

## *Section 8*

## Queenston Community Zoning District

## SECTION 8: QUEENSTON COMMUNITY ZONING DISTRICT

The provisions of the Queenston Community Zoning District shall apply to all lands within the Urban Area Boundary established on Schedule “E” in the Town of Niagara-on-the-Lake’s Official Plan, shown on Schedule ‘A-25’ of this By-law.

### 8.1 **ESTABLISHED RESIDENTIAL (ER1) ZONE**

In the Queenston Community Zoning District - Established Residential (ER1) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

#### 8.1.1 Permitted Uses:

- (a) *A single detached dwelling*
- (b) *A bed and breakfast establishment in accordance with Section 6.5*
- (c) *A home occupation or a home profession in accordance with Section 6.24*
- (d) *A group home in accordance with Section 6.20*
- (e) *A public use in accordance with Section 5.381 (as amended by 4316Y-12)*
- (f) *Accessory buildings and structures in accordance with Section 6.1*
- (g) *Cottage rental (added by 4316AI-13, OMB PL130581, December 5, 2013)*

#### 8.1.2 Zone Requirements: (as amended by 4316N-11)

(a)	Minimum lot frontage	18 m (59.06 ft)
(b)	Minimum lot area	648 m <sup>2</sup> (6,975 ft <sup>2</sup> )
(c)	Minimum front yard setback:	
	(i) On lots fronting on Niagara River Parkway with no Service Road Access	25 m (82 ft)
	(ii) On lots fronting on Niagara River Parkway with Service Road Access	15 m (49.2 ft)
	(iii) On all other lots	5 m (16.04 ft)
(d)	Minimum rear yard setback	7.5 m (24.6 ft)
(e)	Minimum interior side yard setback	1.5 m (5.0 ft)
(f)	Minimum exterior side yard setback	4.5 m (14.7 ft)
(g)	Maximum building height	10.0 m (32.8 ft)
(h)	Garages shall be setback a minimum of 1.0 m (3.28 ft) behind the building face of the dwelling	
(i)	Garages accessed from a rear lane shall be setback 0.45 m (1.5 ft) from the rear lane	

(j)	Attached garages shall not exceed 50% of the width of the building face of the dwelling	
(k)	Covered porches can project 1.5 m (5.0 ft) in front of the building face of the dwelling	
(l)	Minimum accessory building yard setback	1.5 m (5.0 ft)
(m)	Minimum accessory building exterior yard setback	4.5 m (14.76 ft)

## 8.2 **ESTABLISHED RESIDENTIAL (ER2) ZONE**

In the Queenston Community Zoning District - Established Residential (ER2) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

### 8.2.1 Permitted Uses:

- (a) *A single detached dwelling*
- (b) *A bed and breakfast establishment* in accordance with Section 6.5
- (c) *A home occupation or home profession* in accordance with Section 6.24
- (d) *A public use* in accordance with Section 5.381 (*as amended by 4316Y-12*)
- (e) *A group home* in accordance with Section 6.20
- (f) *Accessory buildings and structures* in accordance with Section 6.1
- (g) *Cottage rental* (*added by 4316AI-13, OMB PL130581, December 5, 2013*)

### 8.2.2 Zone Requirements: (*as amended by 4316N-11*)

(a)	Minimum lot frontage:	
	(i) Lots fronting on the Niagara River Parkway with no Service Road access and along the south side of York Road	60 m (196.85 ft)
	(ii) All other lots	30 m (98.43 ft)
(b)	Minimum lot area:	
	(i) Lots fronting on Niagara River Parkway with no Service Road access and along the south side of York Road	2,700 m <sup>2</sup> (29,063 ft <sup>2</sup> )
	(ii) All other lots	1,350 m <sup>2</sup> (14,531 ft <sup>2</sup> )
(c)	Maximum lot coverage	15%
(d)	Minimum landscaped area	45%
(e)	Minimum front yard setback:	
	(i) On lots fronting on Niagara River Parkway with no Service Road access	25.0 m (82.0 ft)

