

# Committee of Adjustment Comments from Staff, Public and Agencies

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## Application Details

Application Number: A-16/20  
Location: 287 Water Street  
Hearing Date: March 12, 2020  
Owner: First Christian Reformed Church of Guelph  
Agent: N/A  
Official Plan Designation: Low Density Residential  
Zoning: Educational, Spiritual, and Other Services (I.1) Zone

**Request:** The applicant is seeking relief from the By-Law requirements to permit a stand-alone office use within the existing residence (former manse).

**By-Law Requirements:** The By-Law permit a variety of institutional uses, but does not permit a stand-alone office use.

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## Staff Recommendation

### Approval with Conditions

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## Recommended Conditions

### Planning Services

1. That the standalone office use apply only to the 'manse' building at the rear of the subject property and as shown on the public notice sketch.
  2. That standalone office uses on the subject property be limited to a total gross floor area of 193 square metres.
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## Comments

### Planning Services

The subject lands are designated "Low Density Residential" in the Official Plan. This land use designation applies to residential areas within the built-up area of the city which are predominantly low-density in character. This land use designation permits detached, semi-detached, duplex dwellings and multiple unit residential buildings, such as townhouses and apartments. Section 9.3.1.2 of the Official Plan permits some non-residential uses in the residential designations, provided they are complimentary to and serve the needs of residential neighbourhoods. Such uses can include schools, places of worship and convenience commercial. Non-residential

uses are to be developed in a manner that is compatible with adjoining residential properties and preserves the amenities of the residential neighbourhood.

The subject lands are zoned "Educational, Spiritual, and Other Services" (I.1) according to Zoning By-law (1995)-14864, as amended. The I.1 zoning permits religious establishments, schools, libraries, museums and day care centres, among other uses. Accessory uses are also permitted, such as administrative offices, nursing homes and recreation centres, provided such uses are subordinate, incidental and exclusively devoted to one of the principal permitted uses in the I.1 zone.

The applicant, the First Christian Reformed Church of Guelph is requesting to convert the former manse (pastor's residence on site) into office space for local non-profit organizations and charities. The minor variance application is requesting to permit a standalone office as an additional permitted use.

The manse building has a total floor area of 193 square metres. Comparatively, the main church building on the subject lands has a total floor area of 2,455 square metres. The manse building is approximately 7.8% of the total floor area of the church. Section 4.23 of the Zoning By-law refers to accessory uses as not occupying more than 25% of the main building or structure. Although the current proposal is not requesting offices of a separate organization to be an accessory use within the main church building, Planning staff are of the opinion that the proposed standalone office use for a non-profit organization in the former manse building on the subject lands will function similar to an accessory use. Further, the proposed size (floor area) of the standalone office use in the former manse building compared to the floor area of the church is less than the maximum floor area permitted for accessory uses.

Planning staff are of the opinion that the minor variance meets the general intent and purpose of the Official Plan and Zoning By-law, is minor in nature, and is desirable for the appropriate development of the lands. It is recommended the Committee approve the minor variance, subject to the above noted conditions:

### **Engineering Services**

Engineering has no concerns with the request of seeking relief from the By-law requirements to permit a stand-alone office use within the existing residence (former manse).

We agree with recommendations made by Planning and Building staff.

### **Building Services**

This property is located in the Educational, Spiritual, and Other Services (I.1) Zone. The applicant is proposing to convert the existing residence (former manse) located to the rear of the existing church to rental office space. A variance from Section 8.1.1 of Zoning By-law (1995)-14864, as amended, is being requested.

Building Services does not object to this application to permit a stand-alone office use within the existing residence (former manse).

A building permit will be required, at which time requirements under the Ontario Building Code will be reviewed.

### **Grand River Conservation Authority (GRCA)**

The GRCA has no objection to the minor variance application. See attached plan review report.

### **Comments from the Public**

Yes (see attached)

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### **Contact Information**

**Committee of Adjustment:** City Hall, 1 Carden Street, Guelph ON N1H 3A1

519-822-1260 Extension 2524

[cofa@guelph.ca](mailto:cofa@guelph.ca)

**TTY:** 519-826-9771

[guelph.ca/cofa](http://guelph.ca/cofa)

**Facsimile:** 519-763-1269



<b>PLAN REVIEW REPORT:</b>	City of Guelph, Committee of Adjustment Trista Di Lullo, Secretary-Treasurer
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**DATE:** February 28, 2020

**YOUR FILE:** A-16/20

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**RE:**               **Application for Minor Variance A-16/20**  
                      287 Water Street, City of Guelph

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**GRCA COMMENT:**

The Grand River Conservation Authority (GRCA) has no objection to the minor variance application.

