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**Date** September 12, 2024 **Report No.** 2024-335

**To** Chair and Members  
Planning Committee

**From** Nicole Wilmot, MCIP, RPP  
Chief Planner and Senior Director of Planning and Development Services  
Community Development Commission

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### 1.0 Type of Report

Consent Item [ ]  
Item For Consideration [X]

### 2.0 Topic Zoning By-law Amendment PZ-10-24 – 128 King George Road [Financial Impact – None]

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### 3.0 Recommendation

- A. THAT Zoning By-law Amendment Application PZ-10-24, submitted by Patrick David Trottier Architect, on behalf of property owner Mellors Dental Facilities Limited, affecting the land municipally addressed as 128 King George Road, to amend the zoning from “Residential Type 1A” (R1A) to “General Commercial –107 Zone” (C8-107) with site-specific provisions to facilitate the development of a dental office, BE APPROVED in accordance with the applicable provisions outlined in Section 9.2 of Report 2024-335; and,
- B. THAT pursuant to Section 34(18.2) of the *Planning Act*, R.S.O 1990, c. P.13 the following statement SHALL BE INCLUDED in the Notice of Decision:

*“Regard has been had for all written and oral submissions received from the public before the decision was made in relation to this planning matter, as discussed in Section 9.4 of Report 2024-335.”*

## 4.0 Executive Summary

An application to amend the Zoning By-law has been received for the lands municipally known as 128 King George Road. The applicant is proposing to construct a one-storey dental office and associated parking area. This proposed commercial development will include 11 surface parking spaces, including one accessible parking space. A single driveway access off Wayne Drive is proposed with the parking area contained to the rear of the site. The lands are designated “Intensification Corridor” in the Official Plan and zoned “Residential Type 1A” (R1A) in Zoning By-law 160-90. The applicant is proposing to amend the zoning to “General Commercial –107” (C8-107) to facilitate the proposed development. All property owners within 120 m were notified of the application and a public notice sign with the details of the proposal and this meeting date was posted on site. The conceptual site plan and a conceptual rendering for the proposed development are presented below in **Figure 1** and **Figure 2**.

Figure 1: Conceptual Site Plan for 128 King George Road (full-scale version attached as Appendix A)

