

June 23, 2022

The Honourable Omar Alghabra
Minister of Transport Canada
National Headquarters
Transport Canada
330 Sparks St.
Ottawa, ON K1A 0N5


Re: Dartmouth Cove Waterfront Infill Project PID: 00114132

Dear Minister Alghabra:

On behalf of Halifax Regional Council, I am writing to express our position on activity proposed within the Registry No: 5269 Application for Approval for the project titled "Dartmouth Cove Waterfront Infill Project PID: 00114132". At their May 31, 2022 meeting, Halifax Regional Council passed the following motion:

- *Direct the Chief Administrative Officer to provide a submission to Transport Canada regarding the potential infilling of a water lot in Dartmouth Cove (PID 00114132) during the application's comment period. The submission should consider the surrounding land uses, proximity to railway operations, what development rights the resulting property would have under the recently approved Centre Plan, and the potential negative implications for the greater public of disrupting access to the Harbour Trail;*

Unfortunately, we did not have a submission prepared in time to meet the June 10 deadline for the comment period so would like this letter to form the written record of our issues with the potential infilling. In addition, HRM supports the attached letter submitted on June 8 to the Navigation Protection Program by the Centre for Ocean Ventures and Entrepreneurship (COVE).



The municipality has several general concerns over infilling activity and its potential impacts on waterways and surrounding lands. While we recognize that there is a need for a coordinated approach to address the disposal of pyritic shale, this site has specific issues with respect to surrounding land use and transportation access. On this note, our Council recently directed staff to study the potential of a more coordinated approach with the Port of Halifax and other stakeholders. Additionally, we have heard significant concern from residents about the proposed project.

Land uses surrounding and immediately adjacent to this site include established low-density and multi-unit residential, municipal parkland, industrial land, the Dartmouth Cove and King's Wharf development areas.



This trail extends from the Alderney Ferry Terminal to the Woodside Ferry Terminal and is an important mobility and recreational asset to the community. Any disruptions to the trail and the safety of users are a major concern for the municipality.

Moreover, this site is in close proximity to railway operations and has no road access at the current time. The proximity of the railway which bisects adjacent land lots has proven to be challenging for adjacent growth areas and may prove to be problematic for the proposal and any future potential land uses. This proposal identifies access across both provincial and municipal lands so access would need to be evaluated and acquired through an extensive negotiation.

Finally, we need to determine what development rights the resulting property would have under the recently approved Centre Plan. The Centre Plan was approved in 2021 following a multi-year planning process for the urban area of Halifax Regional Municipality, including extensive studies and public consultation. The Plan considers strategic growth as well as broader economic development, transportation, and climate change considerations, among others. Under the Plan, water lots if infilled take on the adjacent zone, which in this case is Parks and Community Facility.

In summary, the municipality has concerns with respect to both the potential operation of infilling, and future intended uses of the land on an important part of the Dartmouth Waterfront close to downtown Dartmouth. More discussions are needed regarding the proposed infill with

the proponent and the community in the context of a larger engagement and coordinated approach with the Port of Halifax and other stakeholders on the disposal of pyritic shale.

I trust that this letter accurately outlines our concerns and will be taken under due consideration in reviewing this proposal.

Kind regards, amitiés, wela'liq,



Jacques Dubé,
Chief Administrative Officer
Halifax Regional Municipality

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cc. Mayor Mike Savage
Kelly Denty, Executive Director of Planning and Development
Captain Alan Gray, President & CEO, Port of Halifax
Sam Austin, Councillor - District 5
Bruce Wood, CFO, Atlantic Road Construction and Paving Ltd
Tom Hickey, CEO, Atlantic Road Construction & Paving Ltd