

VILLAGE OF HUSSAR
LAND USE BYLAW 563-24
DRAFT

Adopted xx, 2025



VILLAGE OF HUSSAR
BYLAW NUMBER # 563-24

BEING A BYLAW OF THE VILLAGE OF HUSSAR IN THE PROVINCE OF ALBERTA TO
ESTABLISH A NEW LAND USE BYLAW

WHEREAS pursuant to the provisions of Section 640(1) of the *Municipal Government Act, RSA, Chapter M-26* as amended, the Council of a Municipality must, by Bylaw, adopt a land use bylaw;

AND WHEREAS Council has undertaken a major review of the Land Use Bylaw 543-22;

AND WHEREAS Council, having considered at a public hearing the concerns of persons claiming to be affected by the land use bylaw, believes that a new land use bylaw should be enacted to achieve the orderly, economical and beneficial use of land in the municipality;

NOW THEREFORE, the Council of the Village of Hussar in the province of Alberta, duly assembled, enacts as follows:

1. This Bylaw shall be known as “The Village of Hussar Land Use Bylaw”.
2. The Village of Hussar Land Use Bylaw being Schedule “A” as attached to and forming part of this Bylaw is hereby adopted.
3. Bylaw 543-22 and all amendments are hereby repealed.
4. This Bylaw takes effect on the date of the third and final reading.

READ A FIRST TIME THIS ____ DAY OF _____, 2024.

READ A SECOND TIME THIS ____ DAY OF _____, 2025.

READ A THIRD TIME AND PASSED THIS ____ DAY OF _____, 2025.

MAYOR
OFFICER

CHIEF ADMINISTRATIVE

OFFICE CONSOLIDATION

This document is a consolidation of Land Use Bylaw 563-24 with one or more revising and amending bylaws. Anyone making use of this consolidation is reminded that it has no legislative sanction. Amendments have been included for convenience of reference only. The approved bylaws should be consulted for all purposes of interpreting and applying the law.

Bylaws included in this consolidation:

Bylaw No.	Affected Section	Description	Date

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Part 1 Purpose and Application

1 PURPOSE AND APPLICATION OF THE LAND USE BYLAW

1.1 TITLE

1.1.1 The title of this Bylaw shall be the Village of Hussar Land Use Bylaw.

1.2 PURPOSE

1.2.1 The purpose of this Bylaw is to regulate and control or to prohibit the uses and development of land and buildings within the Municipality to achieve fair, orderly, and economic development of land as well as to:

- (a) divide the Municipality into districts;
- (b) prescribe and regulate for each district, the intent and purpose for which land or buildings may be used;
- (c) establish a method of making decisions on applications for Development Permits including the issuing of Development Permits;
- (d) establish a method of making decisions on applications for Subdivision Approval and the issuing of a decision; and
- (e) prescribe the procedure to notify owners of land likely to be affected by the issuance of a Development Permit.

1.3 APPLICATION

1.3.1 This Bylaw shall apply to the whole of the Village of Hussar, being all lands contained within its boundaries.

1.3.2 No person shall commence any development within the Village of Hussar except in conformity with this Bylaw.

1.3.3 Compliance with the requirements of this Bylaw does not exempt any person from the requirements of any adopted statutory plan, including the Municipal Development Plan, and any applicable Intermunicipal Development Plans and Area Structure/Redevelopment Plans.



Part 2 Interpretation

2 INTERPRETATION OF THE LAND USE BYLAW

2.1 RULES OF INTERPRETATION

- 2.1.1 Unless otherwise required by the context, words used in the present tense include the future tense; and the word person includes a corporation as well as an individual. The Alberta Interpretation Act shall be used in interpretation. Words have the same meaning whether they are capitalized or not. Gender specific terms shall be taken to mean any gender.
- 2.1.2 The words “shall” and “must” require mandatory compliance except where a variance or relaxation has been granted pursuant to the *Act* or this Bylaw. “May” means a choice is available, with no particular direction or guidance intended.
- 2.1.3 Where a regulation involves two or more conditions or provisions connected by the conjunction “and” means all the connected items shall apply in combination; “or” indicates that the connected items may apply singly; and “and/or” indicates the items may apply singly or in combination.
- 2.1.4 The written regulations take precedence over any diagrams if there is a perceived conflict.
- 2.1.5 The Land Use District Map (Found in Part 9) takes precedence over any diagram in the district regulations if there is an apparent conflict.

2.2 DISTRICT BOUNDARIES

- 2.2.1 Where a boundary is shown as approximately following the Municipal boundary, it follows the Municipal Boundary.
- 2.2.2 Where a boundary is shown as approximately following a property line, it follows the property line.
- 2.2.3 Where a boundary is shown as approximately following a topographic contour line or a top-of-bank line it follows that line. In the event of change of the topographic line, it shall move with that line.
- 2.2.4 Where a boundary is shown as being parallel to or as an extension of any of the features listed above, it shall be so.
- 2.2.5 In circumstances not covered above, the boundary shall be determined by a resolution of Council.

2.2.6 When any public roadway is closed, the roadway lands have the same district as the abutting land. When abutting lands are governed by different districts, the centre of roadway is the district boundary unless the district boundary is shown clearly following the edge of the roadway. If the roadway is consolidated with an adjoining parcel, the parcel’s district designation applies to affected portions of the roadway.

2.3 DEFINITIONS

2.3.1 Words and terms used in this Bylaw shall have the same meaning as given to them in the Municipal Government Act, Revised Statutes of Alberta, 2000, Ch. M-26, as amended, unless otherwise defined in this section.

2.3.2 When no definition is provided in the Municipal Government Act, the Alberta Interpretation Act or this Bylaw, Webster’s New Collegiate Dictionary shall be used.

TERM	DEFINITION
A	
ABATTOIR	means the use of land or buildings as a facility for the slaughtering of animals and the processing of meat products
ABUT or ABUTTING	means immediately contiguous to, or physically touching, and when used with respect to a lot or a site, means that the lot or site physically touches another lot, site, or development, and shares a property line or boundary line with it.
ACCESSORY BUILDING OR STRUCTURE	means a building or structure, the use of which is incidental or subordinate to the use of the principal building which is located on the same parcel. A structure which is attached to the principal building by a roof, a floor or a foundation is not an accessory building, it is to be considered part of the principal building. Examples include, but are not limited to, sheds, greenhouses detached garages, and gazebos.
ACCESSORY USE	means the use which, in the opinion of the Development Officer, is subordinate or incidental to the principal building or use located on the same site or the purpose and intent of the Land Use District in which the use is proposed.
ACCESSORY BUILDING – FABRIC COVERED	means a building or structure that is related to, but is incidental or subordinate to, the use of the principal building located on the same parcel. An Accessory Building - Fabric Covered is designed by virtue of easy assembly and dismantling, commercially constructed of metal or synthetic tube and fabric, plastic or similar materials, and covered with waterproof sheeting, synthetic sheeting or plastic film.

ACCESSORY BUILDING – SHIPPING CONTAINER	means where a shipping container is used to accommodate an accessory use that is related to, but is incidental or subordinate to, the principal use of the parcel.
ACT	means the Municipal Government Act, Revised Statutes of Alberta 2000, Ch. M-26, as amended, and any parallel or successor legislation.
ADJACENT	means land that is contiguous to the parcel of land proposed for development, subdivision or re-designation and includes land that would be contiguous if not for a highway, street, road, river, or stream.
AGRICULTURAL SUPPLY DEPOT	means a facility for the purpose of supplying goods, materials, and/or services that support agricultural uses, whether retail, wholesale, or in bulk. This shall include such goods and services as sale and storage of seeds, feeds, fertilizers, chemical products, fuels, lubricants, parts or the rental, sale, repair and servicing of farm machinery and equipment but does not include the buying or selling of farm produce or animals.
AMUSEMENT CENTRE	means a facility or establishment that provides amusement, entertainment, or games through the use of any coin or token operated machine or device. The machine or device may be mechanical, electrical, or electronic.
APPEAL BODY	means the board hearing a subdivision or development permit appeal in accordance with the Act.
ART AND CRAFT STUDIOS	means development used for the purpose of small scale, on-site production of goods by hand or manufacturing primarily involving the use of hand tools. Typical uses include pottery, ceramic and sculpture studios, jewelry and toy manufacturing and artist studios.
AUTO BODY AND PAINT SHOP	means premises where the bodies, but not other parts, of motor vehicles are repaired and where motor vehicle bodies and other metal machine components or articles may be painted.
AUTOMOTIVE REPAIR AND SERVICE	means a use for the servicing and repair of motor vehicles within a building, excluding an auto body and paint shop, and includes such facilities as alignment shops, muffler shops, transmission repair shops, rustproofing, brake shops and other similar uses.
AUTOMOTIVE SALES	means a use where motor vehicles are sold or leased, where vehicles are stored or displayed and may have a building for administrative functions associated with the use.
AVERAGE GRADE	means the average elevation at the mid-point along the front parcel line and the finished ground elevation at the rear of the building. *See “ Building Height ” definition for diagram

B	
BALCONY	means a projecting platform on a building, which is enclosed by a railing and is greater than 0.6 m above grade. It may be cantilevered from the building or supported from below.
BAY	means a self-contained unit of part of a building, or of the whole building, which can be sold or leased for individual occupancy.
BARELAND CONDOMINIUM	means land that is situated within a parcel and is a unit in a bareland condominium plan or a proposed bareland condominium plan.
BASEMENT	means that portion of a building or structure which is wholly or partially below grade and has no more than 1.8 m of its clear height above grade and lies below the finished level of the floor directly above. A basement does not constitute a storey for the purpose of this Bylaw.
BED AND BREAKFAST	means a principal dwelling where sleeping accommodation, with or without light meals, is provided to members of the travelling public for remuneration.
BUFFER	means a row of trees, shrubs, earth berm, or fencing to provide visual screening and separation between sites and districts.
BUILDING	means a roofed structure with solid exterior walls and which is used or intended to be used as a shelter for persons, animals, equipment, or goods and services.
BUILDING HEIGHT	means the vertical distance measured from the average grade and the highest point of a building, excluding a roof, stairway entrance, elevator shaft, ventilating fan, skylight, steeple, chimney, smoke stack, fire wall or parapet, flagpole, antenna structures or similar devices not structurally essential to the building.

