

SECTION 26

ARTERIAL COMMERCIAL (AC) ZONE

26.1 GENERAL PURPOSE OF THE AC ZONE

This Zone provides for and regulates a mix of small scale retail, office, personal service and automotive uses located along arterial roads which serve both vehicular and pedestrian trade. This zone tends to be applied in older areas of the City where auto-orientated uses have existed for some time and in areas along arterial roads that serve both a local and broad market area. The uses of this zone, which reflect the nature of existing development in an area, have been differentiated on the basis of their function, intensity and potential impacts. (Z.-1-202871)

The main AC Zone variation accommodates a compatible range of existing residential and accessory uses. In addition to the uses provided for under the AC zone variation an expanded range of uses may be permitted at appropriate locations through the use of other zone variations. The AC1 (offices), AC2 (small retail/personal service), AC3 (institutional/facility uses), AC4 (broader range of uses) and AC5 (automotive) Zone variations can all be used where circumstances warrant.

26.2 PERMITTED USES

No person shall erect or use any building or structure, or use any land or cause or permit any building or structure to be erected or used, or cause or permit any land to be used, in any AC Zone for any use other than the following uses:

1) AC

The following are permitted uses in the AC Zone variation:

- a) Accessory dwelling units;
- b) Converted dwellings;
- c) Day care centres;
- d) Emergency care establishments;
- e) Existing dwellings;
- f) Group Home Type 2;
- g) Lodging House Class 2.(Z.-1-93172)

2) AC1

The following are permitted uses in the AC1 Zone variation:

- a) Any use permitted in the AC Zone variation;
- b) Offices, professional;
- c) Offices, service;
- d) Studios.

3) AC2

The following are permitted uses in the AC2 Zone variation:

- a) Any use permitted in the AC Zone variation;
- b) Animal hospitals;
- c) Dwelling units, above the first floor;
- d) Clinics;
- e) Convenience stores;
- f) Convenience service establishments;
- g) Duplicating shops;
- h) Florist shops;
- i) Medical/dental laboratories;
- j) Medical/dental offices;
- k) Offices;
- l) Personal service establishments;
- m) Studios.

4) AC3

The following are permitted uses in the AC3 Zone variation:

- a) Any use permitted in the AC Zone variation;
- b) Assembly halls;
- c) Places of Worship;
- d) Commercial recreation establishments;
- e) Funeral homes;
- f) Institutions;
- g) Private clubs;
- h) Schools.

5) AC4

The following are permitted uses in the AC4 Zone variation:

- a) Any use permitted in the AC Zone variation;
- b) Animal hospitals;
- c) Dwelling units above the first floor;
- d) Bake shops;
- e) Catalogue stores;
- f) Clinics;
- g) Convenience service establishments;
- h) Duplicating shops;
- i) Food stores;
- j) Financial institutions;
- k) Home and auto supply stores;
- l) Medical/dental offices;
- m) Offices;
- n) Personal service establishments;
- o) Printing establishments;
- p) Restaurants, eat-in;
- q) Retail stores;
- r) Service and repair establishments;
- s) Studios;
- t) Video rental establishments;
- u) Brewing on Premises Establishment. (Z.-1-021027)
- v) Artisan Workshop (Z.-1-172561)
- w) Craft Brewery (Z.-1-172561)

6) AC5

The following are permitted uses in the AC5 Zone variation:

- a) Automobile repair garages;
- b) Automotive uses, restricted;
- c) Restaurants;
- d) Taverns.

26.3 REGULATIONS

No person shall erect or use any building or structure, or use any land or cause or permit any building or structure to be erected or used, or cause or permit any land to be used, in an AC Zone variation except in conformity with the regulations as set out below and in Table 26.3.

1) AC4 GROSS FLOOR AREA (MAXIMUM)

The maximum gross floor area for specific permitted individual uses shall be as follows:

- | | | |
|-----------------------------|--------------------|------------------------------|
| a) Restaurants eat-in | 300 m ² | (3,229.2 sq.ft.) |
| b) All other permitted uses | 800 m ² | (8,611.4 sq.ft.) |
| c) Artisan Workshop | 500m ² | (5,382 sq.ft.) (Z.-1-172561) |
| d) Craft Brewery | 500m ² | (5,382 sq.ft.) (Z.-1-172561) |

2) AC5 GROSS FLOOR AREA (MAXIMUM)

The maximum gross floor area for specific permitted individual uses shall be as follows:

- | | | |
|----------------|--------------------|------------------|
| a) Restaurants | 500 m ² | (5,382.0 sq.ft.) |
| b) Taverns | 500 m ² | (5,382.0 sq.ft.) |

3) BUILDING FORM

For the AC2 and AC4 zone variations, building form may be in stand-alone buildings or shopping centre buildings.

