

Discretionary Use Application – Private School – 38 23rd Street East

APPLICATION SUMMARY

Second Act YXE, Andrea Calow, applied for Discretionary Use approval, to operate a Private School that includes studio space at 38 23rd Street East (known as unit 205A Pacific Avenue), in the Downtown Neighbourhood.

RECOMMENDATION

That this report be forwarded to City Council recommending that, at the time of the Public Hearing, the Discretionary Use Application, submitted by Andrea Calow, requesting approval to operate a Private School that includes studio space at 38 23rd Street East (unit 205A Pacific Avenue), be approved, subject to the following conditions:

- 1) The applicant obtains a Development Permit and all other relevant permits and licences including a Building Permit; and
- 2) The final plans submitted be substantially in accordance with the plans submitted in support of this Discretionary Use Application.

BACKGROUND

Under [Bylaw No. 8770, Zoning Bylaw, 2009](#) (Zoning Bylaw), 38 23rd Street East is zoned MX2 - Downtown Warehouse Mixed Use District (see Appendix 1 and 2). The purpose of the MX2 District is to encourage growth in Downtown's Warehouse District by facilitating mixed uses and flexible zoning standards, as well as promoting the rehabilitation of existing structures. The MX2 District is intended to facilitate a broad range of compatible industrial, commercial, cultural, entertainment and residential uses, including live/work units. A Private School is considered a Discretionary Use in the MX2 District.

A private school originally operated at 38 23rd Street East which was previously zoned IL1 – General Light Industrial District and was a permitted use in that district. Following a rezoning of the property from IL1 to MX2, Private Schools became a discretionary use on-site. The Private School that had operated at the subject site had ceased operation for a number of years, therefore, discretionary use approval is required for the new business to comply with the MX2 District regulations.

DISCUSSION

Zoning Bylaw Requirements

The Zoning Bylaw defines a Private School as:

“a facility which meets Provincial requirements for elementary, secondary, post-secondary or other forms of education or training, and which does not secure the majority of its funding from taxation or any governmental agency, and may include vocational and commercial schools, music or dance schools and other similar schools.”

There is currently one building located on-site consisting of two separate commercial units. The proposed private school that includes studio space will be located in the northern unit which is identified as 205A Pacific Avenue (see Appendix 3), while the southern unit is currently vacant.

Comments from other Divisions

No concerns were identified through the administrative review process which would preclude this application from proceeding to a public hearing.

COMMUNICATIONS AND ENGAGEMENT

The following methods were used to communicate this application to area property owners and the public:

- Notice was posted on the City of Saskatoon's Engage Page on December 18, 2023;
- Notification letters were mailed to property owners within 150 metres of the site on December 19, 2023, and emailed to the Ward Councillor and the Community Association; and
- A development sign will be placed on-site in conformance with [Council Policy C01-021, Public Notice](#).

At the time of writing this report, Administration has not received any correspondence or feedback regarding the application.

PUBLIC NOTICE

Public notice is required for consideration of this matter, pursuant to Section 12.2 of Council Policy C01-021, the Public Notice.

Once this application has been considered by the Municipal Planning Commission, it will be advertised in accordance with Council Policy C01-021, the Public Notice, and a date for a public hearing will be set. The Planning and Development Department will give notice of the public hearing date by mail to property owners within 150 metres of the subject site.

APPENDICES

1. Location Map – 38 23rd Street East
2. Fact Summary Sheet – 38 23rd Street East
3. Site Plan – 38 23rd Street East

REPORT APPROVAL

Written by: Tyler Kopp, Planner
Reviewed by: Darryl Dawson, Development Review Manager
Lesley Anderson, Director of Planning and Development
Approved by: Lynne Lacroix, General Manager, Community Services

SP/2024/PD/PDCS/Discretionary Use Application – Private School – 38 23rd Street East/gs