	(ii) On lots fronting on Niagara River Parkway with Service Road access and along the south side of York Road	15.0 m (49.21 ft)
	(iii) On all other lots	7.5 m (24.61 ft)
(f)	Minimum interior side yard setback	1.5 m (5.0 ft)
(g)	Minimum exterior side yard setback	9.0 m (29.53 ft)
(h)	Minimum rear yard setback	9.0 m (29.53 ft)
(i)	Maximum building face (including attached garage) of lot frontage	50%
(j)	Maximum building height	10.0 m (32.8 ft)
(k)	Attached garages shall not exceed 50% of the width of the building face of the dwelling	
(l)	Covered porches can project 1.5 m (5.0 ft) in front of the building face of the dwelling	
(m)	Minimum accessory building yards setback	1.5 m (5.0 ft)
(n)	Minimum accessory building exterior yard setback	4.5 m (14.76 ft)

### 8.3 **RESIDENTIAL (R3) ZONE** *(as amended by 4316N-11)*

In the Queenston Community Zoning District - Residential (R3) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

#### 8.3.1 Permitted Uses:

- (a) *A semi-detached dwelling*
- (b) *A duplex dwelling*
- (c) *A public use* in accordance with Section 5.381
- (d) *A group home* in accordance with Section 6.20
- (e) *Accessory buildings and structures* in accordance with Section 6.1

#### 8.3.2 Zone Requirements:

##### 8.3.2.1 A SEMI DETACHED DWELLING:

(a)	Minimum lot frontage per unit:	
	(i) Interior lot	7.5 m (24.6 ft)
	(ii) Exterior lot	12.25 m (40.19 ft)
(b)	Minimum lot area per unit	210 m <sup>2</sup> (2,260.5 ft <sup>2</sup> )
(c)	Maximum lot coverage	33%
(d)	Minimum landscaped open space	30%

(e)	Minimum front yard setback to front face of dwelling	4.5 m (14.76 ft)
(f)	Maximum front yard setback	6.0 m (19.69 ft)
(g)	Minimum front yard setback to front face of attached garage	7.5 m (24.6 ft)
(h)	Maximum width of garage face	3.5 m (11.48 ft)
(i)	Minimum interior side yard setback	1.2 m (3.94 ft)
	(i) Where there is no attached garage, one side must be:	3.0 m (9.84 ft)
(j)	Minimum exterior side yard setback	4.5 m (14.76 ft)
(k)	Minimum rear yard setback	7.5 m (24.6 ft)
(l)	Minimum dwelling floor area (per unit)	93 m <sup>2</sup> (1001 ft <sup>2</sup> )
(m)	Maximum building height	10.0 m (32.8 ft)
(n)	Minimum accessory building yards setback	1.5 m (5 ft)
(o)	Minimum accessory building exterior side yard setback	4.5 m (14.76 ft)
(p)	Minimum setback of uncovered, unenclosed or covered patio or deck in the rear yard requires a side yard setback of 0.6 m (2 ft).	

#### 8.3.2.2 A DUPLEX DWELLING:

(a)	Minimum lot frontage	15.0 m (49.21 ft)
(b)	Minimum lot area	540 m <sup>2</sup> (5,812 ft <sup>2</sup> )
(c)	Maximum lot coverage	33%
(d)	Minimum landscaped open space	30%
(e)	Minimum front yard setback to front face of dwelling	6.0 m (19.69 ft)
(f)	Minimum front yard setback to front face of attached garage	7.5 m (24.6 ft)
(g)	Maximum width of garage face	3.5 m (11.48 ft)
(h)	Minimum interior side yard setback	1.5 m (5 ft)
(i)	Minimum exterior side yard setback	4.5 m (14.76 ft)
(j)	Minimum rear yard setback	7.5 m (24.6 ft)
(k)	Minimum dwelling floor area (per unit)	93 m <sup>2</sup> (1001 ft <sup>2</sup> )
(l)	Maximum building height	10.0 m (32.8 ft)
(m)	Minimum accessory building yards setback	1.5 m (5 ft)
(n)	Minimum accessory building exterior side yard setback	4.5 m (14.76 ft)

