

PLANAPP-2023-00150

5522-5540 Russell Street, Halifax

Application for a Development Agreement on a
Registered Heritage Property at 5522-5540 Russell
Street, Halifax

Application

Applicant: W.M. Fares

Location: 5522-5540 Russell Street, Halifax

Proposal: Application by W.M. Fares on behalf of the property owner (4452038 Nova Scotia Limited), requesting to enter into a heritage development agreement on lands at 5522-5540 Russell Street to allow for a 10-storey plus amenity penthouse multi-unit residential building and the retention and rehabilitation of the neighbouring registered heritage building.

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Location

5522-5540 Russell Street, Halifax

Registered heritage property known as St. Mark's Church



5522-5540 Russell Street, Halifax (Nov. 2024)



Map of surrounding area with the subject property in red

Heritage Property Summary

Registered in 1995, St. Mark's Church's heritage value is embodied in:

- The gothic-revival style church building, designed by Walter Johannes Busch and built c. 1920-21, which served as the garrison church for the Royal Canadian Regiment and Navy and displays a high level of heritage integrity.



5522-5540 Russell Street,
Halifax (Nov. 2024)

Planning Overview



Municipal Sewer and/or Water: Serviced



Designation & Zone: Corridor designation & corridor (COR) zone



Existing Use: Religious Institutional, Daycare, & Community Centre Use



Enabling Policy: RCMPS Policy CHR-7:

Enables Council to consider proposals for any development or change in use not otherwise permitted by the Land Use By-law to support the integrity, conservation and adaptive re-use of registered heritage buildings.

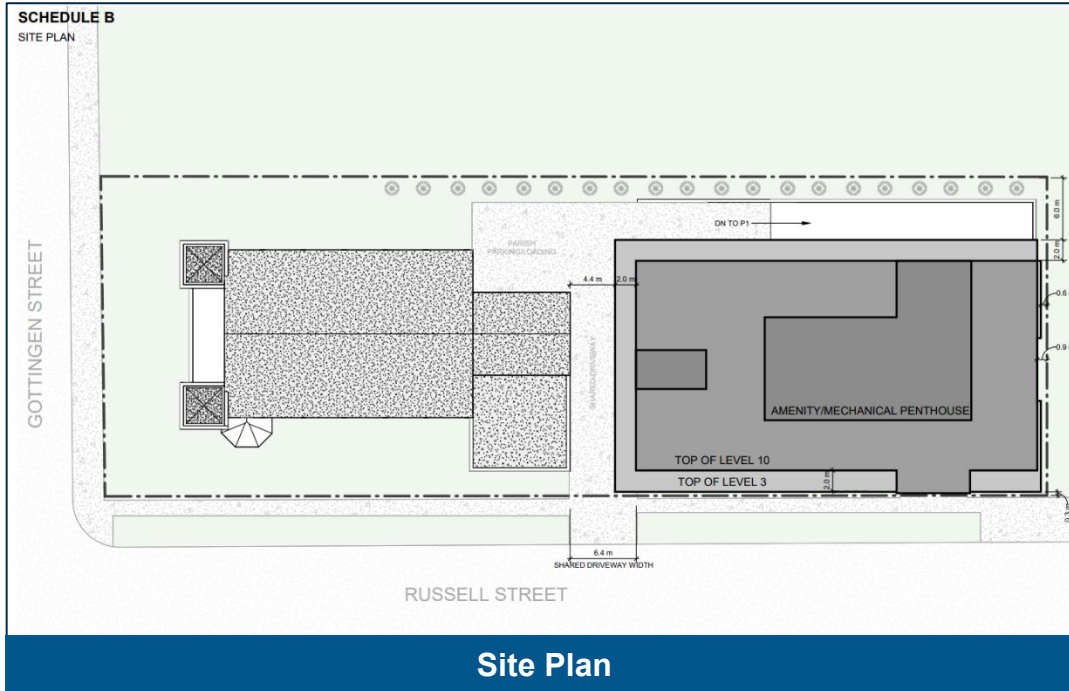
Proposal

- Construction of a 10-storey (plus amenity penthouse) multi-unit residential building
 - Physically separate from the church building
 - Containing up to 82 units
 - Between 18 and 41 underground parking spaces
- Rehabilitation of the church building and partial removal of a non-original rear addition to the church