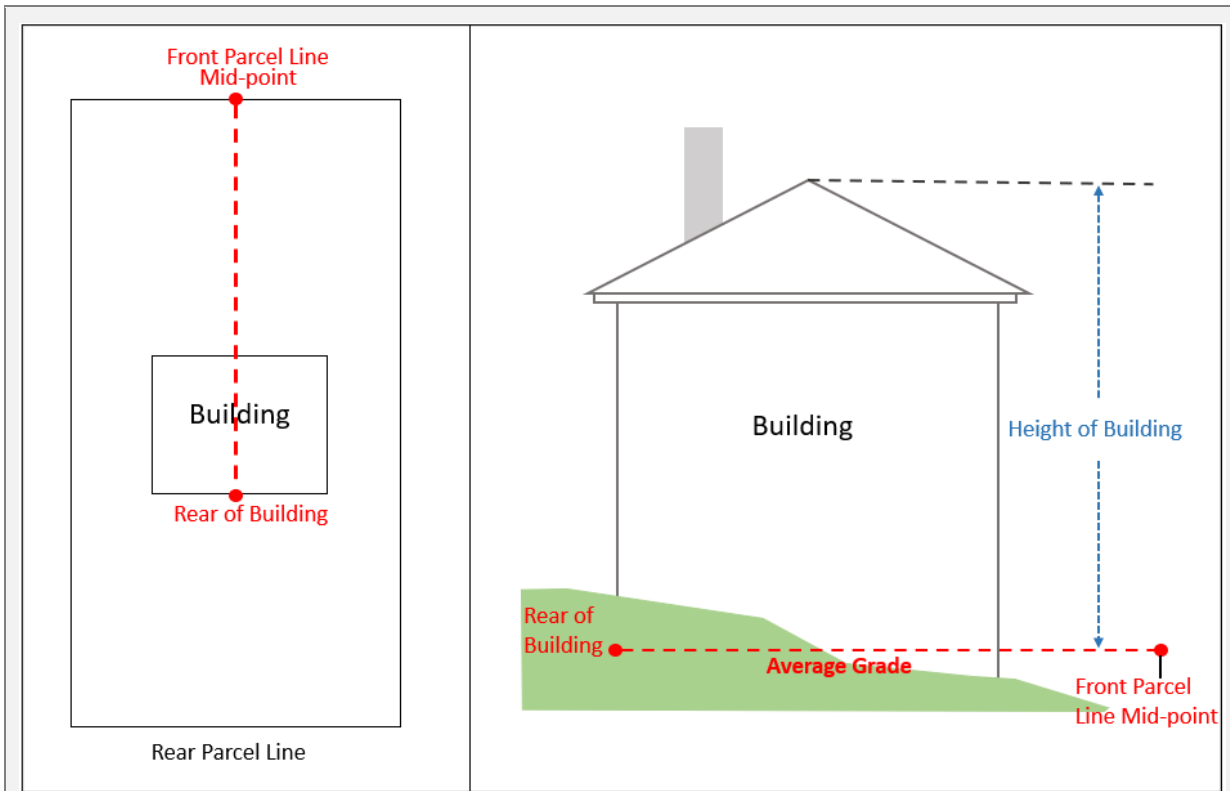


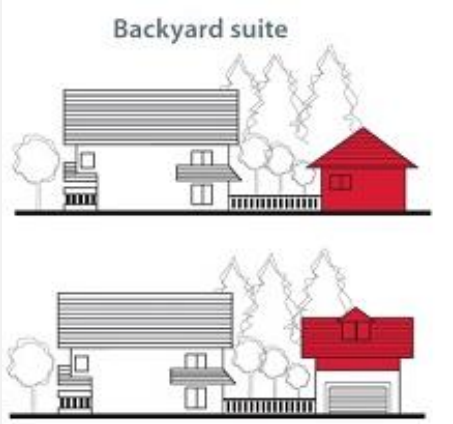
Figure 1: Building Height

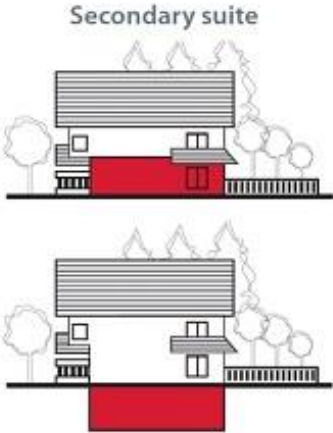
BUILDING PERMIT	means a permit or document issued in writing by a designated Safety Code Officer within the building discipline pursuant to the Safety Codes Act authorizing the commencement of a use, occupancy, relocation, construction, or demolition of any building.
BUILDING SUPPLY CENTRE	means a commercial, retail store where building materials, household accessories and other related goods are stored, offered, or kept for sale and may include outside storage.
BULK FUEL STORAGE AND DISTRIBUTION	means a development for the purpose of storing natural gas and petroleum products for distribution to customers. Total water capacity for storage of liquefied petroleum gases in above ground tanks must exceed 7570 L (2000 U.S. gals).
BUS TERMINAL	means where transport vehicles load or unload passengers or goods.

C	
CAMPGROUND	means a recreational development for the purpose of providing short term or occasional accommodation for recreational vehicles or tents. A campground is not construed to mean a development for the purpose of accommodating long term (e.g. longer than twenty-one (21) consecutive days) permanent occupancy. The duration does not apply to summer work crews utilizing the campground facilities.
CANNABIS RETAIL STORE	means a use where Cannabis is sold for consumption off the premises and may include the retail sale or rental of merchandise. Cannabis Retail Stores offer cannabis for sale from a federally approved and licensed facility and has been licensed to operate by the Alberta Government.
CANOPY	means a non-retractable solid projection extending from the wall of the building intended to be used as a protection against weather, other than normal architectural features such as lintels, sills, mounding, architraves, and pediments, but includes the structure known as the theatre marquee.
CAR WASH	means a facility for the washing, cleaning, or polishing of motor vehicles. Processes whereby the exterior and upholstery of the vehicles is treated to enhance and protect its cosmetic appearance may also be carried out at such a facility. This process may include, but is not limited to, undercoating, rustproofing, and protecting the paint of the vehicle against rock chips.
CARE FACILITY	means a use where a public or private facility provides for the care, supervision or rehabilitation of individuals, or for palliative and end-of-life-care, containing overnight accommodation and operated in accordance with any relevant legislation or regulations of the Province of Alberta. Units within a care facility may, at the discretion of the Development Authority, be considered both long-term care units or dwelling units as these may be for permanent residences for the occupants.
CEMETERY	means land that is set apart or land that is used for the burial of human or animal remains. Typical uses are memorial parks and burial grounds.
CHILD CARE FACILITIES	means those facilities used for the supervision and care of children and includes day care, kindergarten, and nursery schools.
CLINIC	means a public or private medical, surgical, physiotherapeutic, or other human health clinic regularly staffed by practicing physicians, dentists, chiropractors, massage therapists or other qualified medical practitioners.

COMMUNICATION STRUCTURES OR COMMUNICATION TOWER	means a structure designed to support antennas for telecommunications and broadcasting and may include television, cellular phone, or wireless internet or radio signals. Communication towers are regulated by Innovation, Science and Economic Development however municipal consultation is required and considerations respected.
COMMUNITY RECREATIONAL FACILITY	means facility that is available to the public for sports and recreational activities conducted indoors and/or outdoors. Typical uses include indoor/outdoor swimming pools, hockey rinks, gymnasiums, sports fields, outdoor tennis courts, unenclosed ice surfaces or rinks, athletic fields, bowling greens, riding stables and fitness trails. These facilities may be publicly or privately owned and/or operated.
CONDOMINIUM	means a condominium plan registered in a Land Titles Office that complies with the requirement of the Alberta Condominium Property Act.
CONVENIENCE STORE	means a use where a limited range of household goods and groceries are stocked and sold in small neighbourhood retail stores. This does not include a Cannabis Retail Store.
CORNER LOT	means a lot situated at the intersection of two or more roads, or at the intersection of two parts of the same road which parts have an intersection of not more than 135 degrees.
COUNCIL	means the duly elected Council of the Village of Hussar.
CULTURAL ESTABLISHMENT	means a development which is available to the public for the purpose of assembly, instruction, cultural or community activity and include such things as a library, museum, art gallery, community halls and similar activities. Religious institutions are not included in this category.
D	
DECK	means an open-sided platform adjoining a building and the height of which is greater than 0.6 m (2 ft) from grade.
DENSITY	means a measure of development intensity expressed as a ratio of either the number of dwelling units to lot area or number of people to lot area.

DEMOLITION	means the tearing down, wrecking, destroying, or removal of a building and is deemed to be a form of development. This can include a partial building demolition as well as reducing a building to its foundation and rebuilding..
DESIGNATED OFFICER(S)	means a position established by bylaw whereby Council has delegated powers, duties, and/or functions.
DEVELOPMENT	means: <ul style="list-style-type: none"> (a) a building or an addition to, or replacement or repair of a building and the construction or placing in, on, over or under land of any of them; (b) a change of use of land or a building or an act done in relation to land or a building that results in, or is likely to result in, a change in the use of the land or building; or (c) a change in the intensity of use of land or a building or an act done in relation to land or a building that results in, or is likely to result in, a change in the intensity of use of the land or building.
DEVELOPMENT AUTHORITY	means a person, or persons, appointed as the Development Authority by Bylaw.
DEVELOPMENT COMMENCEMENT	means the moment construction is started on site (e.g. excavation) or the land use has begun for the purposes of the Development Permit application.
DEVELOPMENT COMPLETION	means the moment the required building and or Development Permit conditions and requirements have been met for the purposes of the Development Permit application and/or the final inspection reports have been received (if required for the project).
DEVELOPMENT IMPACT ASSESSMENT (DIA)	means a statement prepared by a professional with expertise in environmental conditions on the effect a development proposal and other major actions would significantly have on the environment.
DEVELOPMENT OFFICER	means a person, or persons, appointed as a Development Officer pursuant to this Land Use Bylaw.
DEVELOPMENT PERMIT	means a document authorizing a development, issued by a Development Officer, pursuant to this Bylaw, and includes the plans and conditions of approval.

DISCRETIONARY USE	means a use of land or of a building which is listed in the section captioned “Discretionary Uses” within the applicable Land Use District for which a Development Permit may be issued, with or without conditions, by the Development Authority.
DRINKING ESTABLISHMENT	means an establishment licensed by the Alberta Gaming, Liquor and Cannabis where the principal function is the serving of alcoholic beverages for on-site consumption.
DWELLING, ACCESSORY RESIDENTIAL	means a self-contained residential dwelling unit that is subordinate to and under one title with the principal commercial or industrial use.
DWELLING, APARTMENT	means a use where a building designed for residential use contains three (3) or more Dwelling Units with a shared or common entrance.
DWELLING, ATTACHED HOUSING	means a use where a building designed for residential use consists of three (3) or more Dwelling Units, each of which has an individual entrance to the outdoors. This includes rowhouses, townhouses, triplexes and fourplexes.
DWELLING, BACKYARD SUITE	<p>means a dwelling unit in a building that is detached from principal dwelling, such as a detached garage suite or garden suite.</p>  <p>The diagram, titled "Backyard suite", illustrates two scenarios. The top scenario shows a main house with a grey roof and a detached red building with a white roof and a small porch. The bottom scenario shows a main house with a grey roof and a detached red building with a white roof and a garage door. Both scenarios include trees and a lawn in the background.</p>
DWELLING, DUPLEX	means a building containing two dwelling units, one above the other or side by side.
DWELLING, MANUFACTURED	means a use where a transportable, single or multiple section building conforming to CSA standards that contains a Dwelling Unit and when placed on a permanent foundation is ready for residential use and occupancy. A Manufactured Dwelling includes such styles known as modular homes, manufactured homes and Ready to Move (RTM) Homes.

<p>DWELLING, SECONDARY SUITE</p>	<p>means a self-contained dwelling unit with a separate entrance from the outside that is accessory to and located within a principal dwelling unit and may be in the form of below grade development, such as a basement suite, or above grade development such as second floor suite, attached garage suite or other similar self-contained dwelling unit within a principal dwelling unit.</p> <div style="text-align: center;">  </div>
<p>DWELLING, SINGLE DETACHED</p>	<p>means a building which contains only one principal dwelling unit and, except as otherwise allowed in this Bylaw, is used for no other purpose.</p>
<p>DWELLING UNIT</p>	<p>means a set or a suite or rooms operated as a house keeping unit, used or intended to be used as a domicile which contains:</p> <ul style="list-style-type: none"> (a) cooking, (b) sleeping, (c) sanitary facilities, and (d) has a separate entrance controlled by the person(s) occupying the unit.
<p>E</p>	
<p>EASEMENT</p>	<p>means a right to use land generally for access to other property or as a right-of-way for a public utility in accordance with the Land Titles Act.</p>
<p>EATING ESTABLISHMENT</p>	<p>means an establishment where food and beverages are prepared and served on the premises for sale to the public and includes, but are not limited to restaurants, delicatessens, cafeterias, bakeries, cafes, and tea rooms.</p>

EQUIPMENT RENTAL SHOP	means a development for the rental of tools, appliances, office machines, light construction equipment or similar items but not the rental of motor vehicles.
EXISTING	means existing as of the effective date of this Bylaw.
EXTENSIVE AGRICULTURE	means systems of tillage and animal husbandry through which one may gain livelihood from large areas of land by the raising of crops or the rearing of livestock, either separately or in conjunction with one another in unified operations, and includes buildings and other structures incidental to the operation.
F	
FABRIC COVERED BUILDING	means a metal or wood-framed, fabric-membrane pre-engineered building for temporary or permanent industrial, commercial, and agricultural applications including warehouses, equipment storage, manufacturing facilities, barns, stables, arenas, and event centres.
FENCE	means a vertical physical barrier constructed out of typical building material to prevent visual or unauthorized access or both.
FIRE SEPARATION	means a construction assembly that acts as a barrier against the spread of fire and may be required to have a fire resistance rating.
FIRE WALL	means a type of fire separation of non-combustible construction which subdivides a building or separates adjoining buildings to resist the spread of fire, and which has a fire resistance rating. Fire wall construction must meet all applicable building code requirements.
G	
GAS BAR	means premises used or intended to be used for the sale of gasoline, lubrication oils and associated automotive fluids only.
GRADE	means the geodetic elevation of the existing ground in an undisturbed natural state or an approved design grade as described in a grading plan.
GRAIN ELEVATOR AND SEED CLEARNING	means a building for elevating, storing, discharging, and sometimes processing grain. The use may also include facilities for moving the grain via a variety of transportation alternatives such as rail or trucks.
GROSS FLOOR AREA	means the total floor area of each floor of a building measured to the outside of surface of the exterior walls or, where the buildings are separated by fire walls, to the centre line of the common wall.