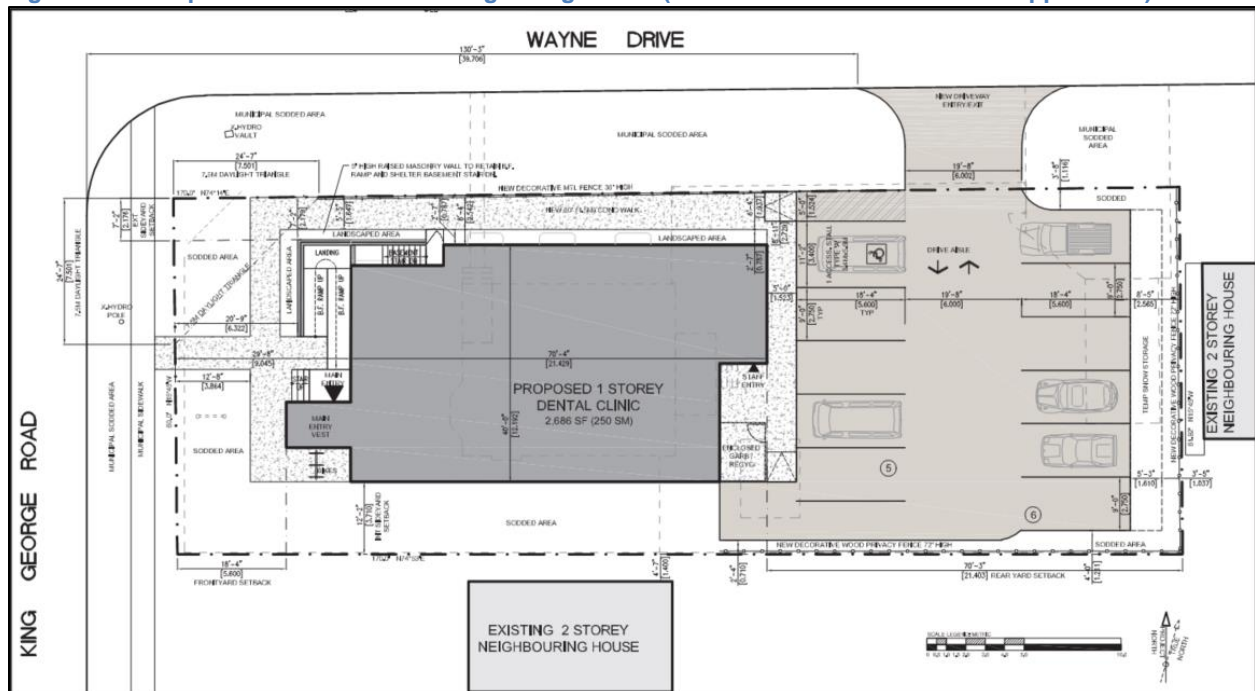


Figure 2: Conceptual Rendering of Proposed Dental Office (coloured elevations attached as Appendix B)



Based on Staff's review of the application, Staff supports Zoning By-Law Amendment PZ-10-24 as outlined in Section 9.0 of Report 2024-335, for the following reasons:

- The application is consistent with the 2020 Provincial Policy Statement and conforms to the 2020 Growth Plan for the Greater Golden Horseshoe.
- The development aligns with the City of Brantford's Council Priorities for 2023-2026.
- The proposal conforms to the City's Official Plan, which permits the proposed dental office use within the Intensification Corridor designation.
- The proposed development will provide for an efficient use of land, facilitating intensification along King George Road.
- The proposed development is well served by public transit and within walking distance from surrounding residential land uses.

Through site plan control, the proposed development can be designed in a way that contributes to a vibrant, pedestrian and transit-oriented area, as planned for the Intensification Corridor in the Official Plan.

## 5.0 Application Information

Table 1 – Application Details

Application Details	
Applicant	Leah Van Allen - Haase
Owner	Mellors Dental Facilities Ltd.
Agent	Patrick David Trottier Architect c/o Patrick Trottier
File Number(s)	PZ-10-24
Application Type	Zoning By-law Amendment
Proposed Use	Commercial
Property Details	
Address / Ward	128 King George Road / Ward 3
Area	962 m <sup>2</sup> (0.24 acres)
Existing Use	Dental office within single detached dwelling
Documents	
Official Plan Designation (existing)	"Intensification Corridor"
Official Plan Designation (proposed)	No change required
Zoning (existing)	"Residential Type 1A" (R1A)
Zoning (proposed)	"General Commercial – 107 Zone" (C8-107)
Provincial Policy Statement	The proposal is consistent with the Provincial Policy Statement.

Places to Grow Growth Plan	The proposal conforms to the Growth Plan.
<b>Processing Details</b>	
Deemed Complete	April 30, 2024
Neighbourhood Meeting(s)	January 25, 2024
Statutory Hearing	September 12, 2024
Public Comments	At the time of writing this Report, no public comments have been received.

## 6.0 Purpose

The purpose of this Report is to recommend approval of the Zoning By-law Amendment for the lands municipally known as 128 King George Road to permit the construction of a one storey dental office building and associated parking area.

## 7.0 Corporate Policy Context

### 7.1 2023-2026 Council Priorities

This Report is in keeping with the City of Brantford Council Priorities endorsed on February 28, 2023, specifically Priority #4 “Create a vibrant strategy for managing development and affordable housing.” A potential action area identified by Council for this priority area includes:

- Planning for Growth - Develop a policy for growth that is aligned with the City’s future Vision and Official Plan, ensure that the current and future needs of the majority of the community are met, and that it is considerate of current and future financial requirements.

The proposed development will contribute to these outcomes by introducing an intensified commercial use on a site located along a major arterial road. The proposed dental office would provide additional

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opportunity for a diversified economic base, increasing employment within the City of Brantford specifically within the Intensification Corridor.

