



**Public Meeting of Council
Wednesday, January 29, 2014, 7 pm
Georgian Room, Rodd Charlottetown Hotel**

Mayor Clifford Lee presiding

Present: **Stu MacFadyen, Deputy Mayor** **Councillor Rob Lantz**
 Councillor Jason Coady **Councillor Terry Bernard**
 Councillor Danny Redmond **Councillor Edward Rice**
 Councillor David MacDonald **Councillor Mitchell Tweel**
 Councillor Melissa Hilton

Also: **Donna Waddell, DCS** **Alex Forbes, MPH**
 Laurel Palmer Thompson, PDO **Greg Morrison, PDO**
 Linda Thorne, AA

Regrets: **Councillor Cecil Villard** **Roy Main, CAO**

Mayor Lee opened the meeting. He then turned the meeting over to Councillor Rob Lantz, who introduced the application and briefly explained the process.

1. 8 Angus Drive (portion of PID# 419143) & 413 St. Peters Road (portion of PID# 419135)

A request to consider an amendment to Appendix “A” – Future Land Use Map of the Official Plan from Low Density Residential to Commercial and to rezone a portion of 8 Angus Drive (PID# 419143) from Single-detached (R-1L) Zone to Mixed Use Corridor (MUC) Zone and to rezone a portion of 413 St. Peters Road (PID# 419135) from Low Density Residential (R-2) Zone to Mixed Use Corridor (MUC) Zone.

Chris Jette, architect, and Jeff Doucette, applicant, attended the meeting to present the application. Mr. Jette reviewed the proposed expansion and changes to the site. In order to proceed with the project, a portion of both properties will have to be rezoned and then consolidated with the main parcel of land. This expansion of Mel’s Quick Mart will relieve traffic congestion on the site and will provide an additional six parking spaces. The handicapped parking spaces will be located near the front entrance to the building. Signage will be installed showing both the entrance and exit to the site. The sidewalk will be continued and the green space buffer will be extended. An additional gasoline pump will be installed as well as an extension to the existing canopy. The proposed expansion will allow a larger retail area as well as needed storage space for the liquor store. The applicant feels that this new proposal will

increase safety in the area and he noted that the privacy fence between Mel's and the residential areas will be maintained. Mr. Jette reviewed a rendering of the proposed addition and noted that the elevation will continue the existing look of the building.

Councillor Lantz asked for any comments or questions.

Bruce Ramsay, 33 Angus Drive

Mr. Ramsay commented that the existing privacy fence is down because of the large amount of snow piled on the property. He also feels that Mel's Quick Mart should decide what type of operation they want to carry out: retail store, liquor store or gasoline station.

Mr. Jette noted that the intention is not to intensify the use but to make the site safer.

Mr. Ramsay feels that there is already a traffic problem because of the liquor store. He also feels that a decision should be made about constructing a roundabout at this intersection. He also noted that a previous application to develop a commercial property on the land across St. Peters Road from Mel's Quick Mart, but Council denied that application. This could have been a viable business.

Councillor Lantz asked for any further comments or questions.

Jeff Doucette, applicant, acknowledged that this is a busy site, but they will not be adding to the business, but accommodating the existing business. Their hope is to retain their existing gas customers and bring back the ones that were lost. The addition of another gas pump and the proposed changes will make it safer and more convenient. The proposed expansion to the liquor store area will allow them to have more product on display as they currently do not have any storage on site. Mr. Doucette noted that there is presently a congestion problem on the site, but the new parking spaces will alleviate some of the problem. They are willing to work with the City and the Province on this project as they want to be part of the community.

Councillor Lantz asked for any comments or questions.

Yvonne Cummiskey, 409 St. Peters Road

Mrs. Cummiskey asked if there will be access to Angus Drive from Mel's.

Mr. Doucette explained that will be an issue for the Province to decide.

Mrs. Cummiskey feels that this application is "putting the horse before the cart" and the safety issues need to be dealt with first by the City and the Province. There is a real safety issue here

especially for pedestrians and Council needs to consider the bigger picture. This is a big change and will affect everyone, especially the home owners.