H	
HEAVY MANUFACTURING	means the manufacture of products where all or part of the processes associated with the use are located outside of a building, and which may generate a nuisance beyond the boundary of the parcel.
HOME OCCUPATION, MAJOR	means an accessory use by a resident of a Dwelling Unit or Accessory Building for small-scale business activities that does not adversely affect the residential character of the property and may have limited client visits to the property.
HOME OCCUPATION, MINOR	means an accessory use by a resident of a Dwelling Unit for small-scale business activities that are undetectable from outside the Dwelling Unit and does not adversely affect the residential character of the property, does not require the use of an Accessory Building, and may have limited client visits to the property.
HOTEL or MOTEL	means a building used primarily for sleeping accommodation and ancillary services provided in rooms, or suites of rooms, which may contain bar and/or kitchen facilities. The building may also contain commercial or other uses and may, or may not, offer such additional services as eating and drinking establishments, meeting rooms, personal service shops and managers suite/dwelling accommodation or public convention facilities.
I	
INTENSIVE VEGETATIVE OPERATION	means a system for tillage for the concentrated raising of specialty crops including, but not limited to tree farms, commercial greenhouses, plant nurseries, sod farms, and similar uses.
K	
KENNEL	means an establishment in which domestic animals are boarded overnight for periods greater than 24 hours and where domestic animals could also be housed for the purpose of breeding. This use may also include facilities for the care, grooming of domestic animals.
L	
LANDSCAPED AREA	means an area designed, constructed, and laid out so as to maintain, change or modify the natural features of a site so as to make it attractive and desirable by the use of grass, trees, shrubs, ornamental planting, hedges, fencing and walks.

LANDSCAPING	<p>means the modification and enhancement of a site through the use of any or all of the following elements:</p> <ul style="list-style-type: none"> (a) soft landscaping consisting of vegetation such as trees, shrubs, hedges, grass, and ground cover; or (b) hard landscaping consisting of non-vegetative materials such as brick, stone, concrete, tile, and wood.
LANE	<p>means a public thoroughfare usually less than 10 m (32.8 ft) wide which provides a secondary means of access to a site or sites parcel or parcels.</p>
LIGHT MANUFACTURING	<p>means the assembly or packaging of articles from previously prepared materials but does not include uses which may be obnoxious by reason of emission of odors, dust, noise, smoke, or vibrations.</p>
LIQUOR STORE	<p>means a use where alcoholic beverages are sold for consumption from a retail outlet premises that has been licensed by the Alberta Gaming, Liquor and Cannabis.</p>
LOADING SPACE	<p>means a space for parking a vehicle while being loaded or unloaded.</p>
LOT	<p>means a lot as defined in the Act, Part 17, Section 616, which is defined as:</p> <ul style="list-style-type: none"> (a) a quarter section, (b) a river lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office, (c) a settlement lot shown on an official plan, as defined in the Surveys Act, that is filed or lodged in a land titles office, (d) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in the certificate of title other than by reference to a legal subdivision, or (e) a part of a parcel of land described in a certificate of title if the boundaries of the part are described in a certificate of title by reference to a plan of subdivision. <p>Also see the related definition for a Parcel.</p>
M	
MUNICIPALITY	<p>means the Municipal Corporation of the Village of Hussar and where the context requires, means the area of land contained within the boundaries of the Municipality's corporate limits at the time of adoption of this Bylaw, or as included by any subsequent annexation.</p>

MUNICIPAL PLANNING COMMISSION (MPC)	means the Village of Hussar Municipal Planning Commission established by Bylaw pursuant to the Act.
N	
NATURAL RESOURCE EXTRACTIVE INDUSTRIES	means industries engaged in the extraction of natural resources such as timber, clay, sand, gravel, limestone, shale, coal, and other minerals including petroleum and natural gas which may include bringing these together with other elements such as power or water into integrated processes for the purpose of primary treatment into a marketable form of the resource being extracted.
NON-CONFORMING BUILDING	means a building that is lawfully constructed or lawfully under construction at the date a Land Use Bylaw affecting the building or the land on which the building is situated becomes effective and that on the date the Land Use Bylaw becomes effective does not, or when fully constructed will not, comply with the Land Use Bylaw.
NON-CONFORMING USE	means a lawful, specific use being made of land or a building, or intended to be made of a building lawfully under construction at the date a Land Use Bylaw affecting the land or building becomes effective and that on the date the Land Use Bylaw becomes effective does not, or in the case of a building under construction will not, comply with the Land Use Bylaw.
O	
OCCUPANCY	means the utilization of a building or land for the use of which it was approved.
OFFICES	means a facility for the provision of professional, management, administrative, consulting, and financial services such as offices for clerical, secretarial, employment, telephone answering and similar office support services, offices of lawyers or accountants, banks or other financial institutions, and offices for real estate and insurance firms. Clinics are not included in this category.
P	
PARAPET	means a low wall or railing to protect the edge of a roof.
PARCEL	means the aggregate of one or more lots described in a Certificate of Title or by reference to a plan filed or registered in the Land Titles Offices.

PARCEL AREA	means the total area of land within the parcel.
PARCEL, CORNER	means a parcel situated at the intersection of two or more roads, or at the intersection of two parts of the same road which parts have an intersection of not more than 135 degrees.
PARCEL COVERAGE	means the percentage of the parcel area covered by the area of all buildings including Accessory Buildings, and excludes balconies, bay windows, canopies, shade projections, cornices, eaves and gutters, roof overhangs, fire escapes, sills, stairways and landings, patios and decks or similar projections.
PARCEL LINE	means a legal boundary line of a parcel.
PARCEL LINE, FRONT	means the shortest parcel line that abuts a road unless otherwise determined by the Development Authority in accordance with this Bylaw.
PARCEL LINE, EXTERIOR SIDE	means a property line, other than the front parcel line, which abuts a road.
PARCEL LINE, INTERIOR SIDE	means a property line other than a front parcel line or rear parcel line, which abuts another parcel or a lane.
PARCEL LINE, REAR	means the parcel line which is opposite to and is not connected to the front parcel line, excepting in the case for a reverse corner lot where the rear parcel line is opposite to the exterior side parcel line.
PARCEL WIDTH	means the average horizontal distance between two side parcel lines.
PARKING LOT	means an area of cleared land dedicated to the parking of vehicles, and usually provided with a durable or semi-durable surface.
PATIO	means a platform, the height of which may up to but does not exceed 0.6 m (3 ft) from grade, that may or may not be attached to a building.
PERMITTED USE	means the use of land or a building which is listed in the section captioned "Permitted Uses" within the applicable Land Use District for which a Development Permit shall be issued by the Development Authority upon the development meeting all requirements of this Bylaw. The Development Authority may impose such conditions necessary to ensure compliance with the requirements of the Bylaw.

PERSONAL SERVICE SHOP	means a development used for the provision of personal services to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects. This use class includes but is not limited to such uses as photography studios, tailors, dry cleaning establishments and hair and nail studios.
PET CARE SERVICES	means a use where small animals are washed, groomed, trained, or boarded (day care) during the day, and may include the incidental sale of products related to the services provided. This does not include the overnight stay of pets.
PRINCIPAL BUILDING	means a building that, in the opinion of the Development Officer occupies the major or the central portion of the site, is the main building on the site and constitutes by reason of its use, the primary purpose for which the site is used.
PRINCIPAL USE	means a use of a site or building which in the opinion of the Development Authority constitutes the primary purpose for which the site is used.
PROPERTY LINE	means the legal boundary of a parcel or lot.
PUBLIC BUILDING	means buildings and facilities owned or operated by, or for, the Municipality, the Provincial Government, the Federal Government or a corporation under federal or provincial statute for the purpose of furnishing services or commodities to, or for the use of, the inhabitants of the municipality.
PUBLIC UTILITY	<p>means a system or works used to provide one or more of the following for public consumption, benefit, convenience, or use:</p> <ul style="list-style-type: none"> (a) waterworks; (b) sewage disposal; (c) public transportation operated by, or on behalf of, the municipality; (d) irrigation; (e) drainage; (f) fuel; (g) electric power; (h) heat; and (i) waste management (excluding a Waste Transfer Station); <p>and includes the thing that is provided for public consumption, benefit, convenience, or use.</p>

R	
RECREATIONAL VEHICLE	means a portable structure designed and built to be carried on a vehicle, or a unit designed and built to be transported on its own wheels, to provide temporary living accommodation for travel and recreational purpose and includes, but is not limited to, such vehicles as a motor home, camper, holiday (travel) trailer and a tent trailer, but does not include a mobile home. “Holiday trailer” or “travel trailer” have a corresponding meaning.
REGULATION	means the Matters Related to Subdivision and Development Regulation AR84/2022 as amended, and any parallel or successor legislation.
RENEWABLE ENERGY SYSTEM	means a system: <ul style="list-style-type: none"> (a) that produces electrical power or heat to be used for the on-site consumption requirements by means such as, but not limited to, active and passive solar collectors, photovoltaic solar panels, geothermal energy or heat exchange systems; (b) that may be connected or disconnected from the electrical grid in accordance with the requirements of the appropriate authority; and (c) may provide residual power to the grid but is not intended to produce power primarily for resale.
RETAIL STORE	means a building where goods, wares, merchandise, substances, articles, or things are stored, offered, or kept for sale at retail prices and includes storage on, or about, the store premises of limited quantities of such goods, wares, merchandise, substances, articles, or things sufficient to service such store but does not include any retail outlet otherwise listed or defined in this Bylaw.
REVERSE CORNER LOT	means a residential corner lot where the front façade of the Dwelling Unit is oriented towards the longest property line which abuts a road which is considered the front parcel line. The exterior side parcel line of a reversed corner lot is the shorter property line which abuts a road.
ROAD	means any public road, including the boulevards, sidewalks and improvements, but excluding a lane, highway or private road.
S	
SCREENING	means a fence, earth berm, or hedge used to visually separate between parcels, districts or uses..