## **8.0 Description of Proposal**

The purpose of this application is to rezone the subject lands to permit the proposed one storey dental office with the associated 11 parking spaces. The proposed Zoning By-law Amendment application will facilitate site-specific zoning for reductions to minimum lot width, buffering, planting strips, minimum required parking spaces, and front, interior and exterior yard setbacks. Access to the site is proposed along Wayne Drive, with a parking area located to the rear of the proposed building.

### **8.1 Supporting Documents**

The following technical reports and studies have been submitted in support of the Zoning By-law Amendment application:

- Elevation Drawings;
- Floorplans;
- Functional Servicing Report;
- Geotechnical Engineering Report;
- Grading, Siltation and Erosion Control Plan;
- Landscape Plan;
- Planning Justification Report;
- Site Development Plan;
- Site Plan;
- Site Servicing Plan;
- Stormwater Drainage Plans; and
- Stormwater Management Report.

## 8.2 Site Information

The subject lands have a lot area of 962 m<sup>2</sup> (0.24 acres) and a lot width of approximately 18 m. The site is currently occupied by a 1.5-storey single detached dwelling which houses an existing dental office use. The existing driveway off Wayne Drive provides access to the property and associated garage, with on-street parking available for business patrons. An aerial photo is included below in Figure 3 and site photos are included in Figures 4, 5 and 6..

Figure 3: Aerial Photo



Figure 4: Site Photo taken from King George Road



Figure 5: Site Photo taken from Wayne Drive (front of property)





Figure 6: Site Photo taken from Wayne Drive (rear of property)



The property is surrounded by residential uses to the south and east, primarily consisting of single-detached dwellings. A general office use is located across Wayne Drive and to the north of the property.

Various commercial uses, many of which are service-oriented, are located along King George Road and to the west of the property. King George Road is developed with sidewalks and traffic-controlled crosswalks. The property is within walking distance to the surrounding commercial uses including service and retail-based businesses, as well as major public transportation routes. The closest public transit stop is located within 50 m of the subject lands.

## 9.0 Analysis

### 9.1 Planning Policy Context

A map identifying the land use designations in the general area of the subject lands is attached as **Appendix C**. The City of Brantford Official Plan designates the lands as follows:

**Table 2: Official Plan Policies**

<b>Schedule</b>	<b>Designation</b>
Schedule '1' Growth Management	Strategic Growth Area
Schedule '3' Land Use Plan	Intensification Corridor
Schedule '12' Road Network	Major Arterial Road (King George Road)
Schedule '13' Road Allowance Widenings	King George Road - Proposed Right-of-Way Width – 40 metres

- The “Strategic Growth Areas” designation in the City is intended to accommodate significant growth in an intensified built form. The Strategic Growth Areas play a crucial role in defining the planned urban structure of the City, in supporting a successful transit system, and in achieving the City’s intensification and density targets.
- The “Intensification Corridor” designation is intended to provide vibrant, pedestrian-friendly, and transit-oriented environments. The design of the site, including placing the building closer to King George Road with the parking area to the rear of the property assists in achieving the vision of the Intensification Corridor designation. Further, the proposed development at this location encourages the use of public transit and active transportation, both of which contribute to creating sustainable and complete communities.
- Section 3.2 (c) of the Official Plan “Diversify Commercial Uses” aims to diversify the economic base of the City by supporting its evolving urban structure which includes a full range of employment generating uses such as office development and retail and service commercial businesses. The proposal will aid in supplying a complete range of commercial goods and services to foster choice for the residents of Brantford and surrounding communities within the Intensification Corridor along King George Road.
- Staff is of the opinion that the proposed Zoning By-law Amendment, as recommended by Staff, conforms to the policies of the City’s Official Plan.
- The proposed development is consistent with Section 1.1 of the Provincial Policy Statement (PPS). The development proposes the redevelopment and intensification of underutilized lands within the existing built boundary, which will use existing infrastructure and municipal services. This will minimize land consumption and will promote efficient development.

- The proposed development conforms with a Place to Grow: Growth plan for the Greater Golden Horseshoe (2020). The proposed development is situated within the City’s Settlement Area, which is an area of the City to accommodate significant population and employment growth (Section 2.2.3).

