



CORPORATION OF THE TOWN OF HUNTSVILLE

BY-LAW NUMBER 2026-XX

(Height and Density Evaluation Criteria)

**Being a by-law to amend Community Planning Permit By-law 2022-97
as amended, of the Corporation of the Town of Huntsville**

WHEREAS the council of the Corporation of the Town of Huntsville finds it expedient to amend Community Planning Permit By-law 2022-97, as amended;

AND WHEREAS authority to pass this by-law is provided by Section 24 & 34 of the Planning Act, R.S.O, 1990. c. P. 13 and amendments thereto;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF HUNTSVILLE ENACTS AS FOLLOWS:

1. Section 2.5 – “Increased Height and Density” is hereby further amended by deleting the words “this Plan” and replacing them with the words “the Official Plan” in subsection 2.5.1.(a).
2. Section 2.5 – “Increased Height and Density” is hereby further amended by deleting the words “community benefit” and replacing them the words “facilities, services and matters for community benefits” in subsections 2.5.1.(c) and 2.5.1.(d).
3. Section 2.5 – “Increased Height and Density” is hereby further amended by adding the following after subsection 2.5.1.(d):
 - 2.5.1.(e) Demonstrates conformity with the Height and Density Review Guideline, as amended from time to time, where applicable.
4. Section 2.5 – “Increased Height and Density” is hereby further amended by deleting subsection 2.5.2 and replacing it with the following:
 - 2.5.2 A Height and Density Suitability Map, which illustrates lots that are Highly Suitable for increased height and density, is found in Appendix E to this By-law.

The following provisions shall apply to any new multiple residential or mixed use developments on a lot located within an area of High Suitability for increased height and density:

- a) The Multi-Residential Development Height definition shall apply to the calculation of building height;
- b) The maximum permitted building height shall be 15m; and
- c) Any building exceeding 11m or 3 storeys in height shall comply with the performance standards in the Sections 2.5.3 and provide facilities, services and matters for community benefits in accordance with Section 2.5.4.

2.5.3 Where any new multiple residential or mixed use development includes buildings exceeding 11m or 3 storeys in height, the following performance standards shall apply:

2.5.3.1 Step-backs:

Step-backs shall be provided in accordance with the following standards:

- a) A 3m step-back is required from the building façade for all additional storeys facing the front, exterior side, and interior side yards, except where the lot abuts an Urban Residential – Low (UR1) precinct of Urban Residential – Shoreline (URS) precinct;
- b) For lots abutting an Urban Residential – Low (UR1) precinct or Urban Residential – Shoreline (URS) precinct, a 1.5m step-back shall be required from the building façade for the third storey facing the interior side yard and a 4.5m step back shall be required from all other additional storeys facing the interior side yard; and
- c) In addition to a) and b), where a property abuts a defined top of bank of a steep slope, an additional step-back from the building façade for all additional storeys facing the steep slope shall be required as deemed appropriate in a Landscape and Visual Impact Study prepared to the satisfaction of the Director of Development Services or designate.

2.5.3.2 Landscape Buffers:

Landscaping shall be provided in accordance with the following standards in addition to the requirements set out in Section 2.12:

- a) Landscape buffers shall first be comprised of existing mature vegetation at a minimum width of 5m or such alternative width determined appropriate by a qualified professional in a Tree Inventory and Preservation Plan prepared to the satisfaction of the Director of Development Services or their designate;
- b) Landscape buffers containing existing mature vegetation shall:
 - i. Provide visual screening;
 - ii. Consist of native species;
 - iii. Contain a mixture of trees and shrubs; and
 - iv. Include a minimum of 1 mature tree per 30m² of required buffer;
- c) Where existing mature vegetation is not present, abundant, or satisfactory, landscape buffers shall be double the minimum requirements as noted in Section 2.12;
- d) Where landscape buffers do not include existing mature vegetation, a privacy fence shall be installed along the full lengths of interior and rear property lines at a minimum height of 1.8m and provide continuous solid screening in accordance with the provisions outlined in Section 2.8;
- e) A Tree Inventory and Preservation Plan may be required where topography and site constraints warrant additional information; and
- f) No variation shall be granted for reduced landscape buffers along the interior and rear lot lines of a property

2.5.3.3 Rooftop Mechanical Penthouses:

Rooftop Mechanical Penthouse or similar structures shall be provided in accordance with the following standards:

- a) Rooftop mechanical penthouses or similar structures shall be screened from public view through roof-top siting location, integration into the design of the building and/or enclosures clad in materials and/or colours that are consistent or complementary to the building;
- b) Rooftop mechanical penthouses or similar structures shall be set back a minimum of 3m from the building edge and in the centre of the building rooftop; and
- c) A rooftop mechanical penthouse shall not cover an area greater than 60 percent of the total floor area of the top storey and shall not exceed 3.5m in height.