SCHOOL	means a premise that involves public assembly for education, training, or instruction purposes, and includes the administration offices required for the provision of such services on the same site. This includes but is not limited to a public school, a separate school, or a technical school, their administrative offices and school bus parking. This use may also include outdoor recreational uses typically associated with an educational facility such as a track or outdoor courts.
SETBACK	means the minimum distance between a building, structure, or use, or from each of the respective parcel lines, or from a natural boundary or other reference line.
SHIPPING CONTAINER	means a large metal container with suitable strength for the shipping, storage and handling of goods. Shipping containers are also commonly known as sea cans or intermodal containers.
SIGN	means anything that serves to indicate the presence or the existence of something including, but not limited to, a lettered board, structure or trademark displayed, erected, or otherwise developed and used, or intending to identify, advertise or give direction.
SIGN, FASCIA	means a flat sign, plain or illuminated, running parallel for its whole length to the face of the building to which it is attached.
SIGN, FREESTANDING	means a sign supported independently of a building, wall, or structure. It is supported by one or more columns, uprights, or braces in, or upon, grade.
SIGN, PROJECTING	means a sign which projects from a structure or a building face or wall.
SIGN, ROOF	means any sign erected upon, against or above a roof or a parapet of a building.
SIGN, WINDOW	means any sign, either painted on, attached to, or placed inside a window for the purpose of viewing from outside the premises.

STORAGE YARD	<p>means a use:</p> <ul style="list-style-type: none"> (a) where goods, motor vehicles or equipment are stored when they are not being used and may include long term storage where a fee is paid; (b) where the vehicles and equipment stored may also be serviced, cleaned or repaired; (c) that may involve the storage of construction materials; and (d) that does not involve the storage of any derelict vehicles or derelict equipment; (e) that does not involve the production or sale of goods as part of the use; and (f) that may have a building for the administrative functions associated with the use.
STOREY	<p>means the space between the top of any floor and the top of the next floor above it, and if there is no floor above it, the portion between the top of the floor and the ceiling above it.</p>
STRUCTURE	<p>means anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground.</p>
SUBDIVISION	<p>means the division of a parcel by an instrument and the word “subdivide” has corresponding meaning.</p>
T	
TEMPORARY BUILDING OR USE	<p>means a proposed use or building where the intent is to operate the use or structure for a specified period of time, not to exceed one (1) year, unless otherwise approved by the Development Authority in consideration of a use or building that is temporary but has longer term requirements due to the specific use or project.</p>
TRADESMAN’S SHOP	<p>means an establishment for the operation of a trade including, but not limited to, a painter, electrician, upholsterer, printer, and appliance repair shop but does not include establishments which may be obnoxious by reason of emission of odours, dust, smoke, noise, or vibration.</p>
U	

USE, CHANGE OF	means the conversion of land or a building, or portion thereof, from one land use activity to another in accordance with the permitted or discretionary use as listed in each Land Use District.
V	
VETERINARY CLINIC	means a facility for the medical care and treatment of animals, and includes provision for the overnight accommodation. The use of the facility for overnight boarding shall be limited to short time boarding while the animals are awaiting treatment or are recovering from treatment and shall be incidental to the hospital use.
VILLAGE	means the Village of Hussar in the Province of Alberta.
W	
WAREHOUSE or WAREHOUSING	means the use of a building for the storage of materials, products, goods, or merchandise.
WASTE TRANSFER STATION	means a use where solid waste materials are received from collection vehicles and consolidated into larger vehicles for transport to the landfill.
WORSHIP FACILITY	means any facility used for the purpose of spiritual worship. Examples may be, but are not limited to, churches, temples, mosques, and synagogues.
Y	
YARD	means any open space on a parcel, unoccupied and unobstructed and is the distance between the property line to the foundation of the principal building or the exterior finishing materials of an Accessory Building.
YARD, EXTERIOR SIDE	means the area of a parcel extending from the front foundation of the principal building to the rear foundation of the principal building and between the side foundation of the principal building to the exterior side parcel line.
YARD, FRONT	means the area of a parcel extending across the full width of the parcel between the front parcel line and the front foundation of the principal building.

YARD, INTERIOR SIDE	means the area of a parcel extending from the front foundation of the principal building to the rear foundation of the principal building and between the side foundation of the principal building to the interior side parcel line.
YARD, REAR	means the area of a parcel extending across the full width of the parcel between the rear parcel line and the rear foundation of the principal building



Part 3 Administrative Agencies

3 ADMINISTRATIVE AGENCIES

3.1 DEVELOPMENT AUTHORITY - ESTABLISHMENT

The Development Authority shall exercise development powers and perform duties on behalf of the Municipality in accordance with Part 17, Division 3 of the Act and may include:

3.1.1 Development Officer:

The office of the Development Officer is hereby established to act on behalf of Council in those matters delegated by this Bylaw and in such matters as it may instruct from time to time.

3.1.2 Municipal Planning Commission:

The Municipal Planning Commission, established by Bylaw in accordance with the Act, shall perform such duties as are specified in this Bylaw.

3.1.3 Council

Where the context of this Bylaw permits in Direct Control Districts.

3.2 SUBDIVISION AUTHORITY:

The Subdivision Authority, as established by Bylaw, shall perform duties on behalf of the Municipality in accordance with the Municipal Government Act, the Land Use Bylaw, and all relevant Village of Hussar planning documents.

3.3 DEVELOPMENT AUTHORITY – POWERS AND DUTIES

3.3.1 The Development Authority must administer this Bylaw and decide upon all Development Permit applications.

3.3.2 The types of Development Permit applications a Development Authority may consider are Development Permits for:

- (a) a permitted use that complies with all requirements of this Bylaw;
- (b) a permitted use that does not comply with all requirements of this Bylaw;
- (c) a discretionary use that complies with all requirements of this Bylaw; or
- (d) a discretionary use that does not comply with all requirements of this Bylaw.

- 3.3.3 The Development Authority must refuse to accept a development permit application where the prescribed fee has not been paid.
- 3.3.4 The Development Authority may refuse to accept a Development Permit application where:
- (a) the information required in Section 4.3 of this Bylaw is not provided; or
 - (b) the quality of the information provided is inadequate to properly evaluate the application.
- 3.3.5 The Development Authority must make available for inspection, during office hours, all applications and decisions for development permits, subject to any legislation in force restricting availability.
- 3.3.6 The Development Authority must issue the following notices and acknowledgements on development permit applications:
- (a) notice of complete application;
 - (b) notice of incomplete application;
 - (c) notice of decision;
 - (d) notice of refusal/deemed refusal of an application.
- 3.3.7 The Development Officer shall:
- (a) receive, consider and decide upon applications for a development permit for those uses listed as a permitted use for the relevant Land Use District and comply with the minimum standards for that district;
 - (b) receive, consider and decide upon applications for Accessory Buildings;
 - (c) receive, consider and decide upon applications for a development permit for those uses listed as a permitted use for the relevant Land Use District which requires a relaxation of any measurable standard up to a maximum of 20% of that requirement;
 - (d) refer, at his or her discretion, a development permit application for comment to those authorities (provincial and regional) where interest or jurisdiction may be affected; and
 - (e) receive and refer, with his or her recommendations to the Municipal Planning Commission for its consideration and decision, applications for a development permit for those uses which have been assigned to it for its consideration and decision; and
 - (f) collect fees according to the schedule approved by resolution of Council.
- 3.3.8 The Municipal Planning Commission shall:
- (a) decide on applications for development permits for those uses listed as discretionary uses (except for Accessory Buildings);
 - (b) the relocation of buildings, as described in Section 7.14;

- (c) similar uses as described in subsection 4.6.6;
- (d) those uses listed as a permitted use and requires a relaxation of any measurable standard 20% or greater of that requirement.

3.4 SUBDIVISION AUTHORITY – POWERS AND DUTIES

3.4.1 The Subdivision Authority shall:

- (a) keep and maintain for the inspection of the public, copies of all decisions and ensure that copies of same are available to the public;
- (b) keep a register of all applications for subdivision, including the decisions therein and the reasons therefore;
- (c) receive all applications for subdivision including the required application fees and decide upon all applications in accordance with the Regulation and Land Use Bylaw with consideration of all comments received through circulation;
- (d) issue the following notices and acknowledgement on subdivision applications:
 - (i) notice of complete application;
 - (ii) notice of incomplete application;
 - (iii) notice of decision; and
 - (iv) notice of refusal/deemed refusal of an application;
- (e) excepting subdivision applications not requiring circulation under the Act, to circulate applications for subdivision for comments to those authorities and agencies as prescribed within the Regulation and this Land Use Bylaw;
- (f) excepting subdivision applications not requiring circulation under the Act, to circulate applications for subdivision for comments to Wheatland County when the original parcel boundaries are adjacent to the municipal boundary or where an inter-municipal development plan, such as the Village of Hussar & Wheatland County Intermunicipal Development Plan (Bylaw No. 525-20) requires or, at the discretion of the Subdivision Authority, where a subdivision application is not adjacent to the municipal boundary but has potential for land use impacts within Wheatland County;
- (g) prepare, sign and transmit all notices of decision to the relevant agencies in accordance with the Regulation;
- (h) ensure all conditions are complied with prior to endorsement to the satisfaction of the municipality;
- (i) endorse Land Titles instruments to effect the registration of the subdivision of land;
- (j) advise the Council and Municipal Planning Commission on matters relating to the subdivision of land; and

- (k) appear before the Intermunicipal Subdivision and Development Appeal Board or Land and Property Rights Tribunal where appeals are made on subdivision application decisions.

Part 4 Development Approvals

4 DEVELOPMENT APPLICATION AND APPROVAL PROCESS

4.1 DEVELOPMENT PERMITS REQUIRED

- 4.1.1 No development other than those designated in Section 4.2 below shall be undertaken within the Municipality unless an application for it has been approved and a Development Permit has been issued.

4.2 DEVELOPMENT PERMITS NOT REQUIRED

- 4.2.1 This section does not negate the requirement of an applicant to obtain all required permits, as applicable, under the Safety Codes Act or any other provincial or federal statute.
- 4.2.2 The following developments shall not require a development permit:
- (a) any use or development exempted under section 618(1) of the Act;
 - (b) any use or development exempted by the Lieutenant Governor in Council pursuant to Section 618(4) of the Act;
 - (c) the completion and use of a building which was lawfully under construction at the date this Bylaw came into effect provided the building is completed in accordance with the terms and conditions of any development permit granted;
 - (d) the completion of a building that did not require a development permit under the previous land use bylaw which was lawfully under construction provided the building is completed within twelve (12) months from the date this Bylaw came into effect;
 - (e) an official notice, sign, placard or bulletin required to be displayed pursuant of federal, provincial or municipal legislation; and
 - (f) the use of a building or part thereof for a federal, provincial or municipal election, referendum or plebiscite.
- 4.2.3 A Development Permit is not required in respect of the following developments, but such developments shall comply with all relevant provisions of this Bylaw:
- (a) works of maintenance, repair, or alternation, on a structure or a building, both internal and external, if in the opinion the Development Officer, such work:
 - (i) does not include structural alterations; and

- (ii) does not change the use or intensity of the use of the structure.
- (b) the temporary placement, erection or installation of machinery or a building needed in connection with construction of a development for which a Development Permit has been issued, for the period of the construction;
- (c) the construction and maintenance of that part of a public utility placed in or upon a road or easement;
- (d) the use by the Municipality of land which the Municipality is the legal or equitable owner for a purpose approved by a simple majority vote of Council in connection with any public building, facility or installation by the Municipality;
- (e) Signs;
- (f) the construction, maintenance and repair of private walkways, private pathways, private driveways and similar works;
- (g) the construction or installation of public roadways, walkway, utilities or grading of the site or removal, or stockpiling of soil, when a development agreement has been signed as a condition of subdivision approval;
- (h) Communication Structures;
- (i) the erection, construction or replacement of one (1) Accessory Building per parcel, which does not exceed 13.5 m² (145 ft²) in gross floor area and 2.5 m (8.2 ft) in height when listed as a permitted use within a residential district;
- (j) the erection or construction or maintenance of fences, gates, walls or other means of enclosure less than 1.2 m (4 ft) in height in a front yard and less than 2 m (6.56 ft) in height in a side or rear yard;
- (k) demolition of a building; and
- (l) renewable energy systems.