4) CONVERTED DWELLINGS

In no case shall a converted dwelling have a lot area of less than 180.0 square metres (1,937 square feet) per unit.
(Z.-1-94258)

5) REQUIRED GROUND FLOOR USES FOR ARTISAN WORKSHOP AND CRAFT BREWERY (Z.-1-172561)

Where located on the ground floor with street front access, Artisan Workshop and Craft Brewery uses shall include a retail store or restaurant that:

- a) is located within the main building or unit occupied by the Artisan Workshop or Craft Brewery use;
- b) is a minimum of 10% of the gross floor area (GFA) of the main building or unit;
- c) is located within the front portion of the ground floor; and, is accessible via the front of the building.

26.4 SPECIAL PROVISIONS

The following zone variations apply to unique or existing situations and are not the standard AC zone variations. If a regulation or use is not specified, the list of permitted uses and/or regulations of Section 26.2 and/or Section 26.3 shall apply.

a) AC Zone Variation

- 1) AC(1) See AC2(1) (Z.-1-94236)
- 2) AC(2) See AC2(2) (Z.-1-94236)
- 3) AC(3) See AC2(3) (Z.-1-94236)
- 4) AC(4) See AC2(4) (Z.-1-94236)
- 5) AC(5) (Z.-1-92103) (repealed by Z.-1-93164)
- 6) AC(6) (Repealed by Z.-1-02998 and Z.-1-02999)
- 7) AC(7) 985 - 1005 Hamilton Road
 - a) Permitted Uses:
 - i) Medical/dental laboratories.
 - b) Regulations
 - i) Permitted uses shall comply with the regulations of the AC4 Zone and the AC Zone where applicable.
 - ii) Lot Coverage (Maximum) (Z.-1-93164) 20%

b) AC1 Zone Variation

1) AC1(1)

- a) Permitted Uses:
 - i) Existing dwellings;
 - ii) Offices, professional;
 - iii) Offices, service.
(Z.-1-02998)

2) AC1(2)

- a) Additional Permitted Use:
 - i) Business Service Establishment.
(Z.-1-031119)

3) AC1(3)

- a) Additional Permitted Uses:
 - i) Clinics;
 - ii) Medical/dental offices;
 - iii) Wellness centres.
(Z.-1-061565)
- b) Regulations:
 - i) A maximum of 4 dental suites (wet/dry service chairs as defined by the Ontario Building Code), will be permitted on the property while site/use is serviced by any form of private sanitary sewage system.
 - ii) No front yard parking.
(Z.-1-071651)

4) AC1(4)

- a) Additional Permitted Uses:
 - i) Retail Store
 - ii) Personal Service Establishment
- b) Regulations
 - i) Gross Floor Area (m2) Maximum 800 m2 (8611.41 square feet) for Retail Store.
 - ii) Parking Minimum 1 space per 30 square metres (322.93 square feet) of gross floor area for Retail Clothing Stores. All Other Retail Stores and other permitted. Uses shall comply with Section 4.19.
(Z.-1-081724)

5) AC1(5) 2237 Wharncliffe Road South

- a) Permitted Uses within existing building:
 - i) Uses within the AC1 zone;
 - ii) Clinics;
 - iii) Medical/dental offices;
 - iv) Wellness centres;
 - v) Retail Stores;
 - vi) Offices.

- b) Regulations
 - i) Gross Floor Area for Additions (m²) (maximum) 65 m² (700 square feet) for Retail Store and Offices.
 - ii) Interior Side Yard Depth (s/w) (existing building) 0.5m (1.65 feet)
 - iii) A maximum of 4 dental suites (wet/dry service chairs as defined by the Ontario Building Code), will be permitted on the property while site/use is serviced by any form of private sanitary sewage system.
 - iv) No front yard parking. (Z.-1-142302)

c) AC2 Zone Variation

AC2(1) East side of Wharncliffe Road, between Emery Street and Horton Street (Z.-1-94236)

- a) Additional Permitted Uses:
 - i) Financial institutions;
 - ii) Retail stores;
 - iii) Eat-in restaurants
 - iv) Service and repair establishments.
- b) Regulations:
 - i) Additional permitted uses shall comply with the regulations of the AC4 Zone variation;
 - ii) Retail stores shall not exceed a maximum gross floor area of 100 square metres (1,076.4 square feet).