**Pedestrian view as seen from the intersection of
Gottingen and Russell Streets**

Proposal



Proposal

Northern Elevation

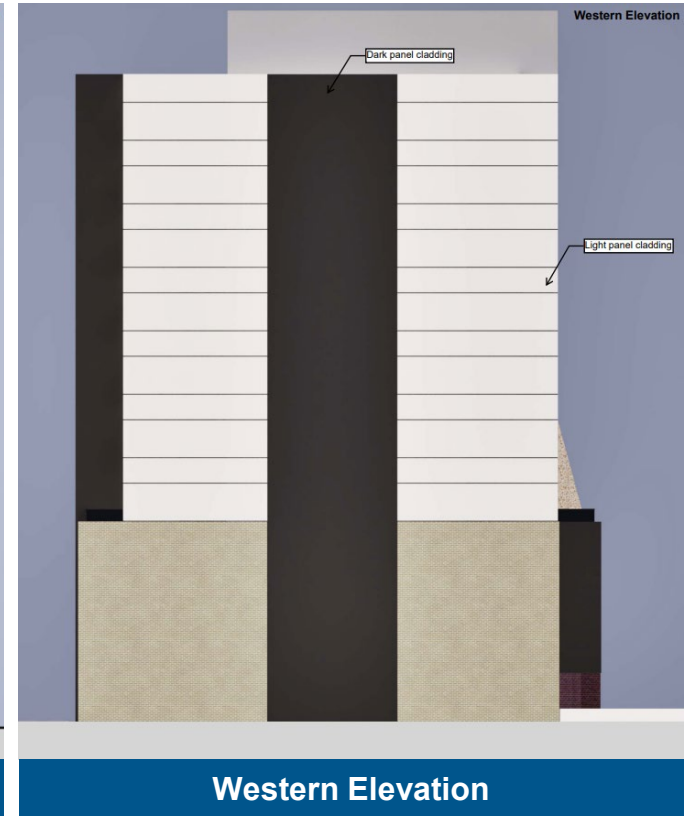
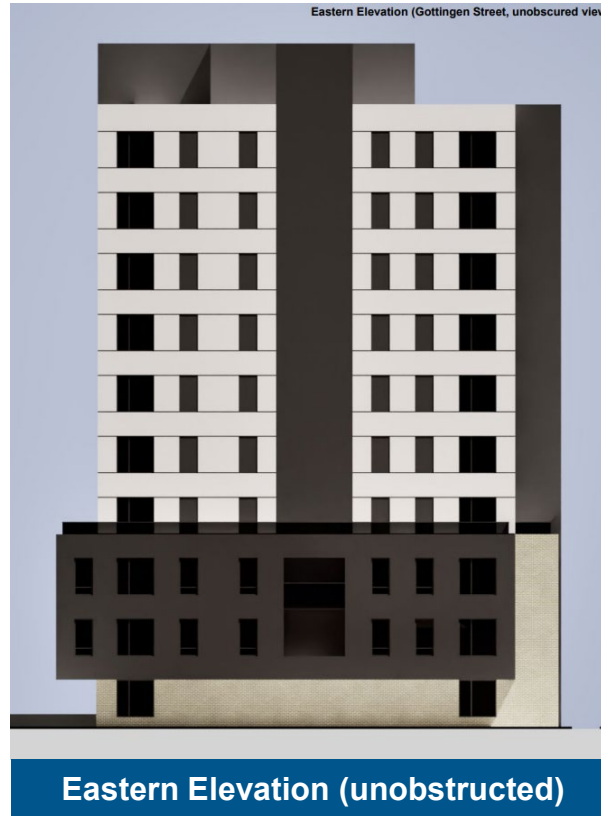


