

# DECISION/DIRECTION NOTE

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**Title:** Request for Variance on Backyard Suite Area - 125 Penney Crescent - DEV2400170

**Date Prepared:** January 21, 2025

**Report To:** Regular Meeting of Council

**Councillor and Role:** Councillor Carl Ridgeley, Development

**Ward:** Ward 1

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**Decision/Direction Required:**

To seek approval for a 0.5% Variance on Backyard Suite Area at 125 Penney Crescent.

**Discussion – Background and Current Status:**

An application was submitted at 125 Penney Crescent to construct a Backyard Suite under the Housing Accelerator Fund (HAF). The Backyard Suite is a permitted use and the maximum area for the proposed Backyard Suite is 59.9m<sup>2</sup>, which is the lesser of 10% of the Lot Area or 75% of the Residential Building footprint. **Section 7.4** of the **St. John's Development Regulations** allows up to a 10% Variance from any applicable requirement to be considered. To accommodate the proposed development, a Variance of 0.5% is required, which will result in a Backyard Suite having an Area of 60.2m<sup>2</sup>.

Notices were issued to all adjacent properties. One submission was received in opposition to the proposed development who had concerns that the location would reduce privacy, and the increased density would cause traffic, noise, and reduce enjoyment of a low-density neighbourhood.

**Key Considerations/Implications:**

1. Budget/Financial Implications: Not applicable.
2. Partners or Other Stakeholders: Not applicable.
3. Is this a New Plan or Strategy: No
4. Alignment with Strategic Directions:

A Sustainable City: Plan for land use and preserve and enhance the natural and built environment where we live.

Choose an item.

The logo for St. John's features the words "ST. JOHN'S" in a bold, serif font. The letter "O" in "JOHN'S" is replaced by a stylized icon of a signal tower or antenna.

5. Alignment with Adopted Plans: **St. John's Municipal Plan and Development Regulations.**
6. Accessibility and Inclusion: Not applicable.
7. Legal or Policy Implications: **St. John's Development Regulations Section 7.4 "Variance" and Section 6.7.2 "Backyard Suite Area."**
8. Privacy Implications: Not applicable.
9. Engagement and Communications Considerations: Not applicable.
10. Human Resource Implications: Not applicable.
11. Procurement Implications: Not applicable.
12. Information Technology Implications: Not applicable.
13. Other Implications: Not applicable.

**Recommendation:**

That Council approve the Variance of 0.5% on Backyard Suite Area, which will result in a Backyard Suite having an Area of 60.2m<sup>2</sup> at 125 Penney Crescent.

**Prepared by:**

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Planning, Engineering and Regulatory Services

**Approved by:**

Jason Sinyard, P. Eng., MBA, Deputy City Manager  
Planning, Engineering and Regulatory Services

**Report Approval Details**

Document Title:	Development Committee- Request for Variance on Backyard Suite Area - 125 Penney Crescent - DEV2400170.docx
Attachments:	- 125PenneyCres.jpg
Final Approval Date:	Jan 22, 2025

This report and all of its attachments were approved and signed as outlined below:

**Lindsay Lyghtle Brushett - Jan 22, 2025 - 11:49 AM**

**Jason Sinyard - Jan 22, 2025 - 11:51 AM**