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**BACKGROUND:**

**1. Resource Issues:**

Information currently available at this office indicates that the subject property contains floodplain and areas adjacent this feature. This reach of floodplain is within a Two-Zone Floodplain Policy Area and contains both the flood fringe and floodway. Please see attached map for reference.

**2. Legislative/Policy Requirements and Implications:**

It is our understanding that the purpose of this minor variance application is to permit office space within an existing residence (manse). The GRCA has reviewed the submitted site plan and have determined the existing structure is located outside the GRCA's regulated. As such, GRCA staff do not anticipate any negative impacts to the natural hazard feature as a result of this application.

Due to the feature noted above, a portion of subject property is regulated by the GRCA under Ontario Regulation 150/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation). Any development within the regulated area will require prior approval for the GRCA in the form of a permit. Please be advised that any development within the flood fringe on this property must conform to the GRCA Two-Zone Floodplain Policies and the Two-Zone Floodplain Policies outlined in the City of Guelph Official Plan.

From the drawings provided, the proposed changes are internal renovations and the existing dwelling is located outside of the GRCA's regulated area. As such, a permit will not be required.

**3. Additional Information/Suggestions provided in an advisory capacity:**

A "minor" minor variance application review fee is required for our review of this application. The applicant will be invoiced in the amount of \$270.00.

We trust the above information is of assistance. Should you have any further questions, please contact me.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Ashley Rye', with a stylized flourish at the end.

Ashley Rye  
Resource Planner  
\*AR/js

Encl (1)

Cc: First Christian Reformed Church of Guelph c/o Nathan Proper, 287 Water Street, Guelph ON N1G 1B6

***\* These comments are respectfully submitted as advice and reflect resource concerns within the scope and mandate of the Grand River Conservation Authority.***