Randal Good, 12 Angus Drive

Mr. Good lives next door to the property purchased by the applicant. He feels that the proposed expansion will only benefit Mel's, not the residents. He feels that there will be problems with loitering, noise and that property values in the area will be affected. The commercial development that had been proposed for the property on St. Peters Road across from Mel's would have made more sense. He feels that at the end of the day the residents will be losing and he is against any expansion.

Councillor Lantz asked for any comments or questions.

Keith Kennedy

Mr. Kennedy has lived in the area for many years. He feels that there is presently a safety issue with trucks parking on the site creating a blind spot. The traffic in the area needs to be slowed down.

Chris Grandjean, 5 Angus Drive

Mr. Grandjean noted that there is a problem with traffic lights from the drive through shining into his windows. He asked what will happen to the rest of the property that was purchased by the applicant.

Mr. Doucette commented that the City is presently going through a Plan review.

Councillor Lantz explained that the property will remain residential and any change to this would require a separate application.

Roma Misener, 29 Angus Drive

Mrs. Misener feels that there should only be one entrance into the site and one exit. She commented that there is a proposal in place to make an access off Angus Drive. She also noted that the traffic in the area is a danger to the pedestrians walking on the sidewalk.

Mr. Doucette noted that they will be hiring a traffic engineer and that the island and sidewalk will be extended.

Mrs. Misener asked if an exit off Angus Drive is planned in the future for a roundabout.

Mr. Doucette responded that will be up to the City and the Province as St. Peters Road is a provincial highway.

Mrs. Misener feels that access to this area needs to be controlled because presently it is not safe.

Randy Good, 12 Angus Drive

Mr. Good asked if there will be enough land left to be developed on the two lots that are being rezoned.

Councillor Lantz confirmed that both lots will be of legal size.

Mr. Good noted that the volume of traffic has increased and gas fumes are coming from trucks filling up at the pumps. The existing hedge has died off from the fumes. He also asked if there will be a diesel tank installed.

Mr. Doucette explained that they have the capacity to split a tank for diesel. He feels that the root system of the trees had been destroyed.

Mr. Good commented that the trees were destroyed from the gasoline fumes and not root damage. He also asked if the remainder of the two lots will be able to be developed as R-1 and R-2.

Councillor Lantz asked for any comments or questions.

Cecil MacLaughlan

Mr. MacLaughlan commented that he wished the residents had said this last year when he wanted to build a commercial development. He also feels that the intersection of Angus Drive and St. Peters Road needs to be straightened up.

Councillor Lantz noted that a public meeting was held last year to present the City/Provincial traffic study. No final decision has been made on the recommendations as of yet and these are not short-term projects.

Mr. MacLaughlan questioned what the sense was of holding the East Royalty meeting and felt it was a waste of time.

Councillor Lantz asked for any comments or questions.

Grant ?????

This gentleman feels that the proposed expansion will increase the traffic flow and a traffic study should be done. He also feels that the Councillors are not listening to their own community. Upgrades to St. Peters Road should be done first. Holding this meeting is a waste of time, money and effort. The City needs to look at the safety issues first.

Mayor Lee commented that the City/Provincial traffic study shows that St. Peters Road is sufficient now and in the future unless there is significant development in the area.

Mr. Doucette noted that they are having a traffic analysis done and that presently their gas volume is down.

Grant ????? commented that the gas pumps plus the liquor store and the retail area will increase the business by 10 percent or more.

Mr. Doucette responded that the intent is to expand what presently exists and add storage.

Florence McGonnell, 17 Angus Drive

Mrs. McGonnell asked why the residents have to keep coming back. She feels that this should remain a residential zone not commercial and the residents have to fight to keep things this way. She would like Council to consider this.

Councillor Lantz explained the rezoning process and noted that Council has to consider these applications as they are submitted. The public meeting is part of the rezoning process. Council appreciates the time and effort that the residents made to attend this meeting and welcomes the feedback. He stressed that no decisions have been made at this point.

Mrs. McGonnell feels that properties will be devalued by the addition of commercial and also feels that noise will be a problem.

