

ADMINISTRATIVE REPORT

Planning – Official Plan Amendment

REPORT: KB-2026-14

TO: Mayor and Council

FROM: Kerry Bellamy, Clerk

Meeting Date: September 22, 2026

SUBJECT: Municipally Initiated Official Plan Amendment (Amendment No. 3 to the Official Plan)

PURPOSE:

To present and receive comments from the public and Council on the proposed Official Plan Amendment (Amendment No. 3) to the Municipality of Shuniah Official Plan (2021). The purpose of the proposed Official Plan Amendment is to implement housekeeping and technical amendments, update policies resulting from recent legislative changes, and to clarify policy language for ease of interpretation and removal of duplication.

RECOMMENDATION:

THAT the report “Municipally Initiated Official Plan Amendment (Amendment No. 3 to the Official Plan)” be received by Council, and that any issues identified or comments received for the proposed Official Plan Amendment be addressed in a future comprehensive report to Council.

LOCATION OF THE PROPOSED AMENDMENT:

The proposed Official Plan Amendment is a municipally initiated Official Plan Amendment that applies generally to the entirety of the Municipality of Shuniah.

BACKGROUND:

The Municipality of Shuniah's Official Plan (the Official Plan) came into effect in 2021 and establishes a planning policy framework for directing and managing land use and development within the Municipality. Since the Official Plan came into effect, several technical, legislative and policy matters have been identified that warrant updates to the Official Plan.

The proposed Official Plan Amendment applies generally to the entirety of the Municipality of Shuniah and does not propose site-specific amendments. Rather, the proposed Official Plan Amendment consists of a series of policy revisions throughout the Official Plan that are intended to improve the clarity, consistency and administration of the Official Plan while ensuring that its policies reflect the current legislative planning framework under the *Planning Act*.

In accordance with the legislative changes to the *Planning Act*, the Official Plan Amendment proposes revisions to the Official Plan to remove policies regarding the former two-year moratorium on privately initiated Official Plan Amendment, Zoning By-law Amendment and Minor Variance applications. Policy amendments are proposed to recognize changes relating to circumstances in which Site Plan Control may be applied and the matters that may be regulated under Site Plan Control.

The Official Plan Amendment also proposes locally contextual policy revisions that adapt to changing municipal circumstances and practices since the approval of the Official Plan.

The proposed Official Plan Amendment is intended to maintain the overall policy direction of the Official Plan while updating and refining its policies to address legislative changes and outdated policies and improve clarity and implementation. A summary and an analysis of the proposed Official Plan Amendment are provided in later sections of this report.

PUBLIC CONSULTATION:

A Notice of the Public Meeting was circulated on August 21, 2026, to prescribed public bodies in accordance with the requirements of the *Planning Act*. The Notice was also published on September 1, 2026, in the Municipality's Newsletter.

Any written comments or oral submissions received prior to or at this Public Meeting will be reviewed and addressed in a future technical report to Council for the proposed Official Plan Amendment.

SUMMARY OF PROPOSED OFFICIAL PLAN AMENDMENT:

The proposed Official Plan Amendment is provided as Attachment 1 to this Report. Additionally, a marked-up version of the Official Plan is provided as Attachment 2 to this Report, which identifies the specific policy changes within the Official Plan. Table 1 below provides a high-level summary of the proposed policy amendments.

