

1.44 Policies

- 1.44.1** The general policy is to provide for the maintenance and growth of the airport on those lands designated as Welland-Port Colborne Airport. Expansion of the airport beyond its present designation shall be by amendment to this Plan, except for land acquisition for the purpose of protecting the approach surface to the runways.
 - 1.44.2** Regulations governing land use not aeronautically related including: location, height, landscaping and buffering, parking and loading facilities, and the control of outside storage, shall be set forth in the Zoning By-law. Aeronautical uses are regulated by federal zoning regulations in accordance with the Aeronautics Act.
 - 1.44.3** Non-aeronautical development on lands designated for airport purposes shall be subject to the following:
 - 1.44.3.1** Suitability of the site with respect to environmental and/or physical hazards.
 - 1.44.3.2** Site accessibility.
 - 1.44.3.3** Proposed servicing.
 - 1.44.3.4** Compatibility with and effect on surrounding land uses.
 - 1.44.4** All non-aeronautical uses of land shall be subject to site plan control with the Municipality.
- 3.** Deferral No. 11, identified as the Floodway and Floodfringe designations (Area "6") on Schedule "A", are hereby modified as follows:
- 29.** by deleting the "Floodway" and "Floodfringe" land use designations in their entirety and by replacing them with a "Flood Plain" designation in accordance with the attached, revised Schedule "A".

4. Deferral No. 12, being policies 1.39 and 1.40 are hereby modified as follows:

30. by deleting policies 1.39 and 1.40 in their entirety and by replacing them with the following:

FLOOD PLAINS

The flood plain policies of this plan are intended to control the use and development of these flood plain lands in recognition of their susceptibility to flooding.

1.39 The regulatory flood for the designation of flood plains in Schedule "A" is defined by the 1 in 100 year flood. Where 100 year flood information is not currently available, the Regional Flood shall be used for regulation purposes. Applications/landowners may, at their own expense, generate 100 year flood information.

1.40 The uses permitted on flood plains shall be limited to agriculture, conservation, forestry, wildlife management areas, and non-structural types of development associated with existing public or private parks, existing golf courses and other existing recreational uses.

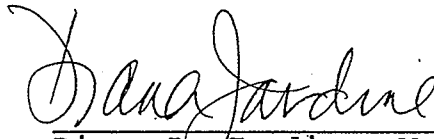
1.40.1 Reconstruction or minor additions to existing structures shall be permitted only if such works are approved by the Niagara Peninsula Conservation Authority, in accordance with Fill, Construction and Alteration to Waterways Regulation.

1.40.2 In cases where some doubt exists as to whether or not a particular parcel of land is affected by the Flood Plain designation, as shown on Schedule "A", verification will be through consultation with the Niagara Peninsula Conservation Authority. If this agency verifies the parcel of land is not within the flood plain, then an amendment to the Flood Plain designation will not be necessary.

- 1.40.3 An amendment to this Plan will not be required for minor changes to the flood plain boundaries which are deemed to be suitable by Council, the Ministry of Natural Resources and the Niagara Peninsula Conservation Authority. Where such changes occur, the appropriate abutting land use designation shall apply and the zoning by-law shall be amended accordingly. In considering requests for changes Council shall have regard for:
- 1.40.3.1 the existing environmental hazards;
 - 1.40.3.2 the potential impact of these environmental hazards;
 - 1.40.3.3 the proposed methods by which impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices, and
 - 1.40.3.4 the costs and benefits expressed in economic, social and environmental terms of any engineering works and/or resources management practices needed to overcome these impacts.
- 1.40.4 All new buildings and structures are prohibited in the flood plain except where such buildings or structures are intended for flood or erosion control or are normally associated with the flood plain or unstable conditions and are approved by the Niagara Peninsula Conservation Authority.
- 1.40.5 All lands designated as Flood Plain on Schedule "A" shall be zoned "Hazard" in an implementing zoning by-law.
- 1.40.6 Implementation of policies 1.40.1 to 1.40.5 will be through the zoning by-law.

- 1.40.7. If it is intended that areas designated as part of the Flood Plain be dedicated to the municipality, such dedication shall not be considered a component of the required land dedication for park purposes pursuant to subsection 51(5) of the Planning Act.
- 1.40.8 All plans to divert, channelize or in any way alter a watercourse with an upstream drainage area greater than 125 hectares shall not proceed without the prior written authorization of the Niagara Peninsula Conservation Authority.
- 1.40.9 There is no obligation to redesignate or to purchase any area designated "Flood Plain".

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