Proposal

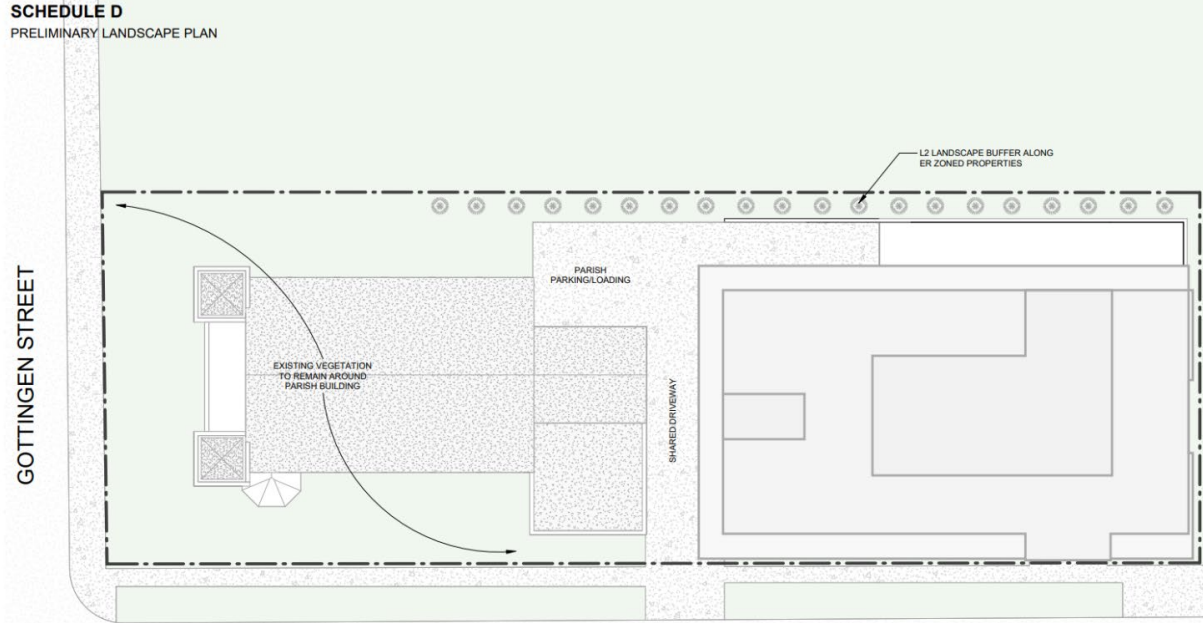
Southern Elevation



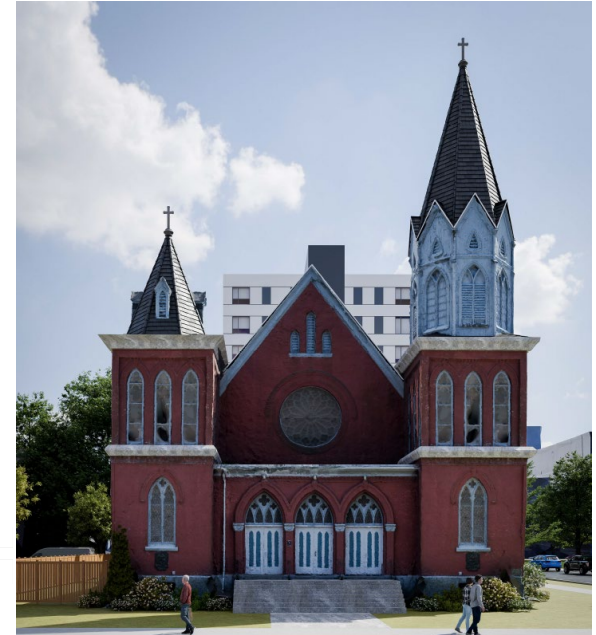
Proposal



Proposal



Preliminary Landscape Plan



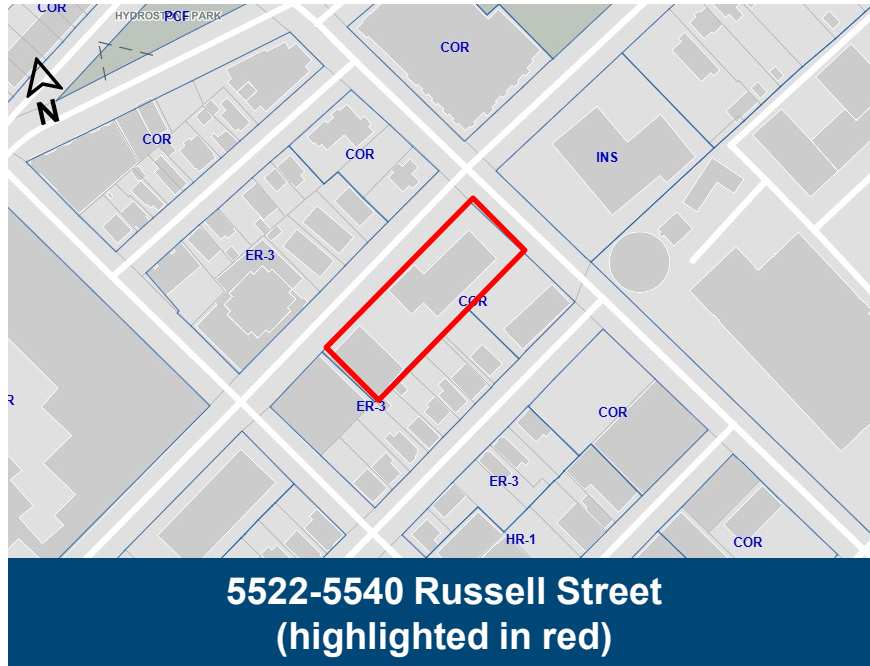
Pedestrian View (Gottingen)