4.3 APPLICATION REQUIREMENTS

4.3.1 An application for a Development Permit shall be submitted in writing using the prescribed form, accompanied by prescribed development permit fee and application submission requirements, including:

- (a) authorization of the registered landowner;
- (b) a site plan, drawn to scale, showing the following:
 - (i) legal description and north arrow;
 - (ii) area and dimensions of the parcel boundaries including the required front, rear and side yards if any;
 - (iii) existing and proposed easements and rights-of-ways, including dimensions

- and type of easements, if applicable;
- (iv) the location and dimensions of all existing and proposed buildings, structures, or uses on the parcel and the measured distance to property line;
- (v) existing and proposed road and lanes that provide access and egress to and from the development;
- (vi) any provision for off-street parking stalls and loading stalls;
- (c) statement or site plan of existing and proposed public Utility services (i.e. on-site or municipal)
- (d) the estimated commencement and completion dates;
- (e) the presence of abandoned oil and gas wells.

4.3.2 In addition to the information required under Section 4.3.1, the Development Authority may also require additional information in order to assess the conforming of a proposed development with this Bylaw. Such information may include, but it not limited to:

- (a) current copy of certificate of title, and copies of any restricted covenants, utility rights-of-way, easements or Village of Hussar caveats registered on title;
- (b) floor plans, elevations and section drawings;
- (c) written rationale supporting any requested variances;
- (d) samples or representations of exterior building materials and colors;
- (e) stormwater management, grading or landscaping plans, prepared by a qualified professional;
- (f) in the case of the placement of an already constructed or partially constructed building to be relocated to the parcel, information relating to the age and condition of the building;
- (g) garbage and storage areas and the fencing and screening proposed for same; and
- (h) a development impact assessment statement prepared by a qualified professional clearly describing how the potential impacts of the proposed development on adjacent lands will be dealt with and how the proposed facilities have been designed to minimize such disturbances.

4.3.3 Notwithstanding 4.3.1 and 4.3.2, the Development Officer may require additional information or plans, reports and specifications as may be required to adequately render a decision on the application.

4.4 NOTICE OF COMPLETE OR INCOMPLETE APPLICATION

4.4.1 Within the timeframe specified within the Act, a notice of complete application or incomplete

application shall be issued to the applicant on the form created by the Development Authority and sent by email where consent has been granted by the applicant, otherwise it shall be sent by mail.

4.5 DEVELOPMENT PERMIT APPLICATION REFERRALS

- 4.5.1 Upon issuing a notice of complete application, a development permit application may be referred for comment to any department, agency (provincial and regional) or adjacent municipality whose intent or jurisdiction may be affected.
- 4.5.2 The referral shall indicate the location and nature of the development proposal, the time and date a decision will be rendered on the application, copies of relevant drawings, contact information and a final date to submit comments.
- 4.5.3 Having received a reply on a matter referred to any person, municipality, agency or authority, the Development Authority shall make a decision on the application giving due consideration to the comments received.
- 4.5.4 After the time period identified in the referral notice from the date of the referral, the application may be dealt with by the Development Authority whether or not comments have been received.

4.6 DECIDING ON A DEVELOPMENT PERMIT APPLICATION

- 4.6.1 Where a development permit application is for a permitted use in a building or on a parcel and the proposed development conforms to all the applicable requirements and rules of this Bylaw, the Development Authority must approve the application and issue the development permit. The Development Authority may impose such conditions as required to ensure compliance with this Bylaw.
- 4.6.2 Where a development permit application is for a permitted use in a building or on a parcel and the proposed development does not conform to all of the applicable requirements and rules of this Bylaw, the Development Authority may:
 - (a) refuse to approve the development permit application; or
 - (b) approve the development permit application; and may:
 - (i) grant a relaxation of the requirement or regulation to which the proposed use does not conform; or
 - (ii) impose such conditions as required to ensure compliance with this Bylaw.
- 4.6.3 When making a decision on a Development Permit application for a Discretionary Use, the Development Authority must take into account:
 - (a) any plans and policies affecting the parcel;
 - (b) the purpose statements in the applicable Land Use District;

- (c) the appropriateness of the location and parcel for the proposed development;
- (d) the compatibility and impact of the proposed development with respect to adjacent development and the neighbourhood;
- (e) the merits of the proposed development;
- (f) utility and servicing requirements;
- (g) access and transportation requirements;
- (h) vehicle and pedestrian circulation within the parcel; and
- (i) sound planning principles.

4.6.4 The Development Authority may approve an application where the proposed development does not comply with the minimum or maximum requirements of any district in this Bylaw if, in the opinion of the Development Authority, the proposed development would not unduly interfere with the amenities of the neighbourhood, materially interfere with, or affect the use, enjoyment or value of the neighboring properties and the proposed development conforms with a use prescribed by this Bylaw for that land or building..

4.6.5 The Development Authority may refuse a Development Permit application for a discretionary use even though it meets the requirements and rules of this Bylaw.

4.6.6 In the case where a proposed specific use of land or a building is not provided for in any Land Use District in the Bylaw, the Municipal Planning Commission may determine such a use is similar in character and purpose to another use of land or building that is included in the list of Permitted or Discretionary Uses prescribed for that Land Use District.

4.6.7 The Development Authority must refuse a development permit application when the proposed development:

- (a) is for a use that is not listed as either a permitted use or a discretionary use in the land use district; or
- (b) is for a use containing a restriction in its definition that is not met by the proposed use.

4.6.8 If a Development Permit application is refused, the Development Officer need not accept another application for the same or similar use on the same parcel for twelve (12) months after the refusal.

4.7 DEVELOPMENT PERMITS AND NOTICE OF DECISION

4.7.1 A development permit issued for a permitted use in compliance with the standards of this Bylaw, or a development permit issued by Council pursuant to a direct control district comes into effect on the date the decision is made.

4.7.2 When a Development Permit is approved for a discretionary use or for a permitted use in which a variance is granted, the Development Authority shall:

- (a) provide a notice of decision to the applicant of the approval;
- (b) immediately mail a notice in writing to all owners of adjacent land; and
- (c) issue a development permit after the appeal period has expired, pursuant to section 5.2.

4.7.3 A Development Permit issued pursuant to section 4.7.2 does not come into effect until twenty-one (21) days after the date the notice is mailed to all owners of adjacent land. Any development proceeded with by the applicant prior to the expiry of this appeal period is done solely at the risk of the applicant.

4.7.4 The notices indicated in section 4.7.2 must state:

- (a) the legal description and the street address of the parcel of the proposed development;
- (b) the uses proposed for the subject development;
- (c) any discretion that was granted in the approval of the development, whether by use or by interpretation of this Bylaw, and any variation or relaxation in regulation that was made by the Development Authority when the development was approved; and
- (d) how an appeal may be made to the appeal body and the deadline for such appeal.

4.7.5 Where an appeal is made pursuant to Part 5.1 of this Bylaw, a Development Permit which has been granted shall not come into effect until the appeal has been determined.

4.7.6 When the Development Authority refuses an application for a Development Permit, the decision shall be issued to the applicant and shall contain reasons for the refusal.

4.7.7 If after the issuance of a Development Permit it becomes known to the Development Authority that:

- (a) the application for a Development Permit contains a misrepresentation;
- (b) relevant facts which should have been disclosed at the time of consideration of the application for the Development Permit were not mentioned;
- (c) the Development Permit was issued in error; or
- (d) the applicant requests, by way of written notice to the Development Authority, the cancellation of the Development Permit, provided that commencement of the use, development or construction has not occurred;

the Development Permit may be suspended or cancelled by notice in writing, issued by the Development Authority to the applicant at the address given in the Development Permit application. Upon receipt of the written notice of suspension or cancellation, the applicant must cease all development and activities to which the Development Permit relates.

4.8 CONDITIONS OF APPROVAL

- 4.8.1 The Development Authority may, as a condition of issuing a development permit for a permitted use or discretionary use, require the applicant to make satisfactory arrangements for the supply of utilities including but not limited to natural gas, cable, electric power, water, sewer service, or any one or more of them including the payment of the cost of installation of construction of any such utility or facility by the applicant.
- 4.8.2 The Development Authority may, as a condition of issuing a development permit for a permitted or discretionary use, require the applicant enter into an agreement with the Village of Hussar to any or all of the following:
- (a) to construct or pay for the construction of a road required to give access to the development;
 - (b) to construct or pay for the construction of:
 - (i) a pedestrian walkway system to serve the development, or
 - (ii) pedestrian walkways to connect the pedestrian walkway system serving the development with a pedestrian walkway system that serves or is proposed to serve an adjacent development, or both;
 - (c) to install or pay for the installation of a public utility that is necessary to serve the development, whether or not the public utility is, or will be, located on the land that is the subject of the development;
 - (d) to construct or pay for the construction of:
 - (i) off-street or other parking facilities, and
 - (ii) loading and unloading facilities;
 - (e) to pay an off-site levy or redevelopment levy imposed by bylaw; and
 - (f) to give security to ensure that the terms of the agreement under this section are carried out.
- 4.8.3 The Village of Hussar may register a caveat pursuant to the provisions of the Act and the Land Titles Act in respect of an agreement under section 4.8.2 against the certificate of title for the land that is subject of the development. Said caveat shall be discharged when the agreement has been complied with.
- 4.8.4 The Development Authority, with respect to a Discretionary Use, may impose such conditions as deemed appropriate, having regard to the regulations of this Bylaw and the provisions of any statutory plan including, but not limited to, the following conditions:
- (a) limiting hours of operation;
 - (b) limiting number of patrons;
 - (c) establishing landscaping requirements;

- (d) requiring noise attenuation;
- (e) requiring special provisions be made for parking;
- (f) regarding the location, character and appearance of a building;
- (g) regarding the grading of a site or such other procedures as is necessary to protect the site from other developments or to protect other developments from the site;
- (h) regarding the phasing of development;
- (i) establishing the maximum density of dwelling units;
- (j) establishing the period of time during which a development may continue; and
- (k) ensuring the development is compatible with surrounding development.

4.9 DEVELOPMENT PERMIT COMMENCEMENT AND COMPLETION

- 4.9.1 If the development authorized by a permit is not commenced within twelve (12) months from the date of its issue, the permit is deemed to be void, unless an extension to this period is submitted in writing by the applicant and granted by the Development Authority. The extension request must provide the reasons for the request.
- 4.9.2 If the development authorized by a development permit is not completed within two (2) years of the date of issue or as otherwise specified within a development permit, the development permit is deemed to be void, unless an extension request for the time period is submitted in writing by the applicant and granted by the Development Authority. The extension request must provide the reason for the request.
- 4.9.3 For the purposes of this Bylaw, commencement includes excavation, but does not include fencing, or demolition on the parcel, or obtaining permits.
- 4.9.4 The approval or issuance of a development permit does not authorize commencement of construction except in conjunction with all other required permits and conditions of the development permit.



Part 5 Appeals

5 APPEALS

5.1 SUBDIVISION APPEALS

5.1.1 An appeal with respect to a decision on a subdivision application is governed by the Act and the Regulation.

5.2 DEVELOPMENT APPEALS

5.2.1 An appeal with respect to a decision on a development permit application is governed by the Act.

5.2.2 Where the Development Authority:

- (a) refuses or fails to render a decision on an application for a development permit; or
- (b) approves an application for a development; or
- (c) issues an order under this Bylaw;

the person applying for the permit or affected by the order, or any other affected person, as the case may be, may appeal to the appeal body within the dates outlined in the Act.

Part 6 Enforcing and Amending the Land Use Bylaw

6 ENFORCING AND AMENDING THE LAND USE BYLAW

6.1 COMPLIANCE WITH OTHER BYLAWS AND REGULATIONS

- 6.1.1 Compliance with the requirements of this Bylaw or the issuance of a Development Permit or an approval of a subdivision pursuant to the Bylaw does not afford relief from compliance with the Act or other Federal or Provincial Government legislation or other Bylaws and regulations affecting the development or subdivision. It is the applicant's responsibility to ensure that all required permits, including any building permits required under Safety Codes Act, licenses and authorizations from affected authorities are in place prior to the commencement of the development.
- 6.1.2 In addition to 6.1.1, the applicant is also responsible for complying with the conditions of any caveat, covenant, easement or instrument affecting a building or land.
- 6.1.3 The Village of Hussar is not responsible nor does the Village of Hussar have any obligation whatsoever to determine what other legislation may apply to a development, nor to monitor or enforce compliance with such legislation.

