

**Subject: Bylaw No. 21/018 - Land Use Bylaw Amendment - Lot 17,
Block 2, Plan 212 1294****APPROVALS:****Jamie Doyle**_____
Director_____
Chief Administrative Officer**Recommended Motion:**

1. THAT Bylaw No. 21/018, being a Land Use Bylaw Amendment specific to Lot 17, Block 2, Plan 212 1294 be read a first time; and
2. THAT a Public Hearing be scheduled to occur on Tuesday, September 14, 2021.

Summary:

An application has been submitted by the Tabernacle of Praise Church (Church) for a Land Use Bylaw amendment to re-district Lot 17, Block 2, Plan 212 1294 from Community Commercial (C1) District to Mixed/Transitional Commercial (C2) District, as shown in Attachment 1. Religious Assembly is not an available land use in the C1 District, but is available in C2, thereby accommodating the rebuild and expansion of Tabernacle of Praise Church. The adjacent property, Lot 15, Block 2, Plan 182 1781 is also owned by the Church and is already designated C2. Together, both lots will enable a comprehensive redevelopment, providing space for a new building, parking, and green space.

The authority to amend the Land Use Bylaw is vested with Council under the *Municipal Government Act*. Planning and Development recommends that the proposed amendment be approved.

Background:

The Tabernacle of Praise Church began operations as a Religious Assembly at 7308 Bulyea Avenue (Lot 15, Block 2, Plan 182 1781) in 1996. When the current Land Use Bylaw came into effect in 1999, the subject property was designated Community Commercial (C1). Religious Assembly is not included as a use in that district, making the Church legally non-conforming until the building was destroyed in the 2016 Horse River Wildfire. Initially, the Church intended to rebuild at 7308 Bulyea Avenue and successfully re-districted that property in July 2017 (Bylaw No. 17/019) to Mixed/Transitional Commercial (C2) to accommodate the Religious Assembly use. A

Development Permit (2018-DP-00719) was approved for the rebuild in 2018, but in 2019, the Church made the decision to relocate to a larger parcel in Draper, purchasing 128 Garden Lane. However, following the April 2020 flood, they opted to return to the original location at 7308 Bulyea Avenue.

To better facilitate their planned development and provide more room for their operations, the Church purchased the adjacent Lot 17 along Railway Avenue. The expanded site comprising Lots 15 and 17 allows for more green space, and a more favourable orientation for the main building. The southeast portion of Lot 17 is below the 250m elevation, but both properties are to be protected by the Municipality's structural flood mitigation, currently under construction. The Church has committed to working to further mitigate flood risks through a future development permit application.

The COVID-19 pandemic made an in-person public open house undesirable and impractical. The Church instead advertised the proposed amendment in the Fort McMurray Today for two (2) weeks, delivered pamphlets to adjacent neighbours, and held a drive-through open house on the subject property. The Municipality also notified landowners within 60m of the property by mail, resulting in two (2) comments being received. One requested more information about the development and the second submitted concerns about the rebuild and flooding. Both were supplied with additional information and no further concerns were raised.

Rationale for Recommendation:

The proposed C2 - Mixed/Transitional Commercial District allows Religious Assembly as a Permitted Use, thereby accommodating a redevelopment of the Tabernacle of Praise Church. The C2 district also provides more flexibility for building setbacks and height, making it easier to situate the planned building. The enlarged and newly designed site offers enhanced curb appeal, more space for an adjacent gathering area for celebrations, and adequate parking.

The proposed amendment is consistent with the directions and principles of the Municipal Development Plan, including U.4.1.1 (Encourage a mix of land uses) and U.5.1.1 (Celebrate cultural diversity). The re-introduction of religious uses in Waterways promotes more complete and diverse communities, which is also consistent with the vision of the City Centre Area Redevelopment Plan (CCARP). Section 5.5.8.3 of the CCARP identifies Bulyea and Railway Avenues as a mixed-use corridor that enhances "small-town character." Development of the site can be supported thanks to the Municipality's structural flood mitigation, which is expected to be complete by October, 2022.

Administration supports the proposed Land Use Bylaw text amendment and recommends that Bylaw No. 21/018 be given first reading to allow for scheduling of a public hearing.

Strategic Priorities:

Downtown Revitalization
Regional Economic Development

Attachments:

1. Subject Area Map

2. Bylaw No. 21/018 Land Use Bylaw Amendment C1 to C2