proposed increase to the number of parking stalls complies with Part 7 Unimportant Amendments of the existing development agreement. The existing agreement does not regulate where the new parking stalls shall be located. The existing development agreement required 15 parking stalls.

As per the existing development agreement with the Municipality, any amendment, whether substantive or not, to the agreement must be approved by both parties in writing. Although, as noted above, no public hearing is required, the process requires a newspaper notice and is open to appeal.



STRATEGIC ALIGNMENT

The 2021-2024 East Hants Strategic Plan identifies ‘Strong Community’ as one of the four areas of strategic focus. The proposed development provides childcare spaces, which helps to support a strong community.

LEGISLATIVE AUTHORITY

The legislative authority is set out in the Municipal Government Act, Part VIII. This part of the MGA sets out the process for MPS and LUB amendments to be considered and for consideration of a development agreement.

FINANCIAL CONSIDERATIONS

The requested amendments will not have a financial impact on the municipality.

Alternatives

Planning Advisory Committee may choose to recommend refusal of the application.

Attachments

Appendix A - Draft Agreement