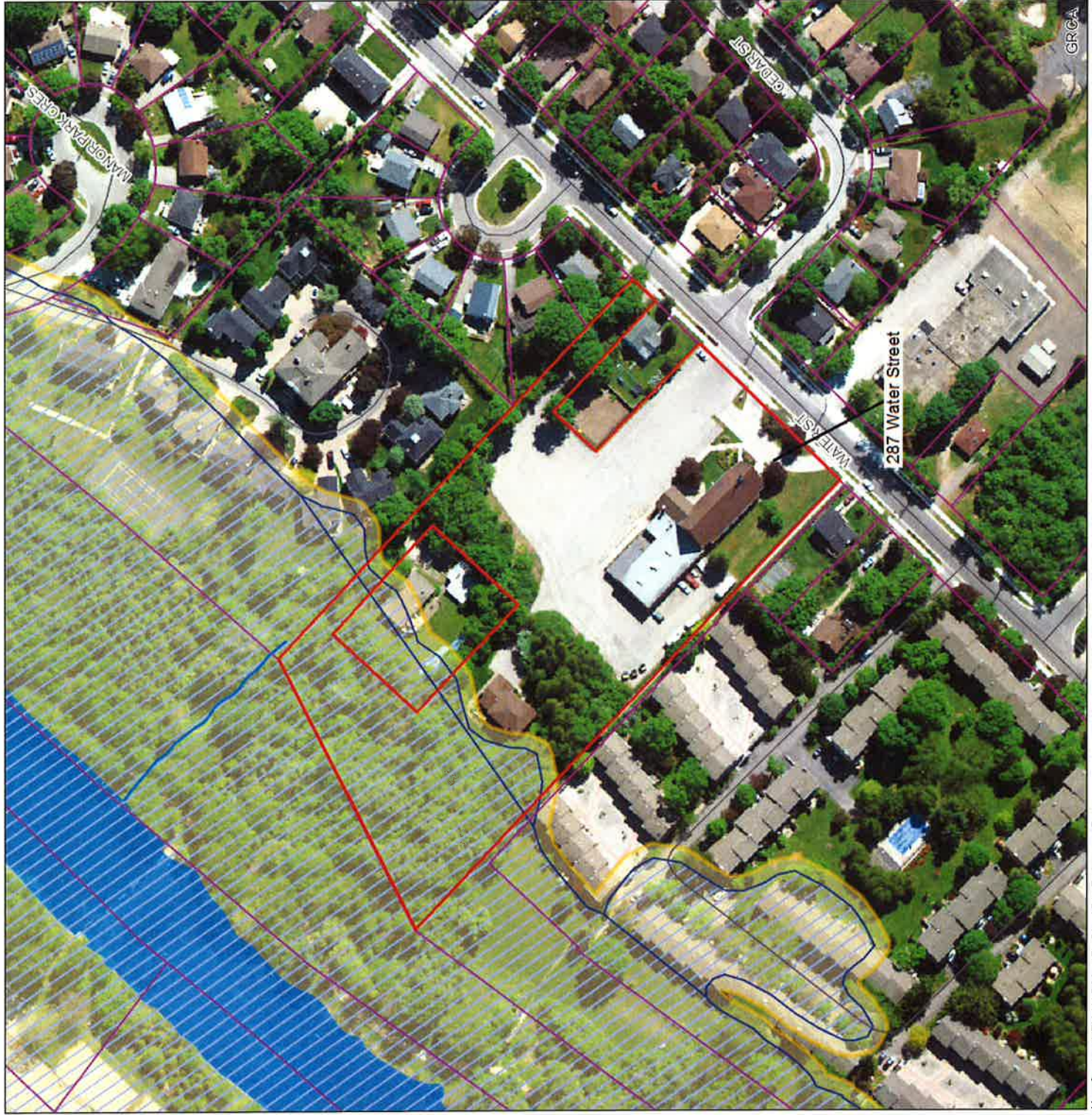
287 Water Street, City of  
Guelph

### Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
- Engineered
- Estimated
- Approximate
- Special Policy Area
- Slope Valley (GRCA)
- Steep
- Oversteep
- Steep
- Slope Erosion (GRCA)
- Oversteep
- Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNR)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

Copyright Grand River Conservation Authority, 2020.  
Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.  
The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to: <https://maps.grandriver.ca/sources-and-citations.pdf>





Gow's Bridge



Linking the Old University Neighbourhood to the City of Guelph since 1897

## Old University Neighbourhood Residents' Association Inc.

63 Talbot Street  
Guelph, ON, N1G 2G1  
March 3, 2020

Committee of Adjustment  
City Hall  
Guelph, Ontario

sent by email to cofa@guelph.ca

Re: application for 287 Water Street

Dear Committee Members,

The Executive Committee of the Old University Neighbourhood Residents' Association (OUNRA) has considered the application for permission to use the Christian Reformed Church manse on the church property as an office facility for local charities.

We met with one of the close neighbours on Water Street to gauge a response to the proposal. The neighbour was supportive of the proposal. Repeated attempts to talk to other neighbours found no one home at those addresses.

In our discussions at the Executive Committee of OUNRA, we saw the plan to provide office space for charities as a positive development. The house, itself, is well to the rear of the property with plenty of parking space available. The change in the use of the property should not cause any problems for the neighbourhood.

OUNRA supports the application.

Yours truly,

John Lawson  
President OUNRA

## Juan DaSilva

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**From:** Lyn Marfisi [REDACTED]  
**Sent:** Wednesday, March 4, 2020 4:27 PM  
**To:** Committee of Adjustment  
**Subject:** Application A-16/20

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To the Committee of Adjustment

I am writing to you regarding Application A-16/20, on the property of 287 Water Street, Guelph , ON. A minor variance proposal has been put forward regarding bylaw 8.1.1 of Zoning By-Law (1995)-14864.

It is my understanding that the church is proposing this variance in order to rent out the former 'manse' as office space. I am a member of Water St . Church (formerly First Christian Reformed church). During our recent renovation, this structure was used for our own purposes, as the church administration, Pastor's study, Church Life coordinator's office, and some evening activities.

This were all 'in house' purposes, ie no rent was charged.

During that time, the space was found to be suitable , and , in fact worked well. An advantage to using this for the intended purpose is that any vehicles coming and going to utilize the space will only take place mostly during the day. This should not disturb surrounding homeowners. Some of the people utilizing this office will be taking public transit, thus reducing the carbon footprint in this area.

There is a potential tenant secured. This is the non profit organization Beginnings. Beginnings has a long time history operating in Guelph as a service for couples that find themselves facing a crisis pregnancy. They have an excellent reputation and track record. We as a church have supported them financially and through many of our members volunteering their time there. It is our hope as a church to be able to provide the space to them at a reduced rate of rent.

I'm asking that you would please rule in favour of this variance.

Thank you for your consideration.

Lyn Marfisi  
[REDACTED]



## Juan DaSilva

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**From:** Ken Whiting [REDACTED]  
**Sent:** Thursday, March 5, 2020 3:30 PM  
**To:** Committee of Adjustment  
**Cc:** Ed Shewen  
**Subject:** Application for Minor variance A-16/20 re: Church property at 287 Water Street

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Trista Di Lullo, Secretary Treasurer, Committee of Adjustment,

We are out of Canada on vacation this month but would like to comment on the application by the Church.

We live at 25 Manor Park Crescent, Unit 8, Guelph and our backyard is directly facing the church parking lot. On your map, we are property 29, WCC 70.

We oppose this minor variance because the conversion of the manse to rental office space will mean considerable traffic passing by the back of our property. When vehicle lights are on, they shine directly into our family room and there is considerable noise from the vehicles coming and going into the church parking lot. There are also many instances where cars just sit in the back of the parking lot and idle up to 30 minutes shining into our home.

