

SECTION 7: OPEN SPACE AND PARK ZONE**7.8 CONSERVATION/HAZARD LAND RURAL (P8) ZONE**

Explanatory Note: The P8 Zone applies to all lands identified as a Provincially Significant Wetland in the Rural Hamilton Official Plan.

New development within the P8 Zone may require the approval of a Site Plan Control application, including the submission of an Environmental Impact Statement, to demonstrate that there will be no negative impact on Core Area features, as identified in the Rural Hamilton Official Plan, as a result of the proposed development, prior to the development proceeding.

No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Conservation/Hazard Land Rural (P8) Zone for any purpose other than one or more of the following uses, or uses accessory thereto. Such erection or use shall also comply with the prescribed regulations:

7.8.1 PERMITTED USES

Agriculture
Conservation
Existing Single Detached Dwelling
Flood and Erosion Control Facilities
Recreation, Passive

7.8.2 REGULATIONS**7.8.2.1 REGULATIONS FOR AGRICULTURE AND EXISTING SINGLE DETACHED DWELLING**

New buildings or structures, or expansions to existing buildings and structures, shall not be permitted.

7.8.2.2 REGULATIONS FOR REPLACEMENT OF AN EXISTING BUILDING OR STRUCTURE, INCLUDING EXISTING SINGLE DETACHED DWELLING

- i) Notwithstanding Section 7.8.2.1 above, an existing building or structure which is demolished in whole or in part may be rebuilt provided the setbacks to the building or structure which had existed on the date of passing of the By-law are maintained.
- ii) Notwithstanding (i) above, a maximum encroachment of up to 10% of the existing setbacks, as determined through (i) above, may be permitted.
- iii) Notwithstanding Section 7.8.2.1 above, an existing legally

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established accessory building or structure which is demolished in whole or in part may be rebuilt provided the setbacks, building height, and gross floor area to the building or structure which had existed on the date of passing of the By-law are maintained.

(By-law 19-062, March 27, 2019)

(By-law No. 15-173, July 10, 2015)