

## Fact Sheet

# Dartmouth Cove Infill Proposal

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## Summary

- Bruce Wood, CEO of numbered company 4197847 Nova Scotia Limited, purchased a pre-confederation water lot in April 2021. He also serves as the Chief Financial Officer for Atlantic Road Construction and Paving (ARCP).
- The water lot extends approximately 90 - 100 metres out from the shoreline of Dartmouth Cove.
- Mr. Wood submitted a proposal to Transport Canada on March 24th 2022 with **the intent to infill the water lot (PID 00114132) with 99,700 cubic metres of material**, including 41,900 cubic metres of sulphide-bearing material (pyritic slate) from local excavation projects.
- At this time, Transport Canada and other federal government departments are reviewing the proposal. **Approximately 500 public comment submissions were received by Transport Canada** in response to the lot owner's proposal to infill Dartmouth Cove.
- The Nova Scotia Government and Halifax Regional Municipality have limited jurisdiction over the sale and use of private pre-Confederation water lots. However, **all three levels of government have publicly expressed concern that Dartmouth Cove should not be used as a dump site.**
- ARCP has requested Develop Nova Scotia's (DNS) approval to access the water lot (PID 00114132) across DNS's adjacent property, via Maitland St., which is the route identified in Mr. Wood's proposal to Transport Canada.
- DNS has not consulted with the community regarding ARCP's request to provide an access point and road to the water lot that is proposed to run on the green space directly adjacent to the walking trail. DNS has conditionally approved this access, subject to communication and mitigation plans being received from ARCP. DNS has not provided the criteria for the evaluation and acceptance of these plans. To date there has been no public consultation or community engagement about their decision.
- If the infill project is approved by Transport Canada and other government departments/agencies, the decision made by DNS on the ARCP request will have major consequences for the entire community, both during the infilling and permanently no matter what the eventual/proposed infilled lot is used for.
- **Significant efforts and public funds / tax dollars have been spent cleaning up Dartmouth Cove and the Harbour** including the installation of the sewage treatment plant and storm water

infrastructure; opening the public walking trail; the new Centre for Ocean Ventures and Entrepreneurship (COVE) facility; and the historic Shubenacadie Canal fish ladder system.

- Public funds will be wasted should Dartmouth Cove be infilled resulting in detrimental effects to the archeological history, community health, environment and wildlife, business and research enterprises, physical activity, recreation and access to public transportation that exist today.

## Areas of Concern

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### Community Engagement

Following significant public objection, the lot owner indicated through an editorial in the Chronicle Herald, that they are interested in working with the community. **There has been no outreach to date.** Residents of Hazelhurst St., King's Wharf, Newcastle St., Parker St., and Old Ferry Road have many concerns and questions with no information as to what will become of this downtown Dartmouth neighbourhood. Given the time frame between the purchase of the lot (April 2021), the proposal to Transport Canada (March 2022) and the lot owner's intent to commence infilling (August 2022) there has been more than sufficient time for the lot owner to consult with the local community.

### Walking Path Access

In their proposal to Transport Canada, the lot owner noted that they will make every effort to ensure the walk trail is accessible to the public during the infilling project except when it is unsafe. **Currently, no details have been provided as to how the safety of the trail will be assessed and upheld, nor has there been any indication as to the possible duration of its closure.** For hundreds of citizens, the harbour walking trail is the main access point for reaching the ferry and services downtown, as well as a means of physical activity and recreation for local residents. Increasingly, tourists and visitors to HRM have been frequenting the trail and enjoying the open and natural view of the Halifax Harbour and skyline. Any closure of the trail will have a negative impact on the well-being of the community. **Alternate routes in the area have accessibility limitations and other reasonable solutions have not been presented to the public.**

### Pyritic Slate Dumping

New excavation throughout HRM often involves the disposal of sulphide-bearing material - pyritic slate, which can be safely disposed of in salt water. The Halifax Port Authority is continuing to work on finding new solutions to this growing demand and is looking to sequester new sites to help alleviate these needs. The lot owner has outlined that they can accept 99,700 cubic metres of fill, **which is the equivalent to over 10,000**

**truck loads traveling through downtown Dartmouth.** The Port of Halifax has just opened a large sequestration site specifically designed to: reduce local greenhouse gas emissions, handle 500,000 cubic meters of HRM's pyritic slate and create an additional 8 acres of port space. This is where HRM's excavation and pyritic slate should be processed. Dartmouth Cove and adjacent waterfront areas should not be considered viable locations for disposing excavation material.

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## Environmental Concerns

The lot owner states in his proposal to Transport Canada that "...Infilling activities will be visually monitored, and additional mitigation will be implemented as necessary in the event that a visible sediment plume migrates beyond the silt curtain." **There is no stated plan to test water quality or implement specific measures beyond observing and responding to an environmental problem after the fact.** Years of industrial activity has resulted in a layer of silt / waste on the floor of Dartmouth Cove. If left undisturbed, it appears to pose little threat to the marine environment. **However, any disturbance such as with infilling, has the potential to send plumes of toxic material into the water above, harming the ecosystem and wildlife.**

The lot owner also states that "...The existing benthic habitat within the Project Area is of relatively poor quality and low productivity" No evidence was included to confirm this statement. People fishing in the Dartmouth Cove area have been observed catching lobster, mackerel and other ocean fish. In addition, 115 species of birds have been recorded at Dartmouth Cove including two species listed under Canada's Species at Risk Act.

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## Future Development

Halifax is dealing with a growing housing crisis. It's been suggested by some that the creation of new land could help to address that concern. Currently, there is no clear consensus on how this infill site could be zoned. If ARCP were to control the outcome of municipal re-zoning, **it is highly unlikely that any new waterfront land would be used for affordable housing.** Existing and new properties surrounding Dartmouth Cove have invested and contributed tax revenue over many years. In return, little concern or regard has been given to addressing the many environmental and health impacts, or to the financial and social costs linked to a proposed infilling project.