## 9.2 Planning Evaluation of Zoning By-Law Amendment

**Existing Zoning:** “Residential Type 1A” (R1A)

**Proposed Zoning:** “General Commercial – Exception 107 Zone” (C8-107)

A map identifying the zoning in the general area of the subject lands is attached as **Appendix D**. The subject lands are currently zoned “R1A” in Zoning By-law 160-90.

To facilitate the development application as proposed, the applicant is seeking to amend the current zoning to “General Commercial – Exception 107 (C8-107)” with site-specific zoning to permit reduced minimum lot width, buffering and planting strips, minimum required parking spaces, as well as front, interior and exterior yard setbacks.

The following table and Section 9.3 below include the assessment of the reliefs requested that would permit the construction of the proposed development. All other provisions and applicable requirements of the Zoning By-Law are to be met by the proposal.

**Table 3 - Zoning Compliance**

Zoning Regulations	Required	Proposed	Staff Response
<b>Lot Width (minimum)</b>	30.0m	18.0m	The proposed lot width is existing, and the applicant has demonstrated on their site plan that the proposed commercial use can be accommodated on an 18 m wide lot.
<b>Front Yard (minimum)</b>	9.0m	5.6m	The proposed reduction is in keeping with the Intensification Corridor designation and creates a

<b>Zoning Regulations</b>	<b>Required</b>	<b>Proposed</b>	<b>Staff Response</b>
			more aesthetically pleasing streetscape.
<b>Interior Side Yard abutting a Non-General Commercial Zone (minimum)</b>	6.0m	3.7m	The reduction is appropriate as the applicant is proposing a 1.8 m tall privacy fence along the interior side yard and the one storey building is designed to be complimentary to the surrounding low-rise residential uses.
<b>Exterior Side Yard (minimum)</b>	9.0m	2.1m	The proposed reduction allows for efficient use of the site and the site plan demonstrates that the building is not located within the corner sightline triangle.
<b>Parking</b>	1.0 spaces per 25 m <sup>2</sup> of GFA	0.5 spaces per 25 m <sup>2</sup> of GFA	See Report Section 9.3.1 for Staff discussion.
<b>Buffering</b>	Where a lot in a non-Residential Zone abuts a lot in a Residential Zone:  No building or structure shall exceed 1.5m of height within 6m of a lot in a Residential Zone.	Notwithstanding Section 6.10.2, the proposed one storey tall building may be located within 6 m of a residential zone	The proposed building design is of a similar character to the adjacent low-rise residential uses, and a 1.8 m tall privacy fence is proposed,.
<b>Planting Strip</b>	Planting strips required abutting a street that is not a freeway or a corridor area: 3.0m	2.0 m between the building and Wayne Drive.  1.0 m between the parking area and	The site plan and landscape plans indicate adequate opportunity for landscaping elements within the reduced planting strip along Wayne Drive, as well as

Zoning Regulations	Required	Proposed	Staff Response
		Wayne Drive, east of the driveway.  0 m between the accessible parking space and Wayne Drive, west of the driveway.	other areas of the site including within the front and interior yards. Further, the reduction will facilitate locating an accessible parking space closer to the building's main entry.

### 9.3 Development Considerations

#### 9.3.1 Parking

The Zoning By-law requires one off-street parking space per 25 m<sup>2</sup> of Gross Floor Area (GFA) for a dental office use, which is considered a medical office under the current parking standards. This equates to a total requirement of 20 off-street parking spaces for the proposed dental office with an approximate GFA of 482 m<sup>2</sup>. The applicant is proposing to provide 11 off-street parking spaces, or approximately 0.5 parking spaces per 25 m<sup>2</sup> GFA. In support of the proposed reduction, the applicant has explained that the client intends to finish the basement with storage and staff offices, which are not expected to generate additional parking needs. The basement area accounts for approximately half of the building's GFA, and thus half of the parking requirements calculated. It is also acknowledged that a dental office with zero parking spaces currently exists on the subject lands and does not provide any off-street parking. Further, the proposal is within close proximity to public transit stops and active transportation routes which will reduce the need for parking spaces. Bicycle parking will be provided on site.