If the church had followed their plans as presented to the public when building the addition to their facility, we would not have been so adversely impacted. They have not yet met the City of Guelph guidelines in replanting trees on their property and we are still dismayed that the City permitted the removal of so many healthy trees.

This has resulted in a total loss of privacy from the Church parking lot for us and many of our neighbours on Manor Park Crescent.

We would recommend that this manse be converted to a residential home just like the one to the east of it and use the church parking lot for access to Water Street.

We have attached a letter that we sent to the Church by e-mail July 25, 2019 asking that the church keep the original promise in only extending the parking lot by 8 feet in their plan and preserving as much of the green space as possible. I was told this at the Church open house for neighbours in June 2018.

We would appreciate it if you would include a copy of the letter attached along with this e-mail to the package of information which the Committee receives.

The City of Guelph planner, Rory Templeton had been copied on this original letter but we have had no response.

The Church requested a meeting with us in early August 2019 in which they promised to keep their word about planting vegetation according to the plan submitted to the City of Guelph.

We have seen very few small trees planted and we believe they have finished landscaping and have only to asphalt the parking lot in the spring to complete the project.

We do not appreciate the way this project has been conducted and find Church representatives have been less than forthcoming.

Therefore we do not support this variance that will lead to further loss of enjoyment of our property.

We would like to be informed on the decision of the Committee.

Thank you for your consideration.

Sincerely,

Ken and Marg Whiting  
25 Manor Park Crescent,  
Unit 8  
Guelph N1G 1A2  
[REDACTED]

Sent from my iPad

Begin forwarded message:

**From:** "Ken Whiting (via Google Docs)" [REDACTED]  
**Date:** July 25, 2019 at 12:55:48 PM AST  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Letter to the Christian Reformed Church - Invitation to edit  
**Reply-To:** Ken Whiting [REDACTED]

[REDACTED] has invited you to **edit** the following document:



[Letter to the Christian Reformed Church](#)



Please read the attached letter.

[Open in Docs](#)

Google Docs: Create and edit documents online.

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because someone shared a document with you from Google Docs.

**Google**

Letter to the Christian Reformed Church

241 Water Street,

Guelph, ON

[REDACTED]

Dear Church Building Committee members,

We are the owners of Unit 8, 25 Manor Park Cres that backs onto the church lot. We are very disappointed with how the building project has taken away our privacy from the parking lot and the condos on the opposite side of the Church.

This has not only impacted our privacy but that of our neighbours on 25 Manor Park that are now exposed to the view of the church parking lot.

The greatest disappointment has arisen due to the misinformation that church board members have presented and the attitude we have received when questions have arisen:

- 1) I contacted the office early last year and requested a site plan and was assured at that time that the parking lot would only be extended 8 ft towards the river and the green space would be protected.
- 2) I went to the meeting being held to inform the neighbours on June 25, 2018 and expressed my concerns about the green space. I was assured by Ed Kuipery and other members of the Building Committee that only those trees marked with metal bands would be removed – those trees were deemed to be old and in danger of falling in the coming years and accounted for roughly one-half of the trees that were standing at that time. We were also told at that time that every tree removed would be replaced with new trees as per the bylaws of the City. A small group of us then congregated down by the greenspace following the meeting to view the area and ask questions.
- 3) In the spring of 2019, a tree on our property that had top branches entangled with a tree on the driveway was cut off with a chainsaw at the top of our four foot fence line. When questioned why this was taking place and why we weren't given any notice, my wife was abruptly told that the church owned that property and they would do what they wanted.
- 4) Later in the fall, one Saturday morning a team of men arrived and took all the trees down – cleared the entire green space of trees. All foliage was cleared and mounds of mulch were left as well as large sections of tree trunks.
- 5) When our concerns were raised with Rory Templeton at Guelph City planning and presented to the Building Committee, the response was that we should plant cedars like a neighbour had already done.

We are left with several questions:

- 1) As stewards of this space, why was that greenspace cleared and was permission from the City of Guelph received to allow full leveling of the property?
- 2) Everything we were assured of has not happened – why would we be misled about the impact of construction on the greenspace?
- 3) What is the Church going to do when construction is complete to create a proper greenspace that will not take 40 years to grow in?

We would like to see a landscaping plan from the Church Building Committee on how the space behind our property will be restored and confirmation from the City of Guelph that the plan is approved by the city.

Sincerely,

Ken and Marg Whiting

cc. Guelph City Planning-rory.templeton.ca

Leanne Piper, City Councillor, Ward 5-[leanne.piper@guelph.ca](mailto:leanne.piper@guelph.ca)

President of the Condo Corp for 25 Manor Park, WCC 70, Ed

[REDACTED]