#### 8.4 **RESIDENTIAL MULTIPLE (RM1) ZONE** *(as amended by 4316N-11)*

In the Queenston Community Zoning District – Residential Multiple (RM1) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following use provisions:

##### 8.4.1 Permitted Uses:

- (a) *A single detached dwelling*
- (b) *A semi-detached dwelling*
- (c) *A duplex dwelling*
- (d) *A townhouse or row-house dwelling*
- (e) *A public use* in accordance with Section 5.381
- (f) *Accessory buildings and structures* in accordance with Section 6.1

##### 8.4.2 Single Detached Dwelling:

###### Zone Requirements:

A single detached dwelling shall be subject to the zone requirements of the Section 8.1.2 Established Residential (ER1) Zone category.

##### 8.4.3 Semi-Detached or Duplex Dwelling:

###### Zone Requirements:

A semi-detached dwelling shall be subject to the zone requirements of the Section 8.3.2 Residential (R3) Zone category.

##### 8.4.4 A Townhouse or Row-House Dwelling:

(a)	Minimum lot frontage	
	(i) Interior Unit	6.0 m (19.69 ft)
	(ii) Exterior Unit	7.5 m (24.60 ft)
(b)	Minimum lot area per unit	168 m <sup>2</sup> (1,808.34 ft <sup>2</sup> )
(c)	Maximum lot coverage	40%
(d)	Minimum landscaped open space	30%
(e)	Minimum front yard setback	4.5 m (14.76 ft)
(f)	Minimum interior side yard setback	1.5 m (5 ft)
	(i) For common walls	0 m (0 ft)
(g)	Minimum exterior side yard setback	4.5 m (14.76 ft)
(h)	Minimum setback from built structures on adjacent properties	3.0 m (9.84 ft)
(i)	Minimum rear yard setback	7.5 m (24.6 ft)
(j)	Maximum building height	8.5 m (27.69 ft)
(k)	Minimum accessory building yards setback	1 m (3.28 ft)

(l)	Minimum side yard setback in the rear yard of uncovered, unenclosed or covered patio or deck in the rear yard	0.6 m (2 ft)
(m)	If the property abuts an Established Residential (ER1) Zone or an Established Residential (ER2) Zone, a buffer strip must be provided which shall be a minimum of 1.5m (5.0 ft) planting strip and shall consist of a 1.5 m (5.0 ft) high privacy fence and a landscaping strip.	
(n)	Minimum accessory building exterior side yard setback	4.5 m (14.76 ft)

## 8.5 **VILLAGE COMMERCIAL (VC) ZONE**

In the Queenston Community Zoning District - Village Commercial (VC) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

### 8.5.1 Permitted Uses:

- (a) *A retail store*
- (b) *A service establishment*
- (c) *A restaurant*
- (d) *A convenience store*
- (e) *A take-out restaurant*
- (f) *An outdoor patio restaurant, as a secondary use to an existing restaurant in accordance with Section 6.36*
- (g) *A theatre*
- (h) *A bank or financial institution*
- (i) *A business or professional office*
- (j) *A hotel*
- (k) *A motel*
- (l) *A service station*
- (m) *A community centre*
- (n) *A commercial recreation facility*
- (o) *A bakery or bakeshop*
- (p) *A residential unit in accordance with Section 6.48*
- (q) *Accessory buildings and structures in accordance with Section 6.1*
- (r) *Personal service establishment (as amended by 4316J-11)*