Transportation and Planning Staff are in support of the parking reduction as it relates to the proposed use, noting that the reduction shall only apply to a Medical Office or Medical Clinic use and that the number of clinical rooms does not increase from what has been presented to Staff. This can be confirmed and controlled at the Site Plan Control stage.

### 9.3.2 Urban Design and Site Layout

Planning, Development Engineering, and Transportation Staff met with the Applicant and Agent numerous times throughout the Zoning By-law Amendment process in a collaborative effort to find solutions regarding development criteria that works for all associated parties and the uses proposed. Specifically, concerns were raised regarding the site layout and the proposed parking reductions on-site.

The first rendition of the site plan located the building in the center of the lot to comply with the front yard setback requirement of the proposed General Commercial (C8) Zone. Due to site constraints, this resulted in parking spaces that were located both in front and to the rear of the building and excessive paving. Understanding the intent of the Urban Design Manual and Official Plan policies, Planning staff directed the applicant to shift the building towards the front lot line (King George Road) to locate all provided parking to the rear of the site. In doing so, the Applicant was able to alter the Site Plan (**Appendix A**) to increase landscaping coverage, enhance the streetscape, improve vehicular traffic within the site, reduce stormwater runoff, and allow for a full snow storage area whereas previously this was not feasible.

## 9.4 Input from Other Sources

### 9.4.1 Technical Comments

A summary of relevant consultation, as required by the *Planning Act* is provided below:

Table 4 - Department and Agency Comments

Department	Comment	Staff Response
Building	<p>Staff noted zoning deficiencies for the proposed C8 zone, which were later requested by the applicant within this application.</p> <p>Building Permit required at Site Plan stage.</p>	<p><i>Comments provided to Applicant/Agent.</i></p> <p><i>Requests for relief of the zoning deficiencies noted were included in the application materials. Any provided building permit</i></p>

Department	Comment	Staff Response
		<i>application will be reviewed alongside a formal Site Plan Application, subsequent to the passing of the proposed Zoning By-law Amendment.</i>
Development Engineering	No comments relating to the re-zoning.  Site Grading Plan, Site Servicing Plan, Functional Servicing Report, Stormwater Management Report, and Geotechnical Report required to be revised or altered.	<i>Comments provided to Applicant/Agent. Reports to be updated, and further reviewed through a formal Site Plan Application, subsequent to the passing of the proposed Zoning By-law Amendment.</i>
Landscaping	In support of the relief requested provided that enhanced landscaping be provided as a buffer between the development and adjacent Residential properties.  A Tree Protection Plan (TPP) will be a requirement at the Site Plan stage. The already provided Landscaping Plan and Streetscaping Plan are required to be revised or altered.	<i>Comments provided to Applicant/Agent. Reports to be updated, and further reviewed through a formal Site Plan Application, subsequent to the passing of the proposed Zoning By-law Amendment.</i>
Transportation	The parking rate required for a Medical Office or Clinic is 1.0 space/25m <sup>2</sup> of Gross Floor Area (G.F.A). The ground floor area of the office would require 10 parking spaces, whereas 11 spaces are provided. The client wishes to finish the basement with storage and staff offices which would yield an additional 10 parking spaces being required, whereas the site is constrained and only can provide a total of 11 parking spaces. So long as the number of clinical rooms does not increase as a result of finishing the basement, then Development Engineering-Transportation can support a parking rate of 1.0 space/45.0m <sup>2</sup> GFA (or 0.5 spaces/25m <sup>2</sup> GFA) notwithstanding any provision of this By-law, the minimum parking rate shall	<i>Comments provided to Applicant/Agent. Plans to be updated, and further reviewed through a formal Site Plan Application, subsequent to the passing of the proposed Zoning By-law Amendment.</i>

