



## Zoning Bylaw Amendment & Discretionary Use – 1876 Wallace Street – PL202300142

<b>Date</b>	November 28, 2023
<b>To</b>	Regina Planning Commission
<b>From</b>	City Planning & Community Development
<b>Service Area</b>	Planning & Development Services
<b>Item No.</b>	RPC23-32

### RECOMMENDATION

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Regina Planning Commission recommends that City Council:

1. Approve the discretionary use application for the proposed “Assembly, Religious” at 1876 Wallace Street, legally described as Lots 21-24, Block 4, Plan G384, subject to compliance with the following development standards and conditions:
  - a. The development shall be generally consistent with the plans attached to this report as Appendix A.3, prepared by MEWS Corporation.
  - b. Except otherwise specified in this approval, the development shall comply with all applicable standards and regulations in the *Regina Zoning Bylaw, 2019*.
2. Approve amendments to the *Regina Zoning Bylaw, 2019*, Chapter 3, to delete the following sub-clause from Clause 1 of Row T2.4, Table 3A.T2; Row T2.4, Table 3B.T2; Row T2.4, Table 3C.T2; Row T2.4, Table 3D.T2; Row T2.3, Table 3E.T2; and Row T2.4, Table 3F.T2:

“(b) shall be located only on sites adjoining and accessed by a collector or arterial street.”
3. Instruct the City Solicitor to prepare the necessary bylaw(s) to give effect to the recommendations.

4. Approve these recommendations at its meeting on December 6, 2023.

## **ISSUE**

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The application is to convert the main floor to “Assembly, Religious” within the existing building at 1876 Wallace Street (Subject Property). The proposal requires review through the discretionary use procedure and an amendment to the *Regina Zoning Bylaw, 2019* (Zoning Bylaw).

## **IMPACTS**

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The land-use change is not substantive, and no changes to the building, or site are being proposed. There are no policy, financial, environmental, or labour impacts and no Strategic Priorities are affected.

## **OTHER OPTIONS**

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1. Refer the applications back to Administration. If City Council has specific concerns with the proposals, it may refer the application back to Administration to address or make additional recommendations and direct that the report be reconsidered by Regina Planning Commission or brought directly back to Council following such further review.
2. Deny the application – The building would need to accommodate a different “Assembly” land use that is appropriate for the building and location. Options may be limited as the building was purposely built for a similar land use.

## **COMMUNICATIONS**

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Public engagement included a public notice letter, submitted to landowners within 75 metres of the Subject Property, on-site signage, and posting on the City’s website. As described in Appendix B, there was minimal public feedback received. The Heritage Community Association was circulated a copy of the application and did not provide a response.

The Applicant and other interested parties will receive a copy of the report and notification of their right to appear as a delegation at the Council meeting when the application will be considered. The Applicant will also receive written notification of City Council’s decision.

Public notice of City Council’s consideration of this application will also be given in accordance with *The Public Notice Policy Bylaw, 2020* (Public Notice Bylaw).

## **DISCUSSION**

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### **Overview**

The Serbian Orthodox Holy Trinity Church, Regina (the Applicant) has applied to convert (develop)

the main floor space, within the existing building at 1876 Wallace Street, from “Assembly, Community” (community center) to “Assembly, Religious” (religious institution). According to the Applicant, the operation may accommodate up to 100 patrons and service will be conducted, primarily, on weekends and some evenings. No changes to the floor plan, parking, etc., or respecting the existing residential units on second floor, are proposed.

The community center at the property has been existing since 1989; however, the conversion to a religious institution land use is not permitted due to current regulations. Administration is recommending zoning bylaw amendments to consider additional assembly uses at the subject property as well as allowing the opportunity to other properties where it can be demonstrated impacts are addressed.

Currently, the Zoning Bylaw requires that “Assembly” land-uses (such as community centers, religious institutions, or recreation spaces) be located along collector and arterial streets only – this requirement prevents the proposed development from proceeding, as the Subject Property is adjacent to local streets.

The Subject Property is in the Heritage Neighbourhood and is subject to the policies of the Core Area Neighbourhood Plan. The surrounding land-use is predominantly, residential, including a three-storey multi-unit building directly to the south.

### **Analysis**

The review criteria for discretionary use applications are established in Section 1E.3.5. of the Zoning Bylaw. These criteria include consistency with goals and policies of various policy documents and bylaws and the potential adverse effects of the proposal. All criteria are considered during the review, though additional consideration is given to land-use compatibility and traffic impacts. Section 1E.3.6 of the Zoning Bylaw authorizes the Development Officer to impose additional conditions on the approval.

From a land-use compatibility perspective, in regard to this application, the City received no opposition from adjacent landowners. The Servicing & Infrastructure Approval Branch also reviewed the application from a roadways and transportation perspective and noted no major traffic concerns or issues in the proximity of the Subject Property.

Regarding the Zoning Bylaw Amendment, an “Assembly” land-use is discretionary in all residential zones and must be reviewed through the discretionary use process. “Assembly” land-uses, such as the subject property, are typically found in residential areas where local streets are common. The proposed amendment would allow the City, on a case-by-case basis, to accommodate similar future developments in residential areas. The typical discretionary use provisions in Chapter 1 of the Zoning Bylaw allow the Development Officer or City Council to deny or apply conditions to an application based on the impacts. Therefore, the amendment to the Zoning Bylaw would allow for consideration of Assembly type land uses on sites abutting local streets, but the discretionary use criteria still allow for evaluation of factors related to traffic impact.

The application is consistent with policies in *Design Regina: The Official Community Plan Bylaw No. 2013-48* (OCP), including maximizing existing infrastructure (Section C, Goal 2), ensuring culturally inclusive resources (Section D8, Goal 2), and contributing to the principles of a complete neighbourhood (Appendix A). The Core Area Neighbourhood Plan (OCP Part B.8) supports an “Assembly” land use at this location through a previous approval.

## **DECISION HISTORY**

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City Council’s approval is required pursuant to Part V of *The Planning and Development Act, 2007*.

Respectfully Submitted,

Respectfully Submitted,



Autumn Dawson, Director  
Planning & Development Services



Deborah Bryden, Executive Director  
City Planning & Community Development

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## **ATTACHMENTS**

Appendix A-1 - Aerial Photo

Appendix A-2 - Aerial Photo

Appendix A-3 - Drawings

Appendix B - Public Consultation Summary