

Do Not Move – Or Edit

NOTICE OF A REQUEST TO DISCHARGE A RESTRICTIVE COVENANT HALIFAX

PLANAPP 2025-01952

Application by Stephen Adams Consulting Inc. to discharge private covenants at 5905 Inglis Street, Halifax (PID 00053439).

Planning staff invite you to provide feedback and share any comments you may have about this request to discharge a restrictive covenant. Further details about this specific request are on the reverse side of this page.

Private covenants are agreements between two parties, such as developers and property owners. Although the municipality does not apply private covenants in the application of municipal land use regulations, recent changes to the *Halifax Regional Municipality Charter* (Section 257A) allow the CAO of the Municipality to discharge or modify private covenants when they are more restrictive than the current zoning with respect to height or density. It is important to note that if the CAO does not approve the modification or discharge of this private covenant, HRM could still issue a permit for the proposed use if it meets the land use by-law and other municipal regulations. Halifax Regional Municipality does not enforce private covenants when processing permit applications.

The application is currently in the **staff review and notification stage** and we are inviting questions and comments on the request. HRM staff will prepare a staff report for decision by the Chief Administrative Officer (CAO) of HRM. The feedback you provide will be included in the report provided to the CAO.

You can find more details about this application and the planning application process at: www.halifax.ca/planning (scroll down to PLANAPP 2025-01952).

All comments and feedback are welcome.

Please provide your feedback by October 7, 2025, to Sahar Ghasemshahi at the contact information below.

PLANAPP 2025-01952 – FACT SHEET

A request has been submitted to discharge all clauses of the restrictive covenant registered to 5905 Inglis Street, Halifax, and have indicated they wish to pursue development of the site in accordance with the underlying HR-2 (High Order Residential 2) Zone of the Regional Centre Land Use By-law. The relevant sections of the Covenant are:

- (A) That no building shall be erected nearer than twenty feet from any city street line,
- (B) That no building shall be erected except a residential building for the use of a single family nor shall any building now or hereafter erected be used for other than residential purposes,
- (C) That no building shall be erected costing less than seven thousand dollars (\$7000), and
- (D) That only two buildings shall be erected, provided, however, that necessary garages or outbuildings may be erected in connection with a private residence.

5905 Inglis Street zoned Higher Order Residential (HR-2) Zone of the Regional Center Land Use By-law. This zone allows up to 9-storeys, including residential and a range of commercial and institutional uses as permitted uses. This brings more permitted use options for the subject property, which is currently being used for a single-family home. The applicant is requesting to discharge the covenant as it relates to height and density.

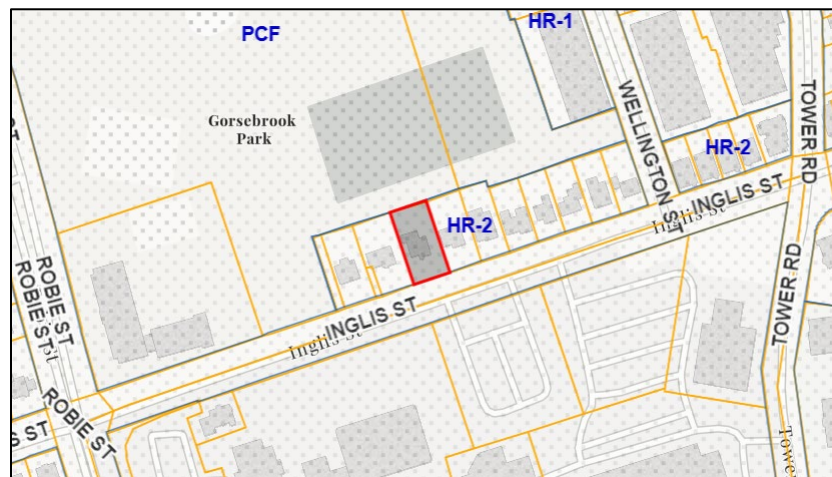


Image showing the subject site outlined in red.

The report provided to the CAO will include the feedback received from neighbouring property owners. All matters specific to built form will be reviewed at the time of a permit application for the proposed use. Once a decision is made by the CAO, you will be notified through another mailout. The decision is appealable to the Utility and Review Board. Information on the grounds for an appeal and the process will be provided at that time.