- (s) *Vacation apartment (added by 4316AI-13, OMB PL130581, December 5, 2013)*

#### 8.5.2 Zone Requirements:

(a)	Minimum lot frontage	15.0 m (49.2 ft)
(b)	Minimum lot area	464 m <sup>2</sup> (4,994.62 ft <sup>2</sup> )
(c)	Maximum lot coverage	50%
(d)	Minimum landscaped open space	20%
(e)	Minimum front yard setback <i>(as amended by 4316N-11)</i>	1.0 m (3.28 ft)
(f)	Maximum front yard setback <i>(as amended by 4316N-11)</i>	2.5 m (8.2 ft)
(g)	Minimum interior side yard setback <i>(as amended by 4316N-11)</i>	1.5 m (5.0 ft)
(h)	Minimum setback from built structures on adjacent properties	3.0 m (9.84 ft)
(i)	Minimum exterior side yard setback	4.5 m (14.76 ft)
(j)	Minimum rear yard setback <i>(as amended by 4316N-11)</i>	4.5 m (14.76 ft)
(k)	Maximum building height <i>(as amended by 4316N-11)</i>	10.5 m (34.45 ft)
(l)	An architectural element may have a maximum height of 11.6 m (38.0 ft) <i>(as amended by 4316N-11)</i>	
(m)	Minimum building height <i>(as amended by 4316N-11)</i>	9 m (29.5 ft)
(n)	Minimum accessory building yards setback	1.2 m (3.94 ft)
(o)	Minimum accessory exterior side yard setback <i>(as amended by 4316Y-12)</i>	4.5 m (14.76 ft)
(p)	The ground floor of commercial units shall be a minimum of 3.5 m (11.48 ft) in height. <i>(as amended by 4316N-11)</i>	

#### 8.5.3 Buffer Strip: *(as amended by 4316N-11)*:

At the interface between residential and commercial properties, the commercial property will provide a landscaped buffer consisting of a wood screen privacy fence to a height of 1.5 m (5.0 ft), situated at the property line, and a 1.5 m (5.0 ft) deep landscaped buffer consisting of mixed landscape species in height of 1.5 m (5.0 ft).

## 8.6 INSTITUTIONAL (I) ZONE



In the Queenston Community Zoning District - Institutional (I) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

8.6.1 Permitted Uses:

- (a) A cemetery
- (b) A church or religious institution
- (c) A nursing home
- (d) A hospital
- (e) A museum
- (f) A school
- (g) A library
- (h) A day care centre
- (i) A community centre
- (j) A public use in accordance with Section 5.381 (as amended by 4316Y-11)
- (k) Accessory buildings and structures in accordance with Section 6.1
- (l) Uses permitted by the Niagara Parks Act

8.6.2 Zone Requirements:

(a)	Minimum lot frontage	36.5 m (119.75 ft)
(b)	Minimum lot area	1387 m <sup>2</sup> (14930.03 ft <sup>2</sup> )
(c)	Maximum lot coverage	15%
(d)	Minimum landscaped open space	20%
(e)	Minimum front yard setback	15.0 m (49.2 ft)
(f)	Minimum front yard setback	
	(i) For lots with access to Niagara River Parkway, or access to a service road	15.0 m (49.2 m)
	(ii) For lots with no access to a service road	15 m – 25 m (49.2 ft – 82.02 ft)
(g)	Minimum interior side yard setback	3.0 m (9.84 ft)
(h)	Minimum exterior side yard setback	9.0 m (29.53 ft)
(i)	Minimum rear yard setback	7.5 m (24.6 ft)
(j)	Maximum building height	10.5 m (34.45 ft)
(k)	Minimum accessory building yards setback	1.2 m (3.94 ft)
(l)	Minimum accessory building exterior side yard setback	4.5 m (14.76 ft)
(m)	Parking areas will be screened from the public street by a minimum 1.0 m	

	(3.28 ft) high coniferous landscape hedge. . (as amended by 4316N-11)
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#### 8.6.3 Buffer Strip:

Where the interior side yard or rear lot line of a lot zoned Institutional (I) abuts a residential zone, a strip of land adjacent to the adjoining lot line being a minimum of 3.0 m (9.84 ft) in width shall be used as a buffer strip in accordance with Section 6.6.