RC-SMPS Policy CHR-7

Enables a development agreement on a registered heritage property for any development or change in use not otherwise permitted by the land use by-law, including proposals that exceed the maximum building heights/FAR, subject to considerations **(see Attachment B)** such as:

- Maintaining the heritage value of the property;
- Minimizing impacts on adjacent uses;
- Maintaining the predominant streetwall height, setbacks, scale, and rhythm of the surroundings;
- Complying with Wind Impact and Shadow Impact standards, public view / view terminus policies, and bonus zoning provisions; and
- Investing proportionally in heritage conservation, compared to the development rights sought.

Land Use Impacts



Zoning:

Subject site is zoned **Corridor (COR)** and the neighbourhood consists of mostly Corridor (COR) and Established Residential (ER-3)

Land Use Impacts:

COR properties along Gottingen Street typically have a maximum height of 7-9 storeys, while this property is limited to 11m (roughly 3 storeys)

The Development Agreement seeks to increase the maximum height and provide additional flexibility in setbacks and stepbacks, being justified through the retention and rehabilitation of the heritage building

Conservation



The rehabilitation of the heritage building (St. Mark's Church) is proposed to include the following measures:

- removal of a portion of the 1960s addition and restoration of the western exterior wall;
- repair and sealing of foundation cracks;
- rehabilitation of deteriorated brick masonry;
- rehabilitation of exterior doors and window mouldings;
- rehabilitation of the belfry & steeple;
- improvements to thermal performance and moisture protection.

Public Engagement Feedback

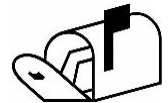
- A fact-sheet mailout was sent to residents in the notification area to inform them of the proposal and solicit their feedback, and staff received 21 responses
- Feedback expressed concerns most commonly regarding:
 - the original 12-storey height
 - traffic congestion and parking
 - construction noise, safety, and air quality concerns
- In response, the proposal was revised from 12-storeys to 10-storeys with a redesigned podium and added parking for use by the church
- Construction impacts, traffic, and parking are addressed in the “Enabling Policy” section of the staff report

Notifications
Mailed Oct.
2024



287

Responses
Received



21

14

Regional Centre SMPS Policy CHR-7

A complete Policy Review for the proposed development is provided in Attachment B to this report. In summary, staff find that the proposal:

- Supports the preservation of St. Mark's Church, with commensurate conservation investment;
- Fits the mixed-use, mixed-density character of the neighbourhood;
- Mitigates impacts on adjacent uses with strategic setbacks and stepbacks, a human-scaled streetwall, and a landscape buffer;
- Reduces trip generation compared to the previous daycare use;
- Must follow all applicable regulations for noise, lighting, construction site management, circulation, and encroachments.

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Standards and Guidelines Analysis

11. Conserve the heritage value and character-defining elements when creating new additions or new construction. Make the new work physically and visually compatible, subordinate, and distinguishable.