Table 1. Summary of Proposed Policy Changes

Applicable Policies	Summary/Effect of Proposed Changes
Throughout entirety of the Official Plan	Updates policies to reference “Provincial Planning Statement (2024)” instead of “Provincial Policy Statement (2020)”.
1.3 – Purpose and Effect	Adds a policy that specifies that the Municipality may eliminate the requirement for a public meeting for administrative changes to the Official Plan that do not affect policy intent or application, to consolidate previously approved amendments, and for plans of subdivision, as the Municipality deems appropriate. This policy addition does not eliminate the need to fulfill any statutory requirements under the <i>Planning Act</i> .
2.2.1 – Intent of the Designation	Adds clarification regarding the intent of the R1, R1a, and R1b designations within the overall Residential land use designation.
Various policies with respect to Site Plan Control	Updates various policies for Site Plan Control to recognize legislative changes to the <i>Planning Act</i> respecting the scope and application of Site Plan Control and to provide flexibility in determining when Site Plan Control may be appropriate, subject to provisions of the <i>Planning Act</i> .
3.6 Forestry and Wildland Fire - Forestry	Adds clarification that the 30-metre requirement for maintenance of forest cover and riparian vegetation is to be applied from the top of river and stream banks.
3.13.1 Wastewater	Minor wording adjustments that provide technical/policy clarification for wastewater requirements for all development.
3.13.2 Protection of Water Resources – Drinking Water	Adds a policy to recognize recent and increased blue-green algae outbreaks in Shuniah Lakes and along the Lake Superior shoreline to ensure the appropriate drinking water resources are in place for new development/lot creation.
3.13.2 Protection of Water Resources – Shoreline Development	Adds stronger policy language to ensure that development is adequately setback from the shoreline and that any setback reductions are supported by the applicable/appropriate agencies.
3.13.3 Stormwater Management	Adds certain residential developments to the list of uses required to submit stormwater management plans as part of new applications to ensure public and environmental health and safety.
3.17.3 Tourist Commercial Development	Deletion of duplicative policy wording.
3.20.6 Residential Facilities	Updates to policy section to use appropriate terminology consistent with the Provincial Planning Statement 2024 (i.e. “additional needs housing” instead of “residential facilities”).
4.2 Subdivision of Land -	Updates requirements for Consent applications including,

Consent	lot size and servicing requirements, requirements for practical dry land (for waterfront lots) and driveway access requirements.
4.4.3 Studies and Other Documentation	Updates to specify all applicable sections and prescribed information under the <i>Planning Act</i> when assessing complete application requirements.
4.6 Parkland Dedication	Housekeeping update to clarify the terminology from “condo” to “condominium”.
4.7 Zoning By-law, 4.15 Minor Variance, 4.16 Official Plan	Removes policies regarding the former two-year moratorium on privately initiated Official Plan Amendment, Zoning By-law Amendment and Minor Variance applications.

ANALYSIS:

The proposed Official Plan Amendment is intended to update the Municipality of Shuniah Official Plan to reflect legislative changes to the *Planning Act* since the approval of the Official Plan in 2021, while also introducing housekeeping and technical amendments, and clarifying policy language to improve interpretation, administration and implementation of the Official Plan. The proposed amendments are intended to maintain the overall policy direction and intent of the Official Plan while ensuring that its policies remain current and consistent with applicable provincial legislation and policy.

The analysis below considers the proposed Official Plan Amendment in the context of the *Planning Act*, the Provincial Planning Statement (2024), and the Municipality of Shuniah Official Plan (2021).

The *Planning Act*

Since the approval of the Municipality of Shuniah Official Plan in 2021, the Province has enacted several legislative changes to the *Planning Act* that affect municipal planning policy and development approvals.

The More Homes Built Faster Act, 2022 (Bill 23) was introduced as part of the Province’s broader Housing Supply Action Plan to increase housing supply and accelerate the development approvals process. Bill 23 received Royal Assent on November 28, 2022, after the approval of the Official Plan. Among other amendments, Bill 23 repealed provisions of the *Planning Act* that established restrictions on the timing of certain privately initiated planning applications following the approval of an Official Plan or Zoning By-law.

Accordingly, the proposed Official Plan Amendment proposes to remove policies from Sections 4.7 Zoning By-law, 4.15 Minor Variance, and 4.16 Official Plan that reflect the former two-year moratorium on privately initiated Official Plan Amendment, Zoning By-law Amendment and Minor Variance applications. The removal of these policies will ensure that the Official Plan does not continue to impose requirements that are no

longer established under the *Planning Act*.