Grant ????? asked how many service stations were located beside residential properties. He noted that presently there was one in downtown Charlottetown, and one in Winsloe. He feels that service stations should be located away from residential areas.

Mr. Doucette explained that they want to be part of a good neighborhood and the proposed expansion will accommodate growth with safety and ease. They wish to be known primarily as a gas station.

Councillor Lantz asked for any comments or questions.

Graham Davidson

Mr. Davidson has concerns with noise from garbage trucks when they remove the large waste containers from the site. He also noted that a lot of litter and garbage blows onto his property. He has no other issues.

Grant ?????

This gentleman asked when the traffic study had been done.

Mr. Doucette responded that the study is being done to address safety.

Councillor Hilton thanked everyone for coming to the meeting and asked Mr. Doucette when the traffic study had been done. The main issues are safety with regards to entering and exiting the property and it is good that these are being considered.

Councillor Tweel thanked the residents and applicant for attending the meeting. He asked if a buffer would be put in place to break the sound and make it esthetically pleasing.

Mr. Doucette explained that they plan to construct a fence.

Councillor Tweel asked if it would be possible to have more trees or a hedge.

Mr. Doucette commented that they are willing to work with the community on the best solution.

Councillor Tweel asked about the traffic study and the need to make the entrance and exit safer and more secure.

Mr. Doucette noted that it is premature to comment at this point, as they need to review the results of the traffic study. He also indicated that they will have directional signage installed.

Councillor Tweel asked how the residents will obtain the results and noted it is important that the community sees the report and forwards their concerns to Council and the Province.

Councillor Lantz noted that the report is not a traffic study but a review of the proposed entrance and exit by a traffic engineer. He also noted that the complete Provincial study has taken place and presented to the public.

Councillor Tweel commented that it important that the traffic engineers' report be made available to the residents.

Councillor Lantz asked for any comments or questions.

Bruce Ramsay

Mr. Ramsay feels that there has been a major increase in traffic on the St. Peters Road and the construction of a roundabout should take place very soon.

Mayor Lee stressed that the City/Provincial traffic study indicated that there were no improvements needed to St. Peters Road unless there is significant new development. The timeline for any new development could be six months or several years.

Unidentified member of the public asked what the process is now.

Councillor Lantz explained the next steps in the rezoning process.

????? asked if a decision will be made before the traffic report has been done and the results are available. Also, has a decision already been made?

Councillor Lantz noted that he is not prepared to forward a recommendation to Council until the traffic engineers' report has been received and reviewed.

2. 21 Exhibition Drive (PID# 278739)

A request to consider an amendment to the Development Agreement signed January 2005 and Development Concept Plan approved in November 2004 to permit the construction of a new horse barn at 21 Exhibition Drive (PID #278739).

Councillor Lantz briefly introduced the application and explained the process. The application is for an amendment to the existing Development Agreement and the Development Concept Plan to permit the construction of a new 120-stall horse barn.

Foster Millar, Province, presented the application on behalf of the Standardbred Horse Owners Association (SHOA) and Atlantic Lottery. He noted that the application is for a land use plan modification to allow a new horse barn.

Dr. Colleen Dickie, president of SHOA, made a brief presentation. She is both a horse owner and a resident of the area. She noted that this project has been developing for a number of years. The existing buildings are outdated (over 60 years old) and were originally constructed for use as temporary summer stables. The barns are not safe for horses or humans as they are overcrowded and have significant mold issues. The construction of the new barn will result in economic spin-offs for both the Province and the City.

Mr. Millar reviewed the objectives of this project. The proposal includes the demolition of seven existing stables and the creation of additional on-site parking. The original concept plan showed parking spaces in the area where the new stable is proposed to be constructed. The new stable is needed to make the racetrack viable. Mr. Millar reviewed the existing parking and noted that over the past 10 years a significant number of parking spaces have been created in the area (Events Centre, Holland College). He also noted that they intend to do additional landscaping along Exhibition Drive and Kensington Road. The access to the new proposed parking spaces will be off Exhibition Drive.

Councillor Lantz asked for any comments or questions.