Department	Comment	Staff Response
	<p>only apply to a Medical Office or Medical Clinic Use.</p> <p>To better improve the overall site layout and vehicular circulation, a special condition will be included within the site plan control agreement for the purpose of heavy vehicular maneuvering/waste collection.</p>	
Environmental Services	<p>No comments relating to the re-zoning.</p> <p>Site Servicing Plan and Functional Servicing Report required to be revised or altered at the Site Plan stage.</p>	<p><i>Comments provided to Applicant/Agent. Plans to be updated, and further reviewed through a formal Site Plan Application, subsequent to the passing of the proposed Zoning By-law Amendment.</i></p>
Accessibility	<p>No comments relating to the re-zoning.</p> <p>Site Plan required to be revised or altered at the Site Plan stage.</p>	<p><i>Comments provided to Applicant/Agent. Plans to be updated, and further reviewed through a formal Site Plan Application, subsequent to the passing of the proposed Zoning By-law Amendment.</i></p>
Ministry of Transportation (MTO)	<p>No comments relating to the re-zoning.</p> <p>Site Plan required to be revised or altered, and MTO permits will be required at the Site Plan stage.</p>	<p><i>Comments provided to Applicant/Agent. Plans to be updated, and further reviewed through a formal Site Plan Application, subsequent to the passing of the proposed Zoning By-law Amendment.</i></p>
Mississaugas of the Credit First Nation (MCFN)	<p>No comments relating to the re-zoning.</p> <p>Stage 1 Archeological Study will be required at the Site Plan stage, and Stage 2 if required.</p>	<p><i>Comments provided to Applicant/Agent. Plans to be updated, and further reviewed through a formal Site Plan Application, subsequent to the passing of the</i></p>



Department	Comment	Staff Response
		<i>proposed Zoning By-law Amendment.</i>
<ul style="list-style-type: none"> <li>• Planning – Long Range</li> <li>• Fire</li> <li>• Parks and Recreation</li> <li>• Canada Post</li> <li>• Bell/WSP</li> <li>• Economic Development</li> <li>• Grand Erie District School Board</li> <li>• Brant Haldimand Norfolk Catholic District School Board</li> <li>• Housing</li> </ul>	No comments.	N/A
<ul style="list-style-type: none"> <li>• Transit</li> <li>• Six Nations of the Grand River</li> <li>• Rogers</li> <li>• Real Estate</li> </ul>	No comments received.	N/A

### 9.4.2 Public Consultation and Engagement

A neighbourhood open house was held on January 5<sup>th</sup>, 2024 at Royal Canadian Legion (9 Tollgate Rd, Brantford, ON) at 6:00pm to present the proposed development to the residents. 87 notices were sent out to residents 3 weeks prior to the open house meeting. The current owners, as well as Council Members were in attendance. One (1) neighbour attended the meeting, expressing no concerns or comments with the proposal. As no comments have been received from the public, no minutes have been provided by the applicant.

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Notice of this application was circulated to all property owners within 120 m of the subject lands and no comments were received at the time of drafting this Report.

## 10.0 Financial Implications

There are no direct municipal financial implications respecting this application.

## 11.0 Climate and Environmental Implications

There are no direct municipal climate and environmental implications that can be assessed at this time respecting this application. The development will aid in bringing more employment to an existing corridor within the City, and the requested Zoning By-law Amendment would create a more compact urban form that utilizes existing service infrastructure. Staff are optimistic that future clients of the dental office will walk and utilize public transit to travel to the site, given the close proximity to existing transit stops.

## 12.0 Conclusion

These applications propose to amend the City of Brantford Zoning By-law 160-90 to permit a dental office building development within the built-up area of the City of Brantford on a site which currently maintains a single detached dwelling. The proposed development is consistent with the Provincial Policy Statement, and in conformity with the Growth Plan and Official Plan by promoting economic development and accommodating a desirable employment generator. Based on these considerations, Planning Staff is of the opinion that the application to amend the Zoning By-law 160-90 is appropriate and represents good planning.



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Nicole Wilmot, MICP, RPP  
Chief Planner, Senior Director of Planning

Prepared By:

Mila Masic, Intermediate Development Planner  
Sean House, Senior Project Manager – Development Planning

Attachments

**Appendix A:** Concept Site Plan

**Appendix B:** Elevations

**Appendix C:** Official plan

**Appendix D:** Zoning By-law 160-90

In adopting this report, is a by-law or agreement required? If so, it should be referenced in the recommendation section.

By-law required  yes  no

Agreement(s) or other documents to be signed by Mayor and/or City Clerk  yes  no

Is the necessary by-law or agreement being sent concurrently to Council?  yes  no