6.2 RIGHT OF ENTRY AND INSPECTION

- 6.2.1 Pursuant to the Act, a Designated Officer may only enter land or a building for the purposes of ensuring compliance with the Act and the Regulation, or this Bylaw if:
- (a) the owner or person in possession of it gives his consent to the entry; or
 - (b) the entry is authorized by an Order of the Court of King's Bench; and
 - (c) only for the purpose of ensuring compliance with the Act and the Regulation, or this Bylaw.

6.3 OFFENCES

- 6.3.1 Any owner, lessee or occupant of land or a building, or the owner of a structure or a Sign thereon, who with respect to such land, building, structure or Sign, contravenes, causes, or allows a contravention of any provision of the Bylaw commits an offense.

- 6.3.2 Any person who commences or continues development for which a development permit is required but has not been issued, has expired, has been revoked or suspended, or which is in contravention of a condition of a development permit under the Bylaw commits an offense.
- 6.3.3 Any person who prevents or obstructs the Development Authority or a Designated Officer from carrying out any official duty under the Bylaw or the Act commits an offense.
- 6.3.4 A Designated Officer may enforce the provisions of the Bylaw, or the conditions of a development permit pursuant to the Act.
- 6.3.5 Nothing in this Bylaw diminishes or in any way affects the rights of the Village of Hussar pursuant to the Act, or at common law to seek an entry order, order for compliance, injunction or any other order to obtain compliance with this Bylaw.

6.4 ORDERS

- 6.4.1 Pursuant to Section 645 of the Act where an offense under the Bylaw occurs, the Development Officer may by written notice, order the owner or the person in possession of the land or buildings, or the person responsible for the contravention to:
- (a) stop the development or use of the land or buildings in whole or in part as directed by the notice; or
 - (b) demolish, remove or replace the development; or
 - (c) carry out any other actions required by the notice so that the development or use complies with the Bylaw.
- 6.4.2 A person who receives an order referred to in Subsection 8.3.1 above may appeal to the Appeal Body in accordance with Part 5 - Appeals of this Bylaw.
- 6.4.3 Where the Council or a person appointed by it carries out an order the Council shall cause the costs and expenses incurred in carrying out the order to be added to the tax roll of the parcel of land and the amount:
- (a) is deemed for all purposes to be a tax imposed under the Act from the date it was added to the tax roll; and
 - (b) it forms a special lien against the parcel of land in favour of the Municipality from the date it was added to the tax roll.

6.5 AMENDMENTS TO THE LAND USE BYLAW

- 6.5.1 Any person may apply to have this Bylaw amended.
- 6.5.2 The Council may initiate amendments by its own resolution.
- 6.5.3 All applications for amendments of this Bylaw shall be made using the approved form, accompanied by:
- (a) the prescribed application fee;

- (b) a statement of the applicant's interest in the land;
- (c) any required drawings, plans or maps; and
- (d) any documents as required.

6.5.4 All amendments to this Bylaw shall be made by Council by Bylaw in conformity with the Act and the Regulations.

6.5.5 The Council in considering an application for an amendment to this Land Use Bylaw shall refer a copy of the proposed amendment to:

- (a) Palliser Regional Municipal Services;
- (b) Wheatland County, if the proposed amendment affects land on a boundary with Wheatland County, or may otherwise have an effect within Wheatland County, as per the Village of Hussar & Wheatland County Intermunicipal Development Plan (Bylaw No. 525-20); and
- (c) such other persons or agencies as it considers necessary for comment.

6.5.6 If an application for an amendment to this Bylaw has been refused by Council, then Council need not accept an application for an amendment for the same use on the same parcel for a period of twelve (12) months from the date of refusal.

Part 7 General Land Use Regulations

7 GENERAL LAND USE REGULATIONS

7.1 APPLICABILITY

- 7.1.1 These regulations within Section 7 General Land Use Regulations, shall apply to all developments within the Village of Hussar, unless otherwise exempted.
- 7.1.2 Where any regulation in this section may be in conflict with any regulation of a given Land Use District in Section 8, the regulation in the District shall take precedence.

7.2 YARD SETBACKS AND PERMITTED PROJECTIONS

- 7.2.1 The minimum required yards do not apply to:
- (a) exterior finishing materials applied to principal buildings provided the material does not project more than ten (10) centimeters into any yard;
 - (b) construction wholly beneath the surface of the ground;
 - (c) patios, fences, retaining walls and landscaping;
 - (d) driveways, parking stalls and sidewalks.
- 7.2.2 The following building projections into or over a required yard setback shall not require a variance.
- (a) Front Yards:
Eaves, balconies, bay windows, canopies, chimneys, unenclosed decks, fire escapes and stairways and landings may project a maximum of 0.6 m (2 ft) over or onto a required front yard.
 - (b) Side Yards:
Eaves, balconies, bay window, canopies, chimneys unenclosed decks, fire escapes may project a maximum of 0.6 m (2 ft) over or onto a required side yard.
 - (c) Rear Yards:
Eaves, balconies, bay windows, canopies, chimneys, unenclosed decks, fire escapes and stairways and landings may project a maximum of 2 m (6.6 ft) over or onto a required rear yard.

- 7.2.3 In addition to those features listed in Section 7.2.2, a projection into any required yard may be allowed for a building cantilever, provided the feature does not encroach more than 0.6m (2ft) into any yard and the projecting façade does not exceed:
- (a) 30% to a maximum of 3.6 m (12 ft) in width, whichever is greater, of the exterior surface wall area exposed to the yard in which the feature is located for internal sites; or
 - (b) 40% to a maximum of 4.5 m (14.7 ft) in width, whichever is greater, of the exterior surface wall area exposed to the yard facing a street and in which the feature is located.

7.3 UTILITIES

7.3.1 A development shall not be permitted if the development is not served by the public sewer or at the discretion of the Development Authority, a provincially approved private system.

7.4 PARKING AND LOADING FACILITIES

7.4.1 Parking and loading spaces shall be calculated on the basis of gross floor area, the number of dwelling units or other unit as noted in this section.

7.4.2 Unless otherwise stated, the required number of spaces shall be rounded up to the next whole number when a fractional number of 0.5 or greater occurs and rounded down when a fractional number of 0.49 or less occurs.

7.4.3 Where eating and drinking establishments are proposed, the gross floor area, excluding food and beverage preparation, washroom and storage areas shall be used for purposes of calculating parking requirements.

7.4.4 Parking spaces shall be provided on site in accordance with the following table:

Use of Building	Minimum Parking Spaces
Financial Institution	1 space/37 m ² (398.2 ft ²)
Building Supply Centre/ Lumber Yards	5 space/ha (2 space/ac) of site plus 1 space/37 m ² (398.2 ft ²)
Child Care Facility, Pet Care Services	1 space/employee plus 1 space for owner’s vehicle
Drinking Establishment, Eating Establishment	1 space/7 m ² (75.3 ft ²) - See 7.4.3
Dwelling, Accessory Residential Dwelling, Secondary Suite Dwelling, Backyard Suite	1 additional parking stall per Dwelling Unit

Hotel/ Motel	1 space /sleeping unit plus 1 space/employee
Intensive Vegetative Operation	1 space/ 30 m ² (322.9 ft ²)
Clinic	1 space/37 m ² (398.2 ft ²)
Manufacturing, Light and Heavy	1 space/56 m ² (602.7 ft ²)
Office	1 space/37 m ² (398.2 ft ²)
Public Buildings	1 space/28 m ² (301.3 ft ²) plus 1 space/employee
Recreation Facilities	1 space/37 m ² (398.2 ft ²)
Recreation Facilities with Seating	1 space/5 seats
Worship Facilities	1 space/8 patrons
Dwellings	1 space/dwelling unit
Bed and Breakfast	1 space /guest bedroom
Retail Stores	1 space/37 m ² (398.2 ft ²)
Schools-Elementary	1 space/class
Junior High	4 spaces/class
Senior High	8 spaces/class
Care Facility	1 space/46 m ² (495.1 ft ²)
Automotive Repair and Service	1 space/46 m ² (496.1 ft ²) plus 3 spaces/repair bay
Warehouse	1 space/93 m ² (1,001 ft ²)

- 7.4.5 A loading space shall have an area of not less than 28 m² (301.3 ft²), 3.5 (11.4 ft) in width, and 3.5 m (11.4 ft) overhead clearance.
- 7.4.6 When a building is enlarged, altered or a change in the use occurs in such a manner as to cause a more intensive use of that building, provision shall be made for the additional parking spaces required under the parking provisions of this By-law. The calculation shall be based on the number of additional parking spaces required as a result of the enlargement, alterations or change in the use of the building.
- 7.4.7 Adequate curbs or concrete bumpers or fences shall be provided to the satisfaction of the Development Officer.
- 7.4.8 Parking spaces shall not be less than 2.5 m (8.2 ft) in width, and 6 m (19.6 ft) in length.
- 7.4.9 Parking spaces shall be designed and provided in accordance with the following table.

WIDTH OF STALL m (ft)	ANGLE OF PARKING, DEG	WIDTH OF AISLE m (ft)	DEPTH OF STALL PERPENDICULAR TO AISLE m (ft)
2.5 (8.2)	30	3.5 (11.48)	5.1 (16.73)
2.5 (8.2)	45	3.5 (11.48)	6.0 (19.66)
2.5 (8.2)	60	5 (16.4)	6.4 (20.9)

7.5 ACCESSORY BUILDINGS




- 7.5.1 Accessory buildings must be secondary and subordinate to the principal building or principal use on the same parcel.
- 7.5.2 When an accessory building is to be attached to the principal building by a roof, a floor or a foundation it shall be deemed to be part of the principal building.
- 7.5.3 An accessory building shall not be used as a dwelling unit unless otherwise approved in accordance with this Bylaw.
- 7.5.4 No side yard may be required for an accessory building provided that, to the satisfaction of the Development Authority:
- (a) the wall of the structure nearest the property line is a fire rated wall, the exterior finish of the wall does not require maintenance and there will not be any eave overhang and footing or foundation encroachment onto the adjoining property; and
 - (b) all roof drainage is directed by means of eaves, troughs, drain spouts, or such other suitable means, onto the property where the accessory building is located.
- 7.5.5 For parcels that abut a lane, no rear yard may be required for an accessory building provided that, to the satisfaction of the Development Authority, the requirements of section 7.5.4 (a) and (b) are met.
- 7.5.6 Accessory Buildings – Fabric Covered shall adhere to the following requirements:
- (a) shall not exceed 20.4 m² (219.5 ft²) in floor area within residential districts;
 - (b) shall be a minimum 3 m (9.8 ft) from flammable material (e.g. fire pits or other open flame accessories) and vegetation;
 - (c) shall be kept in good condition and the fabric not frayed or damaged; and
 - (d) shall not be used in a manner to cause or create a nuisance by way of noise, vibration, or dust to impact the enjoyment of adjacent residential uses or the amenities of the neighbourhood.
- 7.5.7 The Development Authority may require the exterior surface of an Accessory Building –

Shipping Container be finished, or screened from public view, to the satisfaction of the Development Authority.

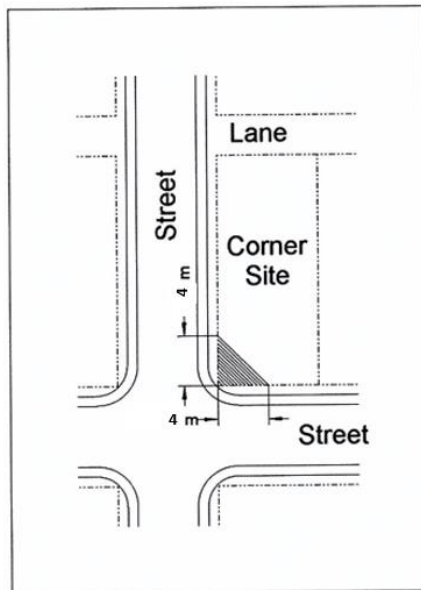
7.5.8 An Accessory Building – Shipping Container shall not be used as a sign.