### 8.7 **OPEN SPACE (OS) ZONE**

In the Queenston Community Zoning District - Open Space (OS) Zone, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

#### 8.7.1 Permitted Uses:

- (a) A public or private park
- (b) A picnic area
- (c) A recreational use
- (d) A private club
- (e) A public use in accordance with Section 5.381 (as amended by 4316Y-12)
- (f) Accessory buildings and structures in accordance with Section 6.1
- (g) Uses permitted by the Niagara Parks Act

#### 8.7.2 Zone Requirements:

(a)	Minimum lot frontage	n/a
(b)	Minimum lot area	n/a
(c)	Maximum lot coverage	5%
(d)	Minimum landscaped open space	n/a
(e)	Minimum front yard setback	15.0 m (49.2 ft)
(f)	Minimum front yard setback for:	
	(i) Lots fronting on Niagara River Parkway, or having direct access from a service road	15.0 m (49.2 ft)
	(ii) Lots with direct access from Niagara River Parkway	25.0 m (82 ft)
(g)	Minimum interior side yard setback	3.0 m (9.84 ft)
(h)	Minimum exterior side yard setback	9.0 m (29.53 ft)
(i)	Minimum rear yard setback	7.5 m (24.6 ft)
(j)	Maximum building height	8.6 m (28.22 ft)

(k)	Minimum accessory building yards setback	1.2 m (3.94 ft)
(l)	Minimum accessory building exterior side yard setback <i>(as amended by 4316Y-11)</i>	9.0 m (29.53 ft)

## 8.8 **ENVIRONMENTAL CONSERVATION ZONE OVERLAY**

The Environmental Conservation Zone Overlay provides regulations for new development, additions to existing development, and setbacks from each natural feature as listed.

For each natural feature, there is a list of permitted uses within the feature and a list of permitted uses adjacent to the feature, along with a number of regulations. These include minimum setbacks and studies required to determine the effect of development on the natural feature.

Where the zoning regulations specify that a use is permitted subject to an Environmental Impact Study (EIS), no new building or structure and no expansion to any existing building or structure shall be permitted unless it has been demonstrated through an EIS that there will be no negative impact on the adjacent natural feature.

### 8.8.1 Area of Natural and Scientific Interest (ANSI)

#### 8.8.1.1 Permitted Uses:

- (a) Conservation management activities and uses, subject to an environmental impact study (EIS)
- (b) Permitted uses adjacent to an ANSI - Area of Natural and Scientific Interest:
  - (1) Existing dwellings, buildings and structures
  - (2) Expansions to existing dwellings, building and structures, subject to an environmental impact study (EIS)
  - (3) Existing *accessory buildings and structures* in accordance with Section 6.1, including expansions, subject to an environmental impact study (EIS)
  - (4) *Single detached dwelling* and *accessory buildings* on existing lots of record subject to clearance from the Niagara Peninsula Conservation Authority (NPCA)
  - (5) *Infrastructure*
- (c) Uses pursuant to the Niagara Parks Act on Niagara Parks Commission land in accordance with Section 1.2. *(as amended by 4316C-09, OMB April 8/10-PLO 90912)*

#### 8.8.1.2 Zoning requirements:

(a)	Within 50.0 m of the edge of the feature, an EIS is required to determine the minimum setback.
(b)	Development subject to clearance from the Niagara Peninsula Conservation Authority (NPCA) and the Niagara Parks Act.

#### 8.8.2 Water Feature 1

##### 8.8.2.1 Permitted Uses:

- (a) *Conservation management activities* and uses, subject to an environmental impact study (EIS)
- (b) Public boat launch and dock, subject to an environmental impact study (EIS)
- (c) Existing private boathouses and docks
- (d) Permitted uses adjacent to Water Feature 1:
  - (1) Existing dwellings, buildings and structures
  - (2) Expansions to existing dwellings, building and structures, subject to an environmental impact study (EIS)
  - (3) Existing *accessory buildings and structures* in accordance with Section 6.1, including expansions, subject to an environmental impact study (EIS)
  - (4) *Single detached dwelling* and *accessory buildings* on existing lots of record subject to clearance from the Niagara Peninsula Conservation Authority (NPCA)
  - (5) *Infrastructure*
- (e) Uses pursuant to the Niagara Parks Act on Niagara Parks Commission land in accordance with Section 1.2. (*as amended by 4316C-09, OMB April 8/10-PLO 90912*)