2.5.3.4 Parking Lots and Underground Parking:

- a) Parking areas will not be located in front yards or between the building line and the street (lot) line.
- b) Underground parking areas that exceed 1.8m above finished grade shall be integrated into the design of the building and/or enclosure, and clad in materials and/or colours that are consistent or complementary to the building.

2.5.3.5 Windows and Balconies;

- a) Where a building has a commercial use on the first storey, no less than 75 per cent of the surface area shall be comprised of transparent windows.
- b) Where balconies face an interior side yard, the minimum interior side yard setback shall be 7.5m.

2.5.3.6 On site Amenities:

- a) For mixed use developments, a bicycle rack that can accommodate a minimum of 1 bicycle per commercial unit shall be provided abutting the public street.
- b) Bicycle parking/storage shall be provided at a rate of 0.2 spaces per residential unit.

- c) Bicycle parking/storage shall be 0.6m wide by 1.8m in length and can be provided horizontally, vertically, or stacked and be contained within the building.
- d) A combination of indoor and outdoor amenity areas for occupants/residents shall be provided at a minimum rate of 2.0m² per dwelling unit. Amenity areas shall not include areas within the dwelling units and areas of exclusive use.
- e) Indoor and outdoor amenity areas may include but are not limited to the following:
 - i. Accessible rooftop or terrace;
 - ii. Seating lobby area;
 - iii. Courtyard;
 - iv. Outdoor patio area;
 - v. Play area;
 - vi. Sports court;
 - vii. Fitness area;
 - viii. Event room or lounge; or
 - ix. Swimming pool

2.5.3.7 Variations to one or more of the performance standards noted in 2.5.3.1 to 2.5.3.7 will be subject to a Class 3 Community Planning Permit application.

2.5.4 Facilities, services and matters for community benefits that may be considered by the Town under Section 2.5.1.(c) and (d) and 2.5.2.(c) may include:

- a) smart value housing, special needs housing or social housing;
- b) conservation of cultural heritage resources contained within the Municipal Heritage Register;
- c) buildings that incorporate sustainable design features;
- d) energy and/or water conservation measures;
- e) public art;
- f) non-profit arts, cultural, or community or institutional facilities;
- g) public transit infrastructure, facilities, and/or services;
- h) public parking;
- i) land for municipal purposes;

- j) parkland and improvements to parks in excess of the Planning Act requirements;
- k) active transportation amenities, such as signage, seating, washrooms, lighting, parking and other facilities; or
- l) a cash contribution in lieu of a community benefit.

2.5.5 The proportional monetary value of the facilities, services, and matters for community benefits to be provided in exchange for increased height or density will be based on a broad Town-wide rate, where feasible, to be determined based on assessments of development related economic conditions in the Town of Huntsville conducted periodically by a qualified professional, or on a case-by-case basis through a site-specific Proforma Assessment prepared by a qualified professional to the satisfaction of the Director of Development Services or designate. Such an assessment may establish an appropriate monetary value for the community benefits based on the lift value resulting from the increased height or density proposed in the development.

2 Section 4.2 – “Residential Precincts - Table 4.2.8 – Lot Requirements” is hereby further amended by adding the following “notes (f) and (g)” to the Building Height (Maximum) requirements in row (xxi) within the Urban Residential – High Precinct column:

Note (f) Where a property has been identified on Appendix E as being within an area of High Suitability for increased height and density, a maximum height of 15m shall be permitted provided facilities, services and matters for community benefits as outlined in Section 2.5.4 of the By-law are provided.

Note (g) Where development is proposed within a Hill Crown Overlay, no height increase beyond 11m shall be permitted.

3 Section 4.5 – “Mixed Use Precincts – Table 4.5.3 – Permitted Uses – Principal Uses” is hereby further amended by adding the following “note (c)” to the “Dwelling, Multiple” use in row (vii) within the Central Business District Precinct and Urban Mixed Use Precinct columns:

Note (c) For all mixed-use development that include multiple dwelling units, only commercial uses shall be permitted on the first storey of a building.

- 4 Section 4.5 – “Mixed Use Precincts – Table 4.5.5 – Lot Requirements” is hereby further amended by adding the following “notes (g), (h), and (i)” to the Building Height (Maximum) requirements in row (xiv) within the Central Business District Precinct and Urban Mixed Use Precinct columns:

Note (g) For all new mixed-use development, excluding the Central Business District (CBD) along Main Street East between Lorne Street and John Street, the first storey shall have a maximum height of 4.3m.

Note (h) Where a property has been identified on Appendix E as being within an area of High Suitability for increased height and density, a maximum height of 15m shall be permitted provided facilities, services and matters for community benefits as outlined in Section 2.5.4 of the By-law are provided.