Bill 23 also introduced amendments to Section 41 of the *Planning Act* respecting Site Plan Control. Among other changes, Bill 23 narrowed the circumstances in which Site Plan Control may apply and limited the matters that may be addressed through the Site Plan Control process, such as restricting exterior design from matters that may be regulated. The *Helping Homebuyers, Protecting Tenants Act, 2023* (Bill 97) made further amendments to the Site Plan Control provisions under the *Planning Act*, which provided the Minister with regulation-making authority to identify circumstances in which residential development containing 10 or fewer units could remain subject to Site Plan Control. Regulations subsequently established prescribed areas, including lands within specified distances of shorelines, wetlands, certain watercourses and railway lines, where municipalities may continue to use Site Plan Control.

The proposed Official Plan Amendment updates the Official Plan's Site Plan Control policies to reflect this legislative framework and clarify the circumstances in which Site Plan Control may be applied. The proposed amendments are intended to provide an appropriate degree of municipal flexibility while ensuring that the application of Site Plan Control remains subject to the requirements and limitations established under the *Planning Act* and applicable regulations.

The proposed Official Plan Amendment also introduces changes relating to public meeting requirements. These proposed amendments are intended to clarify the circumstances in which a public meeting may not be required for certain administrative or technical amendments, where permitted by the *Planning Act* and its regulations. The proposed policies are not intended to reduce or replace any statutory requirement for public meetings and are to be applied in accordance with the applicable requirements of the *Planning Act*.

Based on the analysis provided above, the proposed Official Plan Amendment appropriately updates the policies in the Official Plan to reflect changes to the *Planning Act* and ensures that the Official Plan reflects the current provincial legislative framework.

Provincial Planning Statement (2024)

At the time the Municipality of Shuniah Official Plan was approved, the Provincial Policy Statement 2020 (PPS 2020) was the in-effect Provincial planning policy statement. The PPS 2020 was replaced by the Provincial Planning Statement 2024 (PPS 2024), which came into effect on October 20, 2024.

The proposed Official Plan Amendment updates reference throughout the Official Plan from the PPS 2020 to PPS 2024, and updates terminology, where appropriate, to reflect the current provincial planning framework. For example, terminology relating to "residential facilities" in the Official Plan is proposed to be updated to "additional needs housing" to align with terminology used in the PPS 2024 to improve clarity and consistency.

The proposed amendments also implement municipal planning considerations relating to wastewater infrastructure requirements, the protection of water resources (drinking water and with respect to shoreline development) and stormwater management considerations. The proposed amendments are intended to strengthen the Municipality's ability to appropriately manage and direct development, and address public and environmental health and safety. The proposed amendments are consistent with the policy direction provided in the PPS 2024 respecting the efficient use and management of infrastructure, protection of water resources and protection of public and environmental health and safety.

Municipality of Shuniah Official Plan (2021)

The proposed Official Plan Amendment includes housekeeping and policy clarification amendments. These proposed amendments are intended to improve the clarity, consistency and administration of the Official Plan, remove unnecessary duplication and clarify the intended application of policies.

The proposed Official Plan Amendment also updates policies relating to Consent applications, including lot size and servicing requirements, practical dry land requirements for waterfront lots, and driveway access. Additional policy updates address shoreline development, servicing and the protection of water resources for development more generally.

Overall, the proposed Official Plan Amendment maintains the established vision, objectives and policy direction in the Official Plan. The amendments primarily address provincial legislative changes as required, while improving clarity and implementation of policies and addressing specific municipal planning considerations, to facilitate the effective implementation of the overall planning framework in the Official Plan.

CONCLUSION:

The proposed Official Plan Amendment consists of a series of policy revisions throughout the Official Plan that are intended to improve the clarity, consistency and administration of the Official Plan while ensuring that its policies reflect the current legislative planning framework under the *Planning Act*. As detailed in the Analysis section of this Report, the proposed Official Plan Amendment has regard for the provisions of the *Planning Act* and implements necessary legislative requirements, is consistent with the PPS 2024 and facilitates the effective implementation of the Official Plan.

ATTACHMENTS:

1. Attachment 1 – Proposed Official Plan Amendment (Draft)
2. Attachment 2 – Marked-up Official Plan of Proposed Amendments

PREPARED BY:

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