##### 8.8.2.2 Zoning requirements:

(a)	Within 30.0 m of the edge of the feature an environmental impact study (EIS) is required to determine the required minimum setback, with a minimum setback no less than 30.0 m is required. A narrower buffer may be considered where the EIS has demonstrated it will not harm fish or fish habitat, but in no case shall the buffer be less than 15.0 m.
(b)	Development subject to clearance from the Niagara Peninsula Conservation Authority (NPCA) and the Niagara Parks Act

#### 8.8.3 Regional Environmental Conservation Area

#### 8.8.3.1 Permitted Uses:

- (a) *Conservation management activities* and uses, subject to an environmental impact study (EIS)
- (b) Existing *public and private parks*
- (c) Public boat launch and dock, subject to an environmental impact study (EIS)
- (d) Existing private boathouses and docks
- (e) Existing dwellings, buildings and structures
- (f) Expansions to existing dwellings, building and structures, subject to an environmental impact study (EIS)
- (g) Existing *accessory buildings and structures* in accordance with Section 6.1, including expansions, subject to an environmental impact study (EIS)
- (h) *Single detached dwelling* and accessory buildings on existing lots of record subject to clearance from the Niagara Peninsula Conservation Authority (NPCA)
- (i) *Infrastructure*
- (j) Uses pursuant to the Niagara Parks Act on Niagara Parks Commission land in accordance with Section 1.2. *(as amended by 4316C-09, OMB April 8/2010 PLO 90912)*

#### 8.8.3.2 Zoning requirements:

(a)	Within 50 m of the edge of the conservation area an EIS is required to determine the minimum setback
(b)	A single detached dwelling is permitted within a significant woodland on existing lots of record, but will require an Environmental Impact (EIS) study and clearance from the Niagara Peninsula Conservation Authority (NPCA).
(c)	Development subject to clearance from the Niagara Peninsula Conservation Authority (NPCA) and the Niagara Parks Act

#### 8.8.4 NPCA Regulation Area

##### 8.8.4.1 Development subject to NPCA approval

#### 8.8.5 Water body

##### 8.8.5.1 Permitted Uses:

- (a) *Conservation management activities* and uses, subject to an environmental impact study (EIS)

- (b) Public boat launch and dock, subject to an environmental impact study (EIS)
- (c) Existing private boathouses and docks.
- (d) *Infrastructure*
- (e) Permitted Uses adjacent to a water body:
  - (1) Existing *public and private parks*
  - (2) Existing dwellings, buildings and structures
  - (3) Expansions to existing dwellings, building and structures, subject to an environmental impact study (EIS)
  - (4) Existing *accessory buildings and structures* in accordance with Section 6.1, including expansions, subject to an environmental impact study (EIS)
  - (5) *Single detached dwelling* and accessory buildings on existing lots of record subject to clearance from the Niagara Peninsula Conservation Authority (NPCA)
  - (6) *Infrastructure*
- (f) Uses pursuant to the Niagara Parks Act on Niagara Parks Commission land in accordance with Section 1.2. *(as amended by 4316C-09, OMB April 8/10 PLO 90912)*

8.8.5.2 Zoning requirements:

(a)	Development subject to clearance from the Niagara Peninsula Conservation Authority (NPCA) and the Niagara Parks Act
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## **8.9 SITE SPECIFIC EXCEPTIONS**

### **8.9.1 Willowbank School of Restoration Arts – 14487 Niagara River Parkway – See Schedule 'A-25' (I-1) & (OS-1)**

Notwithstanding the provisions of the Institutional (I) Zone, for lands known as Willowbank School of Restoration Arts identified as I-1 and OS-1 on Schedule 'A-25', the following permitted uses and development requirements shall apply:

#### **8.9.1.1 I-1 Permitted Uses:**

- (a) School of Restoration Arts as defined in Section 5
- (b) A *museum* as defined in Section 5

#### **8.9.1.2 I-1 The following secondary uses shall be permitted as secondary uses to the main uses as identified in Section 8.7.1.1:**

An *assembly hall* as defined in Section 5 and including retail uses to a maximum floor area of 18.6 m<sup>2</sup> (200 ft<sup>2</sup>). The assembly hall use is not restricted to students but is open and available to the public.