Note (i) Where development is proposed within a Hill Crown Overlay, no height increase beyond 11m shall be permitted.

- 5 Where definitions are added or revised, all references shall be formatted in bold text throughout the Bylaw.

- 6 Section 5 – “Definitions – Grade, Finished” is hereby further amended by deleting the definition and replacing it with the following:

GRADE, FINISHED means the average elevation of the finished surface of ground around the perimeter of a building or structure, except localized depressions which do not exceed 20% of the width of the building or structure or 4m whichever is the greater, such as for vehicle or pedestrian entrances.

- 7 Section 5 – “Definitions – Height” is hereby amended by deleting the definition and replacing it with the following:

HEIGHT means, with reference to a building or structure, the vertical distance measured from the average finished grade on the side of the building facing the front lot line or exterior side lot line, whichever results in the greatest height measurement of the building or structure or from the side of the building facing the shoreline on a lot that abuts a watercourse to:

- a. in the case of a flat roof or shed-style roof, the highest point of the roof surface, or the parapet, but not including glass railings, whichever is the greater;
- b. in the case of the mansard roof, the roof deck line;
- c. in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge, but in calculating the height of a building, any construction used as ornament or for the mechanical

operation of the building such as a mechanical penthouse or a chimney, tower, cupola or steeple is not to be included;

- d. 75% of the height of the roof ridge of an A-framed structure. For the purposes of this By-law, A-frame refers to the roof extending from the peak to where it meets the ground (finished grade or natural grade);
- e. in the case of combined roof styles, or a roof type not described above, the highest point of the roof surface;
- f. With reference to a building or structure partially or entirely on or over the water, height shall be measured from the elevation of the high-water mark.

- 8 Section 5 – “Definitions – Storey” is hereby further amended by deleting the definition and replacing it with the following:

STOREY means the interval between two successive floor levels or between a floor level and roof.

- 9 Section 5 – “Definitions” is hereby further amended by adding definitions for “Hill Crowns”, “Natural Grade”, “Multi-Residential Development Height”, “Landscape Buffer”, “Landscape Open Space”, “Mature Vegetation”, “Native Vegetation”, “Ridge Line”, “Significant View”, “Step Back”, “First Storey”, and “Tree Line” as follows:

HILL CROWN means the highest portion of a prominent landform within Huntsville’s Urban Settlement Area, including the hill peak and all adjacent lands lying within a 10 metre vertical elevation of that peak, as illustrated in “Appendix E”.

GRADE, NATURAL means the grade as determined by the natural topography that existed before alteration, as indicated by the best available historical data.

HEIGHT, MULTI-RESIDENTIAL DEVELOPMENT means, with reference to any mixed-use, townhouse, or multiple dwelling buildings or structures, the vertical distance measured from the lesser of either the natural or finished grade, level around the perimeter of the building or structure, whichever results in the greatest height measurement;

- a. in the case of a flat roof or shed-style roof, the highest point of the roof surface, or the parapet, but not including glass railings, whichever is the greater;
- b. in the case of the mansard roof, the roof deck line;
- c. in the case of a gable, hip or gambrel roof, the mean heights between the eaves and ridge, but in calculating the height of a building, any construction used as ornament or for the mechanical operation of the building such as a mechanical penthouse or a chimney, tower, cupola or steeple is not to be included;
- d. 75% of the height of the roof ridge of an A-framed structure. For the purposes of this By-law, A-frame refers to the roof extending from

the peak to where it meets the ground (finished grade or natural grade);

- e. in the case of combined roof styles, or a roof type not described above, the highest point of the roof surface;
- f. With reference to a building or structure partially or entirely on or over the water, height shall be measured from the elevation of the high-water mark.

LANDSCAPE BUFFER means portions of a subject property that is required to contain and preserve existing mature vegetation or revegetated areas. Where planting is required within these areas on a property, it shall be done so in accordance with the Revegetation Guidelines for Landscape Buffers included in the Height and Density Development Guideline Document.

LANDSCAPED OPEN SPACE means open unobstructed space on a lot, which is suitable for the growth and maintenance of grass, flowers, bushes, trees and other landscaping and can include patio and seating areas at grade but does not include any walkway, driveway or ramp, curb, retaining wall or parking area. Landscaped open space may include a rooftop patio, green roof, blue roof or greenspace.

MATURE VEGETATION means plant species that have grown to reach their expected full height, canopy, or have filled in according to their expected characteristics and are showing signs of maturity.

NATIVE VEGETATION means plants that have naturally grown in a certain area or zone for an extended period of time, forming symbiotic relationships with surrounding flora and fauna. This type of vegetation contains benefits by being adaptive to the environmental growing conditions, winter climate, requires less water, lower maintenance, and provides habitat for local species. For the Muskoka Region, specifically Huntsville, native plants, suitable for Zone 4b according to Canada's Plant Hardiness Zones should be chosen for landscaping.

