

## Fisher, Darren - M.P.

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**From:** Fisher, Darren - M.P.  
**Sent:** October 9, 2025 3:11 PM  
**To:** Minister des Transports  
**Subject:** Request to Rescind Infill Approval 2022-206446 under Section 9(4)(e) of the Canadian Navigable Waters Act

The Honourable Steven MacKinnon  
Minister of Transport and Leader of the Government in the House of Commons  
Ottawa, ON

Re: Request to Rescind Infill Approval 2022-206446 under Section 9(4)(e) of the Canadian Navigable Waters Act  
Minister MacKinnon,

I am writing regarding Transport Canada's approval of the proposed infill project in Dartmouth Cove (2022-206446).

This project has been the subject of sustained and consistent opposition from Halifax Regional Municipality and the public. In June 2024, then-Mayor Savage formally wrote to the Minister of Transport to object to the approval. On October 7, 2025, HRM held a public hearing where overwhelming testimony from residents, marine users, and local stakeholders demonstrated that the infill would undermine navigation safety, reduce access to navigable waters, and disrupt established community and commercial marine activity.

As the order of government responsible for land-use planning, zoning, and harbourfront development, HRM's position carries significant weight. Their objection, combined with the public record of concerns about navigation and community impacts, is a clear and authoritative expression of the public interest.

I also recognize that although former Transport Minister Rodriguez's office publicly stated to the media that the department had begun the process of rescinding the approval for the Dartmouth Cove infill, my understanding is that this approval has not yet been rescinded. While I am unsure if this delay is connected to the ongoing Judicial Review, I firmly believe that the commitment made to the public is paramount and must be honoured. My constituents' trust in the Government and their federal representative depends on protecting their best interests and following through on this promise.

Under section 9(4)(e) of the Canadian Navigable Waters Act, you have the authority to suspend or cancel an approval *"if the suspension or cancellation is in the public interest, including by reason of the record of compliance of the owner under this Act."* The municipality's consistent opposition, together with the documented evidence presented at the October 7th hearing, provide a strong evidentiary basis for concluding that maintaining this approval is not in the public interest.

In particular:

- The project conflicts with HRM's amended planning framework and bylaw respecting Dartmouth Cove;
- The public hearing record demonstrates significant and ongoing concern that the infill will harm navigation and community access to Dartmouth Cove; and
- Allowing the project to proceed despite municipal objections and overwhelming public testimony would undermine cooperative governance of shared waterfront spaces, contrary to the spirit of the CNWA.

For these reasons, and consistent with your powers under section 9(4)(e), I respectfully urge you to rescind the approval of the Dartmouth Cove infill project. Doing so would be legally sound, procedurally fair, and aligned with Parliament's intent that Canada's navigable waters remain open and safe for the public.

Thank you for your consideration of this request.

Sincerely,

Hon. Darren Fisher, P.C., M.P.  
Dartmouth—Cole Harbour