The maximum total floor area for all secondary uses permitted in Section 8.7.1.2 shall be 130.0 m<sup>2</sup> (1,400 ft<sup>2</sup>)

#### **8.9.1.3 I-1 In addition to the secondary uses permitted in Section 8.7.1.2, an outdoor event area / tent area for a maximum number of two hundred (200) people is permitted subject to a maximum of 6 events each year. An outdoor event area/tent area shall be subject to the following provisions:**

- (a) A minimum setback of twenty (20) m from any residential zone shall be provided.
- (b) Hours of operation shall be limited to between 8 a.m. and 11 p.m.
- (c) The use shall operate seasonally from May 1 to October 31 each calendar year.
- (d) All outdoor lighting shall be deflected away from any residential area.
- (e) A maximum of one (1) event shall be permitted per weekend in the outdoor event tent area. Weekend is defined for the purposes of this By-law as Friday, Saturday and Sunday.

#### **8.9.1.4 I-1 Unless otherwise stated, off-street parking shall be provided in accordance with Sections 6.38, 6.39 & 6.42. Parking for special events as outlined in Section 8.7.1.3 shall utilize off-site parking arrangements. The provisions of Section 6.27, Loading Spaces Requirements, shall not apply.**

8.9.1.5 I-1 Zone requirements:

(a)	Minimum lot area	As existing
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8.9.1.6 Notwithstanding the provisions of the Open Space (OS) Zone, no structural development is permitted on those lands identified as OS-1 on Schedule 'A-25'

**8.9.2 RiverBrink Art Gallery and Library of Arts – 116 Queenston Street – See Schedule 'A-25' (I-2)**

Notwithstanding the provisions of the Institutional (I) Zone, for lands known as the Riverbrink Art Gallery and Library of Arts identified as I-2 on Schedule 'A-25', the following permitted uses shall apply:

8.9.2.1 Permitted Uses:

- (a) *Art gallery*
- (b) *Museum*
- (c) *Library and research establishment*
- (d) *Secondary retail*
- (e) *Accessory buildings and structures*

**8.9.3 137 Queenston Street – See Schedule 'A-25' (ER2-3)**

Notwithstanding the provisions of the Established Residential (ER2) Zone, the following special provisions shall apply to the lands identified as ER2-3 on Schedule 'A-25':

8.9.3.1 Zone requirements:

(a)	Maximum height of dwelling	1 ½ storeys OR 8.53 m (28 ft)
(b)	Any new dwelling will be located on the area identified as ER2-3 on Schedule 'A-25'.	

**8.9.4 25 Princess Street – See Schedule 'A-25' (ER1-4) (as amended by 4316N-11)**

Notwithstanding the provisions of the "Queenston Community Zoning District – Established Residential (ER1) Zone," the following provisions shall apply to lands identified as ER1-4 on Schedule 'A-25'.

8.9.4.1 Permitted Uses:

- (a) *As existing*

8.9.4.2 Zone Requirements:

(a)	As existing
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**8.9.5 61 – 77 Queenston St See Schedule ‘A-25’ (VC-5) (as amended by 4316N-11)**

Notwithstanding the provisions of the “Queenston Community Zoning District – Village Commercial Zone,” the following additional provisions shall apply to lands identified as V-5 on Schedule ‘A-25’.

**8.9.5.1 Zone Requirements:**

(a)	Maximum building height <i>Except where a building abuts a residential zone, the first 6.1 m (20.0 ft) of the building adjacent to a residential zone shall have a maximum building height of 8.5 m (28.0 ft)</i>	10.5 m (34.45 ft)
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**8.9.6 5 Walnut Street – See Schedule ‘A-25’ (RD-6) (as amended by 4316AW-14)**

In the "Queenston Community Zoning District", for those lands identified as RD-6, no land shall be used and no building or structure shall be used, altered or erected except in accordance with the following uses and provisions:

**8.9.6.1 Permitted Uses:**

(a)	As existing
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**8.9.6.2 Zone Requirements:**

(a)	As existing
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**NOTE:** This zone is a development zone intending that the lands so zoned shall be developed for residential purposes at a subsequent date. The appropriate zone category shall be established through a zoning By-law amendment.