RIDGELINE means a natural crest of land that varies in topography in combination with multiple tree lines that create a continuous vantage of vegetation against the skyline when viewed from a distance.

SIGNIFICANT VIEW means a portion of the landscape of collective value to Huntsville's natural and built character that can be observed from a viewpoint accessible to the public including but not limited to travel routes, settlements, public use areas, tourism facilities, and parks.

STEP-BACK means a portion of a building that is horizontally set back from the building face immediately below it.

STOREY, FIRST means the storey closest to the finished grade and where the portion of a building has more than 1.8m or 50% of its height above average finished grade.

TREE LINE means the average height of undisturbed mature vegetation canopies. The tree line shall be determined by vegetation on an individual properties, directly abutting, and within the immediate area surrounding a property.

- 10 Appendix A – Study Requirement (hh) shall be revised with the insertion of the words “landscape and” before the words “visual impact study”.
- 11 Appendix A – Study Requirement shall be revised with the insertion of the following:

(II) Proforma Assessment
- 12 “Appendix E – Suitability Map for Increased Height and Density” as shown in Schedule “I” to this Bylaw is hereby added.
- 13 Schedule “I” attached hereto, is hereby made part of this Bylaw.
- 14 That this By-law shall take effect on the date of passage and shall come into force in accordance with Sections 24 and 34 of the Planning Act, R.S.O., 1990.

READ a first, second and third time and finally passed this XX day of MONTH 2026.

Mayor (Nancy Alcock)

Clerk (Tanya Calleja)

Schedule "I" (Appendix E – Suitability Map for Increased Height and Density)



Appendix E: Suitability Map for Increased Height and Density
Huntsville Urban Area

Legend

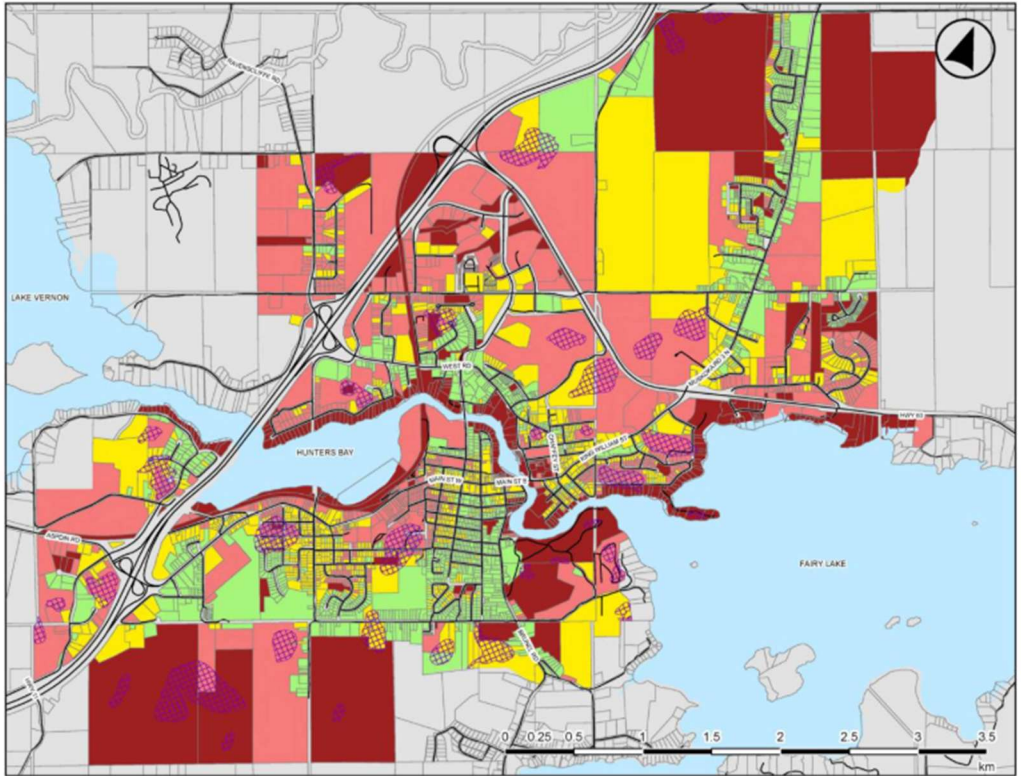
- High
- Medium
- Low
- Not Suitable
- Hill Crowns Overlay
- Roads Network
- Lakes
- Parcel Fabric

Information

Each item is weighted using the Analytic Hierarchy Process. Each is assigned a weight value and combined together for an overall score.

Map is generated from GIS files 2002-07 and is considered an Official Plan 2022 as amended.

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