7.6 FENCING

7.6.1 In residential districts or a parcel with a residential use as the principal use, the maximum height above grade of a fence located within a yard shall be in accordance with the following:

Refer to 7.7.3	Yard	Maximum height from grade:
	Rear yard and Interior Side Yard	2 m (6.5 ft)
	Front yard	1.2 m (3.9 ft)
	Exterior Side yard	1.2 m (3.9 ft)

7.6.1 On corner lots within the corner visibility setback, which lies within a triangle formed by a straight line drawn between two points on the parcel lines 4 m (13.1 ft) from the point where they intersect, as indicated on the following diagram:



fences shall be a maximum of 0.9 m (2.9 ft) in height to ensure public safety and/or good visibility for traffic and pedestrian purposes.

7.6.2 Materials used to construct fences may be wood, brick, stone or concrete, or metal and shall be aesthetically acceptable and in general conformity with adjacent development.

7.6.3 In commercial and industrial districts, the maximum height above grade of a fence located within any yard is 2.4 m (8.0 ft).

7.6.4 No fence shall be of barbed wire construction within Village boundaries.

7.7 CORNER LOTS, REVERSE CORNER LOTS AND IRREGULAR LOTS

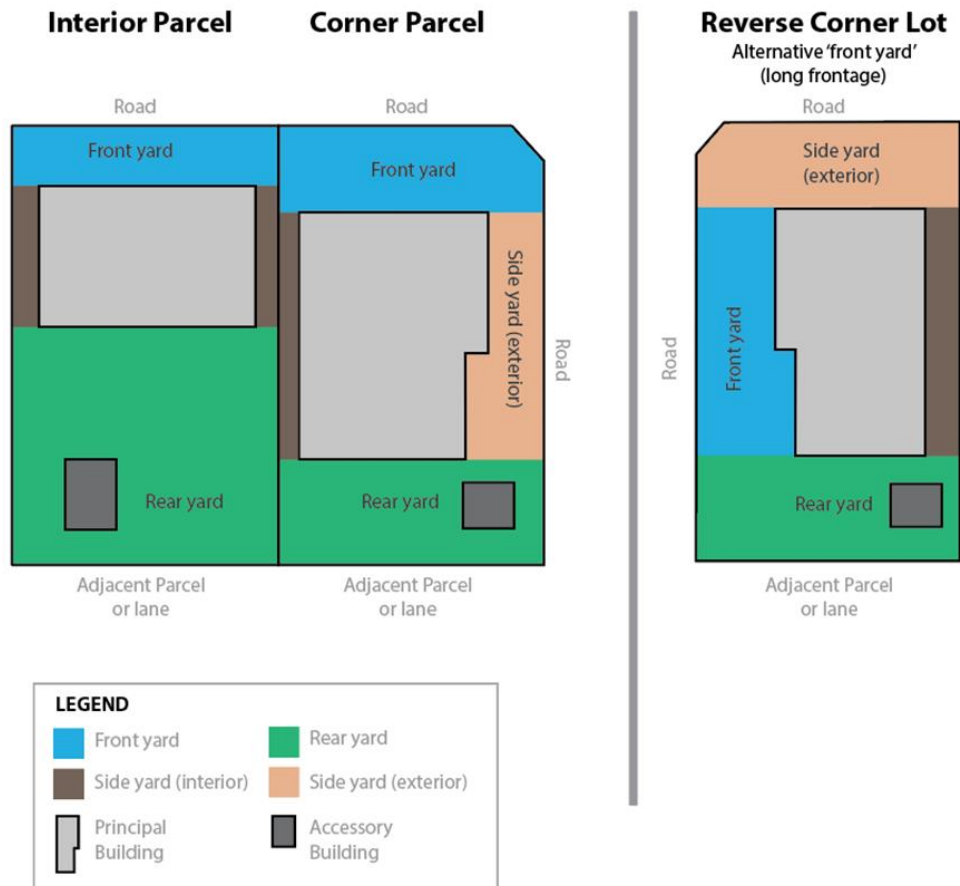
7.7.1 The parcel lines and yards of corner lots shall be determined by the following (see diagram for Corner Lots and Reverse Corner Lots below):

- (a) the front parcel line of a corner lot is the shortest property line abutting a road;
- (b) the exterior side parcel line of a corner lot is the longest property line abutting a road;
- (c) the interior side parcel line of a corner lot is the longest property line abutting a parcel; and
- (d) the rear parcel line of a corner lot is the shortest property line abutting a parcel or lane.

7.7.2 Notwithstanding 7.7.1 or anything else in this Bylaw, the Development Authority may determine a corner lot to be a reverse corner lot (see diagram for Corner Lots and Reverse Corner Lots below).

7.7.3 The Development Authority shall determine the front, rear and side yards of a reverse corner lot by taking into account:

- (a) the general pattern and location of existing buildings on adjacent parcels;
- (b) the size and geometry of the corner lot;
- (c) the ability to create sufficient privacy on the parcel and privacy for adjacent parcels;
- (d) ensuring safe traffic movement at the intersection, considering the primary flow of traffic and access to the parcel; and
- (e) the general aesthetics, considering the location and height of fencing and hedges.



7.7.4 For parcels other than corner lots which have frontage on two roads, or for parcels which are not rectangular in shape, the Development Authority shall determine the yard designations.

7.8 SCREENING OF OUTSIDE STORAGE AREAS AND GARBAGE STORAGE

7.8.1 Garbage shall be stored in weatherproof and animal proof containers, screened from adjacent parcels and roads and be in a location easily accessible for pick up.

7.8.2 Outside storage areas shall be screened from view from adjacent parcels and roads to the satisfaction of the Development Authority.

7.8.3 Commercial and industrial developments abutting a parcel with a principal residential use shall be screened from view on an interior side parcel line or rear parcel line, to the satisfaction of the Development Authority.

7.8.4 On corner lots within the corner visibility setback, screening shall be a maximum of 0.9 m (2.9 ft) in height above grade to ensure public safety and/or good visibility for traffic and pedestrian purposes.

7.9 BED AND BREAKFASTS

- 7.9.1 Bed and Breakfasts shall not interfere with the rights of other residents to quiet enjoyment of a residential neighbourhood.
- 7.9.2 Bed and Breakfasts shall be an incidental and subordinate use to the principal residential use, shall be restricted to the dwelling unit and shall not:
- (a) create a nuisance by way of noise, parking or traffic generation;
 - (b) provide for more than two (2) guest rooms;
 - (c) sell meals or alcoholic beverages to non-overnight guests; and
 - (d) include a kitchen in any room rented.
- 7.9.3 In granting a Development Permit for a Bed and Breakfast, the Development Officer shall restrict the use to a specified time limit after which an application must be made to continue the use. In no case shall a Development Permit be issued for a period that exceeds two (2) years, after which time a new application must be made to continue the use.
- 7.9.4 A maximum of one (1) fascia or freestanding sign for a Bed and Breakfast may be displayed in accordance with subsection 7.15.5.

7.10 HOME OCCUPATIONS

- 7.10.1 Where the applicant for the Home Occupation is not the registered owner of the dwelling unit proposed to be used for a Home Occupation, the applicant shall provide to the Development Authority written authorization from the registered owner(s).
- 7.10.2 A Home Occupation shall not occupy more than 20% of the habitable floor area or 30 m² (332.9 ft²) of a Dwelling Unit, whichever is the lesser.
- 7.10.3 A Home Occupation shall not include any use or operation which will cause or create a nuisance by way of noise, electrical interference, dust, smell, smoke, or traffic generation that is not characteristic of a residential use.
- 7.10.4 A Home Occupation – Minor shall comply with the following:
- (a) Shall not employ any person not residing in the Dwelling Unit;
 - (b) Shall be contained within the principal dwelling unit only;
 - (c) shall not have on-site sales or customer visits totaling no greater than five (5) visits per day, and no more than two (2) customers on site at a time;
 - (d) Outdoor storage of materials, commodities, or finished products related to the use is prohibited; and
 - (e) May display a Window Sign in accordance with section 17.5.4.
- 7.10.5 A Home Occupation – Major shall be determined as any Home Occupation that meets one or

more of the following criteria:

- (a) located within an accessory building or structure;
- (b) employs up to a maximum of 4 employees that do not reside in the dwelling unit;
- (c) on-site sales or customer visits totaling six (6) or more customer visits per day, or more than two (2) customers on-site at a time;
- (d) requires parking of a commercial vehicle up to a G.V.W rating of 4,500 kg (9920.8 lbs) associated with the Home Occupation.

7.11 PET CARE SERVICES

- 7.11.1 The Development Authority may, when issuing a development permit for Pet Care Services, limit the maximum number of animals that may be kept at any one time.
- 7.11.2 Pet Care Services shall be designed, constructed and operated in a manner to prevent a nuisance to any adjacent residential use or other adjacent uses in regard to factors such as noise, odors and waste. Outside enclosures, pens, runs or exercise areas may be allowed at the discretion of the Development Authority.

7.12 KENNELS

- 7.12.1 An application for a Development Permit for a Kennel shall include, in addition to the application requirements in Section 4.3, the following:
 - (a) A site plan indicating the size and location of all kennel buildings and facilities (e.g. outdoor enclosure, pens runs or exercise areas, waste (feces) management areas);
 - (b) the distance between any buildings or facilities used for the kennel operation to any residential uses within a 50.0 m (164.0 ft) radius; and
 - (c) proposed screening and noise attenuation measures.
- 7.12.2 No buildings or exterior exercise area(s) to be used to accommodate dogs shall be allowed within 50.0 m (164.0 ft.) of any dwelling.
- 7.12.3 The Development Authority may, when issuing a development permit for a kennel, determine the maximum number of animals that may be kept at any one time.
- 7.12.4 All pens, rooms, exercise runs, and holding stalls shall be soundproofed if deemed necessary by the Development Authority, which shall base its decision on the number of animals to be kept at the kennel, the proximity of the use to other uses and/or other kennels, and possibility the noise from the use may adversely affect the amenities of the area.
- 7.12.5 The times at which the animals are allowed outdoors may be limited at the discretion of the Development Authority. In particular, all dogs at a kennel, including pups, are required to be kept indoors between the hours of 10:00 p.m. and 7:00 a.m.
- 7.12.6 All kennel facilities shall be screened by both a visual and sound barrier, by fences and/or

landscaping, from existing dwellings on adjacent parcels to the satisfaction of the Development Authority.

7.13 RELOCATION OF BUILDINGS

7.13.1 Notwithstanding Section 4.2 Development Permits Not Required, a development permit shall be required for the relocation of any building, which has been previously used or occupied, to any parcel within the Village of Hussar as part of the development of a permitted or discretionary use.

7.13.2 A development permit for the relocation of a building may include conditions of approval that:

- (a) the building and the proposed location of the building meets the requirements of the land use district in which the building is to be located;
- (b) the building is compatible with the character of the neighbourhood in which the building is to be relocated; and
- (c) the building be renovated to a satisfactory condition within a specified time.

7.14 RESIDENTIAL BUILDINGS ON THE SAME SITE

7.14.1 No person shall construct or locate more than one (1) dwelling unit on a parcel unless otherwise permitted in this Bylaw.

7.15 SIGN CONTROL

7.15.1 No sign shall be erected so as to obstruct free and clear vision of vehicular traffic, or be located, or display a light intensity or colour where it may interfere with, or be confused with, any authorized traffic sign, signal, or device, and in so doing, create a traffic hazard.