AC2(2) Springbank Drive, west of the Coves (Z.-1-94236)

- a) Additional Permitted Uses:
 - i) Financial institutions;
 - ii) Eat-in restaurants;
 - iii) Retail stores;
 - iv) Food stores;
 - v) Automobile service stations
 - vi) Gas bars.
- b) Regulations:
 - i) Restaurants, financial institutions, retail stores and food stores shall comply with the regulations of the AC4 Zone variation; (Z.-1-051356)
 - ii) Automobile service stations and gas bars shall comply with the regulations of the AC5 Zone variation.

AC2(3)
(Z.-1-94236)

- a) Additional Permitted Uses:
 - i) Automobile sales and service establishments.

AC2(4)
Z.-1-94236

- a) Prohibited Uses:
 - i) Convenience stores;
 - ii) Convenience service establishments.

AC2(5)

- a) Regulations:
 - i) Parking (Minimum) (Z.-1-061532) 12 spaces be maintained on 998 and 1000 Oxford Street East.

AC2(6)

- a) Permitted Uses:
 - i) Any use permitted in the AC2 zone except Group Home Type 2 and Dwelling units, above the first floor. (Z.-1-061573)

AC2(7) 462 and 462A Springbank Drive

- a) Additional Permitted Uses:
 - i) Financial institutions
 - ii) Eat-in restaurants
 - iii) Retail stores
 - iv) Food stores
 - v) Automobile service stations
 - vi) Gas bars
 - vii) Garden store
- b) Regulations:
 - i) Notwithstanding the Parking provisions of Zoning By-law No. Z.-1, no on-site parking shall be required for the out-door display areas. (Z.-1-071678)

AC2(8)

- a) Additional Permitted Uses:
 - i) single detached dwelling (Z.-1-081742)

AC2(9)

- a) Additional Permitted Uses:
 - i) Automobile Sales and Service Establishment, associated with a permanent structure or building.
 - ii) Automobile Sales Establishment, associated with a temporary sales trailer prior to December 5, 2015. (Z.-1-122062)

AC2(10) 373 Wharnccliffe Road South

- a) Additional Permitted Use[s]
 - i) automobile sales and service establishments
- b) Parking Area Setback from Langarth Street (Minimum) (0.5 meters)1.64 feet
- Interior Yard Setback (west) (minimum) (0.6meters) 1.96 feet (Z.-1-132160)

AC2(11) 2170 Wharnccliffe Road South

- a) Additional Permitted Use
 - i) Automobile Sales Establishment (Z.-1-152437)

AC2(12) 367 Springbank Drive

a) Additional permitted uses

i) Dwelling units (below the first floor)

b) Regulations

i) West interior side yard setback for buildings no greater than 8 metres in height (minimum) – 1.3m

ii) Parking area setback (minimum) – 1.5m
(Z.-1-243224)

d) AC3 Zone Variation

AC3(1)

- a) Additional Permitted Use:
 - i) Amusement games establishments in association with a commercial recreation establishment.
- b) Regulations:
 - i) Gross Floor Area For Amusement Games Establishments (Maximum) (Z.-1-98610) 10% or 150 square metres (1,615 square feet) whichever is lesser.

AC3(2)

- a) Regulations for additional permitted uses:
 - i) Lot Frontage (Minimum) (Z.-1-081737) 18.0 metres

e) AC4 Zone Variation

1) (Z.-1-92087)(deleted by Z.-1-02950)

AC4(2)

- a) Regulations:
 - i) Gross Floor Area (Maximum) (O.M.B. File #R910387 - Appeal #9007-8 June 4, 1993) 3 000 square metres (32,292 square feet)

AC4(3)

Number used in error.