Doug Robertson

Mr. Robertson commented that the new parking spaces will do more for the arena than the racetrack.

Councillor Lantz noted that a lot of people do attend the various events and asked how the new parking area will be accessed.

Mr. Millar explained that access will be via a gravel path and that security personnel will be present during race times to manage both the foot traffic and horses proceeding over to the track.

Councillor Redmond asked if the new barn is just for race night or for permanent stabling.

Mr. Millar indicated that the barn will be used year-round but for fewer horses in the summer month.

Councillor Lantz asked for any comments or questions; there being none, the meeting proceeded to the next agenda item.

3. Zoning & Development Bylaw – Amendments to Section 3, Section 23 (Heavy Industrial Zone) and Section 24 (Business Park Industrial Zone) permit a Medical Marijuana Production Facility

A request to consider an amendment to the City of Charlottetown Zoning and Development Bylaw to add a definition for “Medical Marijuana Production facility” and further that such use be permitted within the Heavy Industrial (M-2) Zone and the Business Park Industrial (M-3) Zone.

Councillor Lantz reviewed the background of this item and noted that the amendments will permit legal operations regulated by the Federal government. The Zoning and Development Bylaw regulates land use and Councillor Lantz noted that it is important to keep this type of use

in an Industrial or CDA Zone and separated from residential and school areas. The proposed amendments do not require an Official Plan amendment. The City has not received any applications at this time. Councillor Lantz turned the meeting over to Alex Forbes, Manager of Planning & Heritage, who presented the proposed amendments.

Mr. Forbes explained that the amendments to the Bylaw are being considered to allow Medical Marijuana Production Facility as a legal land use in the M-2 and M-3 Zones. This use would also be permitted in the CDA Zone which would require a Development Agreement. The federal regulations will come into effect at the end of March.

Councillor Lantz thanked Mr. Forbes and asked for any comments or questions.

Kat Murphy, Maritimers Unite for Medical Marijuana

Ms. Murphy thanked Council for taking the initiative to consider this matter. She pointed out that this is not “a done deal” and that there is presently a court injunction being undertaken. She noted that a great number of clients have serious medical issues and many are on income support. The cost of marijuana will increase from approximately 22 cents per gram to \$10 per gram. This will cause hardship for many people who are on a fixed income and require marijuana for medical issues. She feels that the federal regulations will interfere with a human right to obtain it for medical reasons.

Councillor Lantz asked for any comments or questions.

Rev. Scott McIsaac

Reverend McIsaac asked how this matter came before Council if there is not an expression of interest at this time.

Councillor Lantz explained that Planning staff forwarded the request for consideration of these amendments in anticipation of the new regulations coming into effect in April.

Reverend McIsaac feels that it is the fundamental responsibility of Council to determine if residents wish to have these types of facilities and to permit them is not for the greater good. He feels that permitting these facilities willacerbate the existing addiction problem.

Mayor Lee noted that there is an ethical need for these production facilities to be built to supply a legal drug for those who require it for illnesses. This will be for medical use only and will be strictly regulated by the federal government.

Reverend McIsaac commented that permitting this type of facility will not be in the best interest of the youth in the City and give credibility to the use of drugs. He is not opposed to marijuana being used for medical purposes but feels that this will open up a larger issue.

Councillor Lantz explained that the City has no authority to prohibit a legal use but to regulate where these facilities can be located under the Bylaw.

Mr. Forbes feels that this will be a greater issue if not defined and the Bylaw amendments will provide a legal route to control these land uses.

Keith Kennedy

Mr. Kennedy has a license to produce marijuana. He followed all of the federal regulations but feels that the cost to clients be accessible. He pointed out that individuals can grow their own marijuana if they have a license to do so. He feels that growing marijuana is part of the therapeutic benefit.

Councillor Lantz noted that the regulations to end the issuance of individual licenses will soon come into effect. The amendments are to the municipal Bylaw to control legal uses within the City.

Reverend McIsaac feels that Council should make a decision on the existing rules and not in future matters.

Councillor Lantz asked for any further comments or questions; there being none, the meeting adjourned at 8:40 p.m.