- Compatibility: Achieved by taking design cues from the heritage building in the streetwall design (rhythm, materials, height) and by the simplified, neutral composition
- Subordination: Achieved by retaining the entire church building, siting the new building fully separate and to the rear, with a 4.4m separation distance from the church, a further 2.0m stepback, and the reduced 10-storey height
- Distinguishability: Achieved through the simplified, neutral, and clearly modern design, and the clear physical separation of the two buildings

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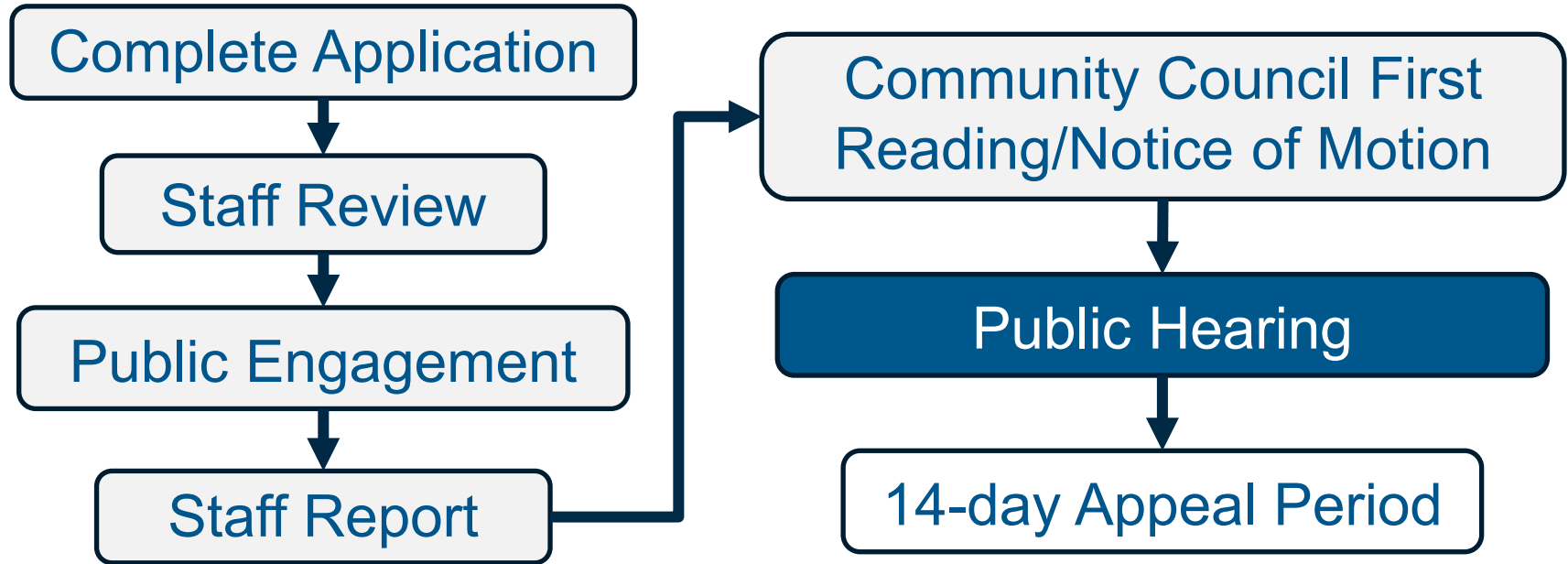
Other Policy Analysis

Regional Municipal Planning Strategy (Regional Plan):

- Policy CH-5 respecting retention, preservation, rehabilitation and restoration of architectural and cultural resources and encouraging their continued use;
 - The proposal will preserve and rehabilitate the registered heritage property for continued use.
- Policy G14-A respecting the consideration of applicable policies in HRM Priorities Plans and actions when reviewing development agreements
 - The Integrated Mobility Plan;
 - Halifax Green Network Plan;
 - HalifACT;
 - Halifax's Inclusive Economic Strategy 2022-2027; and
 - Culture & Heritage Priorities Plan



Heritage Development Agreement Process



Canada Post Strike

- Notice of this Public Hearing was posted to the municipal website on September 19th, 2025, in compliance with the Halifax Charter.
- The Staff Report indicates that property owners and residents within the notification area will also be notified of the hearing by regular mail
- The Staff Report was completed prior to the ongoing Canada Post Strike
- In lieu of regular mail, notification letters were delivered to property owners and residents within the notification area by a mix of hand-delivery by staff and private courier service.

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Recommendations

It is recommended that the Halifax and West Community Council (HWCC):

1. Approve the proposed development agreement, which shall be substantially of the same form as set out in Attachment A; and
2. Require the development 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.

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October 14, 2025

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Thank You