AC4(4)

- a) Additional Permitted Use:
 - i) Restaurants, fast food. (Z.-1-94268)

AC4(5)

- a) Regulations
 - i) Height (Maximum) (Z.-1-95351) 8 metres (26.2 feet)

AC4(6)

- a) Regulations:
 - i) Lot Area (Minimum) 3500 square metres (37,673.69 square feet)
 - ii) Lot Frontage (Minimum) 50 metres (164.04 feet)
 - iii) The yard requirements for lands located at the southwest corner of Oxford Street East and Adelaide Street North, shall be measured from an ultimate road allowance of 5.5 metres (18.04 feet) from the existing right-of-way on Oxford Street and 5.5 metres (18.04 feet) from the existing right-of-way on Adelaide Street.

- iv) Sight Triangle provisions shall apply to lands located at the southwest corner of Oxford Street East and Adelaide Street North. (Z.-1-96449)

AC4(7)

- a) Prohibited Uses:
 - i) Personal service establishments. (Z.-1-99658)

AC4(8)

- a) Permitted Uses:
 - i) Any use permitted in the AC4 Zone except lodging house class 2. (Z.-1-01909)

AC4(9)

- a) Permitted Uses:
 - i) Existing dwellings;
 - ii) Bake shops;
 - iii) Catalogue stores;
 - iv) Convenience service establishments;
 - v) Duplicating shops;
 - vi) Food stores;
 - vii) Financial institutions;
 - viii) Home and auto supply stores;
 - ix) Medical/dental offices;
 - x) Offices;
 - xi) Personal service establishments;
 - xii) Printing establishments;
 - xiii) Restaurants, eat-in;
 - xiv) Retail stores;
 - xv) Service and repair establishments;
 - xvi) Studios;
 - xvii) Taverns;
 - xviii) Video rental establishments. (Z.-1-02999)

AC4(10)

- a) Permitted Use:
 - i) Notwithstanding Section 26.2.4, permitted uses are limited to accessory parking for a food store. (Z.-1-031088)

AC4(11)

- a) Additional Permitted Use:
 - i) Apartment buildings.
- b) Regulation:
 - i) Density (Maximum) 160 units per hectare (64 units/acre) based on a lot area of 0.26 hectares to a total of 40 dwelling units. (Z.-1-051430)

AC4(12)

- a) Regulations:
 - i) Parking (Minimum) 12 spaces be maintained on 998 and 1000 Oxford Street East. (Z.-1-061532)

AC4(13)

- a) Regulations:
 - i) Lot Area (Minimum) (Z.-1-061558) 260 square metres (853 square feet)

AC4(14)

- a) Additional Permitted Uses
 - i) Automobile Rental Establishments
- b) Regulations
 - i) Front Yard Depth (Maximum) 7 metre (22.96 ft)
 - ii) Exterior Side Yard Depth (Maximum) (Z.-1-071663) 3 metre (9.84 ft)

AC4 (15)

- a) Regulations:
 - i) Gross Floor Area (Maximum) 845 square metres (9,096 square feet)
 - ii) Drive-through facilities, either as a main or accessory use, are not permitted.
 - iii) Required parking ratio all for all permitted uses excluding all gross floor area dedicated to equipment/mechanical use. (Z.-1-081809) 1/50 m2 (1/538 square feet)

AC4 (16)

- a) Additional Permitted Uses:
 - i) Catering establishment in existing building only.
- b) Regulation:
 - i) Parking Spaces (Minimum) (Z.-1-081820) 3

AC4(17)

- a) Additional Permitted Use:
 - i) Automobile repair garage. (Z.0-091854)

AC4(18) 941, 943 and 945 Hamilton Road

- a) Additional Permitted Use:
 - i) Donation Centre which involves the receiving, sorting, and organizing of used clothing and general household items, to be temporarily stored and transported off-site. Such items will be sold off-site.
- b) Regulations:
 - i) Gross Floor Area for Donation Centre (Max.) (Z.-1-152395) 270m² (2,900 ft²)

- AC4(19) 765 Hyde Park Road
- a) Additional Permitted Uses:
 - i) Institution
 - b) Regulations:
 - i) Lot Frontage (Minimum): 19 metres (62.34 ft)
 - ii) North Interior Side Yard for existing building (Minimum): 3.0 metres (9.84 feet)
 - iii) Landscaped Open Space for existing building (Minimum): as existing
 - iv) Parking for existing building as existing and shared with 747 and 759 Hyde Park Road. (Z.-1-192721)

- AC4(20) 185 Horton Street East
- a) Additional Permitted Use:
 - i) Dormitory building (Z.-1-212908)

- AC4(21) 146 Exeter Road
- a. Prohibited Uses:
 - i) Residential Uses (Z.-1-233126)

f) AC5 Zone Variation

- AC5(1)
- a) Regulations:
 - i) Height (Maximum) 8 metres (26.2 feet) (Z.-1-95351)

- AC5(2)
- a) Prohibited Uses:
 - i) Automobile repair garages;
 - ii) Automotive uses, restricted.
 - b) Regulations:
 - i) Lot Area (Minimum) 3500 square metres (37,673.69 square feet)
 - ii) Lot Frontage (Minimum) 50 metres (164.04 feet)
 - c) The yard requirements for lands located at the southwest corner of Oxford Street East and Adelaide Street North, shall be measured from an ultimate road allowance of 5.5 metres (18.04 feet) from the existing right-of-way on Oxford Street and 5.5 metres (18.04 feet) from the existing right-of-way on Adelaide Street.
 - d) Sight Triangle provisions shall apply to lands located at the southwest corner of Oxford Street East and Adelaide Street North. (Z.-1-96449)

AC5(3)

- a) Regulations:
 - i) Parking (Minimum) 12 spaces be maintained on 998 and 1000 Oxford Street East (Z.-1-061532)

AC5(4)

- a) Regulations:
 - i) Lot Area (Minimum) 260 square metres
853 square feet
 - ii) Lot Frontage 9.6 metres
(31.5 feet)
(Z.-1-061558)

AC5(5)

- a) Additional Permitted Use
 - i) Automobile sales accessory to an auto repair garage at 164 Wharncliffe Road South up to a maximum total of six automobiles combined at 164 Wharncliffe Road South. (Z.-1-081793)

AC5(6)

- a) Additional Permitted Use:
 - i) Supervised residence in exciting buildings only. (Z.-1-091834)

AC5(7) 1221 Dundas Street

- a) Additional Permitted Uses:
 - i) Retail Store
- b) Regulations
 - i) Number of off-street parking spaces (minimum) 22 (Z.-1-142257)

TABLE 26.3

ARTERIAL COMMERCIAL (AC) ZONE

REGULATIONS FOR AC ZONE VARIATIONS

| Column | A | B | C | D | E | F | G |
|---------------|---|--|--------------|--------------|----------|---------------------|---------------------|
| Line 1 | ZONE VARIATIONS | AC | AC1 | AC2 | AC3 | AC4 | AC5 |
| 2 | PERMITTED USES | See Section 26.2 | | | | | |
| 3 | LOT AREA (m ²) MINIMUM | 450 | 450 | 450 | 450 | 450 | 900 |
| 4 | LOT FRONTAGE (m) MINIMUM | 15.0 | 15.0 | 15.0 | 30.0 | 15.0 | 30.0 |
| 5 | LOT AREA EXISTING DWELLINGS (m ²) MINIMUM | 270 | | | | | |
| 6 | LOT FRONTAGE EXISTING DWELLINGS (m) MINIMUM | 9.0 | | | | | |
| 7 | FRONT & EXTERIOR SIDE YARD DEPTH (m) MINIMUM | 0.0 | | | | | 3.0 |
| 8 | REAR YARD DEPTH (m) MINIMUM | 4.5 | 4.5 | 7.5 | 7.5 | 7.5 | 7.5 |
| 9 | INTERIOR SIDE YARD DEPTH (m) MINIMUM | 1.0 metre (3.3 feet) on one side and 3.0 metres (9.8 feet) on the other side | | 0.0 | 0.0 | 0.0 | 3.0 |
| | | Except where it abuts a Residential Zone, 6.0 metres (19.7 feet) | | | | | |
| 10 | LANDSCAPED OPEN SPACE (%) MINIMUM | 10 | 10 | 10 | 20 | 10 | 15 |
| 11 | LOT COVERAGE (%) MAXIMUM | 40 | 40 | 40 | 40 | 40 | 25 |
| 12 | HEIGHT (m) MAXIMUM | 10.0 | 10.0 | 10.0 | 12.0 | 10.0 | 8.0 |
| 13 | GROSS FLOOR AREA (m ²) MAXIMUM | N/A | 300 Each Use | 300 Each Use | N/A | See Section 26.3(1) | See Section 26.3(2) |