7.15.2 No sign shall be erected upon, affixed to or overhang municipal property without the prior consent of the Village of Hussar.

7.15.3 Where a sign is no longer related to a business, product or event located on the same parcel as the sign, the sign must be removed by the owner of the sign or the owner of the parcel on which the sign is located.

7.15.4 All sign lighting shall be designed to illuminate the sign only.

7.15.5 Within Residential Districts, the following sign regulations apply:

- (a) one (1) fascia sign which does not exceed (0.56 m² or 6 ft².) in area for an approved home occupation – major;
- (b) one (1) window sign for a home occupation- minor;
- (c) one (1) freestanding or fascia sign for an apartment, worship facility, child care centre, care facility, cultural establishment which does not:
 - (i) exceed 1.5 m² (16.1 ft²) in area, and

- (ii) exceed 3.6 m (11.8 ft) in height from grade.

7.15.6 Within a Commercial, Industrial or Community Service District the following sign regulations apply:

- (a) freestanding signs:
 - (i) shall not exceed 1.5 m² (16.1 ft²) in area,
 - (ii) shall not exceed 9 m (29.5 ft) in sign height; and
 - (iii) shall not be located greater than 1.52 m (5 ft) from a property line.
- (b) fascia signs
 - (i) shall not exceed 20% in sign area of the face of the building or bay to which the sign is attached; and
 - (ii) shall be located on the building frontage directly adjacent to the business.
- (c) projecting signs:
 - (i) shall be a maximum of 9 m² (96.8 ft²) in sign area;
 - (ii) shall not rise more than 300 mm (11.8 in) above a parapet;
 - (iii) shall be located greater than 600 mm (23.6 in) from the property line;
 - (iv) a minimum clearance of 3 m (9.8 ft) from grade or any sidewalk; and
- (d) roof signs:
 - (i) shall appear as an architectural blade with no visible support structures;
 - (ii) shall not overhang the roof on which it is located; and
 - (iii) shall not exceed a maximum sign area of 9 m² (96.8 ft²).

7.15.7 Within an Urban Reserve District, the following sign regulations apply:

- (a) one (1) freestanding sign which does not exceed 1 m² (10.7 ft²) in area or 6 m (19.6 ft) in height.

7.16 NON-CONFORMING USES AND NON-CONFORMING BUILDINGS

7.16.1 When a building is a non-conforming building solely by reason of its encroachment into a required front, side, or rear yard, the Development Officer at his/her discretion may allow an extension of, or an addition to, the building if such extension or addition will not in itself constitute an encroachment into any required yard, and if such extension or addition complies with the provisions of this Bylaw.

7.16.2 A building that encroaches into a required front, side, or rear yard by reason of conversion from imperial units of measurement to metric units of measurement as contained within this Bylaw is considered to be a conforming building.

7.16.3 Nothing in this Bylaw diminishes or in any way affects the power of the Development Authority to issue a development permit which makes a non-conforming building conforming through the granting of a relaxation of the requirements or rules to which the existing building does not conform.

7.17 SITE GRADING AND DRAINAGE

7.17.1 Parcel grades and building elevations shall be established to ensure effective drainage and prevent drainage from one parcel to another, except where drainage conforms to an approved subdivision drainage plan.

7.18 CONTROLLED APPEARANCE

7.18.1 The design, character, and appearance of any building, structure, or sign proposed to be erected or located in any District, must be acceptable to the Development Authority, having due regard to the amenities and the character of existing development in the District, as well as to its effect on adjacent development.

7.19 SECONDARY SUITES & BACKYARD SUITES

7.19.1 A maximum of one (1) dwelling, secondary suite or dwelling, backyard suite is allowed per parcel.

7.19.2 A dwelling, secondary suite or dwelling, backyard suite must not be separated from the principal residential use on a parcel by the registration of a condominium or subdivision.

Secondary Suites Regulations

7.19.3 The minimum floor area for a Dwelling, Secondary Suite shall be not less than 30 m² (322.92 ft²).

Backyard Suites Regulations

7.19.4 Development of a Dwelling, Backyard Suite shall comply with the following:

- (a) shall not exceed 80 m² (861 ft²) in floor area; where the suite is located on the second storey of an Accessory Building, the maximum height of the building is 8.0 m (26.2 ft);
- (b) the exterior colour and materials, roof pitch, and window door styles of a Dwelling, Backyard Suite must, at the discretion of the Development Authority, match or complement the principal Dwelling Unit.

7.20 MANUFACTURED DWELLINGS

7.20.1 In determining the suitability of a Manufactured Dwelling for placement on a parcel, consideration shall be given to its condition and appearance in context with the adjacent parcels.

7.20.2 The undercarriage of a manufactured dwelling shall be completely screened from view by the

foundation or by skirting within thirty (30) days of placement of the manufactured dwelling.

- 7.20.3 All manufactured dwellings shall be provided with steps and landings to all entrances within thirty (30) days of their placement.
- 7.20.4 All accessory structures such as steps, patios, porches, additions, skirting and storage facilities shall be of complementary quality and design to the Manufactured Dwelling.
- 7.20.5 Manufactured Dwellings constructed greater than eight (8) years at the time of development permit application may not be approved at the discretion of the Development Authority.

7.21 TEMPORARY BUILDINGS OR USES

- 7.21.1 The Development Authority may conditionally approve a temporary building or use to be constructed or located in any Land Use District subject to the owner agreeing to remove said building in accordance with the terms and conditions affixed by the Development Authority.
- 7.21.2 A temporary building shall not exceed one storey in height and shall not have a basement or a cellar or any below grade foundation.
- 7.21.3 A temporary building shall be maintained at all times.
- 7.21.4 No temporary building or use shall be serviced by Village sewage or water supply systems. Notwithstanding the foregoing however, when a temporary use is established in a building or on a site with existing municipal water or sewer services or both, those services may be temporarily used in accordance with the terms and conditions affixed by the Development Authority.
- 7.21.5 The Development Authority may require skirting around the base of a temporary building.
- 7.21.6 An application to extend the duration of a temporary permit shall be dealt with as a new application. There shall be no obligation to approve it on the basis that the previous permit had been issued.

7.22 RENEWABLE ENERGY SYSTEMS

- 7.22.1 Renewable Energy Systems that are part of, or attached to, the principal building or an accessory building shall:
 - (a) not extend above the peak of the roof;
 - (b) not project past a roof by 1.5 m (4.92 ft) at any point; and
 - (c) not generate noise, in the opinion of the Development Authority, which affects the amenity or enjoyment of an adjacent residential use.
- 7.22.2 Renewable Energy Systems that are freestanding must meet the height and setback regulations for an accessory building within the applicable land use district.

Part 8 Districts

8 DISTRICTS

8.1 ESTABLISHMENT OF LAND USE DISTRICTS

- 8.1.1 For the purpose of this Bylaw, the land within the boundaries of the Municipality shall be divided into one or more of the Districts as established in Section 8.2.
- 8.1.2 Throughout this Bylaw and amendments thereto a District may be referred to either by its full name or its abbreviation as set out in Section 8.2.

8.2 DISTRICTS

- 8.2.1 The Districts in the Village are:

Short Title	District Name
R	Residential District
R-MD	Residential – Manufactured Dwelling District
C	Commercial District
I	Industrial General District
UR	Urban Reserve District
CS	Community Service District

8.3 DISTRICT BOUNDARIES

- 8.3.1 The boundaries of the districts listed in above are as delineated on the Land Use District Map in **Part 9**.
- 8.3.2 Where uncertainty exists as to the boundaries of districts as shown on the Land Use District Map, the following rules shall apply:
 - (a) **RULE 1.** Where a boundary is shown as following the municipal boundary, it

shall be deemed to follow the municipal boundary;

- (b) **RULE 2.** Where a boundary is shown as approximately following a lot or parcel line, it shall be deemed to follow the lot or parcel line.

8.3.3 Where the exact location of the boundary of a Land Use District cannot be determined, using the rules in subsection **8.3.2** above, the Council, on its own motion or on a written request, shall fix the location:

- (a) in a manner consistent with the provisions of this Bylaw; and
- (b) with the appropriate degree of detail required.

8.3.4 The location of a district boundary, once fixed, shall not be altered except by an amendment of this Bylaw.

8.3.5 When any road is closed, the road lands have the same district as the abutting lands. When abutting lands are governed by different districts, the centre of the road is the district boundary.

8.4 RESIDENTIAL DISTRICT (R)

8.4.1 Purpose:

The purpose and intent of this District is to provide for residential neighbourhoods composed of predominantly single-detached dwellings with integration of some multi-unit dwellings and other compatible neighbourhood uses.

8.4.2 Permitted Uses:

(a)	Accessory Building or Structure	(d)	Home Occupation, Minor
(b)	Dwelling, Single Detached	(e)	Public Utility
(c)	Community Recreational Facility	(f)	Signs

8.4.3 Discretionary Uses:

(a)	Accessory Building – Fabric Covered	(h)	Dwelling, Duplex
(b)	Care Facility	(i)	Dwelling, Manufactured
(c)	Child Care Facility	(j)	Dwelling, Secondary Suite
(d)	Cultural Establishment	(k)	Home Occupation, Major
(e)	Dwelling, Apartment	(l)	Public Building
(f)	Dwelling, Attached Housing	(m)	Temporary Buildings and Uses
(g)	Dwelling, Backyard Suite	(n)	Worship Facility

8.4.4 The minimum parcel area is:

- (a) Dwelling, Single Detached and Manufactured: 464 m² (4,994.4ft²);
- (b) Dwelling, Attached: 279 m² (3,003.1 ft²) for each interior dwelling or 326 m² (3,509 ft²) for each dwelling unit with a side yard abutting a road; or
- (c) Dwelling, Duplex: 279 m² (3,003.1 ft²) for each dwelling.

8.4.5 The minimum parcel width is:

- (a) Dwelling, Single Detached and Manufactured: 15 m (49.2 ft);
- (b) Dwelling, Attached: 9 m (29.5 ft) for each interior dwelling or 10.5 m (34.45 ft) for each dwelling unit with a side yard abutting a road; or
- (c) Dwelling, Duplex: 7.5 m (24.6 ft) per dwelling.

8.4.6 The minimum front yard setback shall be 6.1 m (20 ft).

- 8.4.7 The minimum side yard setback shall be:
- (a) Principal Buildings:
 - (i) exterior side yard: 3 m (9.8 ft);
 - (ii) interior side yard: 1.5 m (4.2 ft)
 - (b) Accessory Buildings: 1 m (3.2 ft)
- 8.4.8 The minimum rear yard setback shall be:
- (a) Principal Buildings: 7.6 m (24.9 ft)
 - (b) Accessory Buildings: 1 m (3.2 ft)
- 8.4.9 The minimum gross floor area of a dwelling unit is:
- (a) Dwelling, Single Detached and Manufactured: 74 m² (796.5 ft²); or
 - (b) Dwelling, Duplex and Attached: 65 m² (699.6 ft²).
- 8.4.10 The maximum parcel coverage is:
- (a) All buildings including accessory buildings not more than 50% of the parcel area; and
 - (b) All accessory buildings not more than 25% of the parcel area.
- 8.4.11 The maximum building height is:
- (a) Principal Building: 9 m (29.5 ft)
 - (b) Accessory Building: 5 m (16.4 ft)

Additional Requirements for Manufactured Dwellings:

- 8.4.12 The minimum width of a Manufactured Dwelling shall be 6.7 m (22 ft).
- 8.4.13 The design and appearance of a Manufactured Dwelling shall be to the satisfaction of the Development Authority, and may be required to include enhanced design elements that add visual interest such as:
- (a) A porch or veranda on the front façade;
 - (b) horizontal wall articulation on the front façade;
 - (c) the use of thick columns or brackets on roof overhangs;
 - (d) dormers, gables, cross gables or varied pitches for articulated roof lines;
 - (e) large or bay windows on the front façade, with strong window trim;
 - (f) architectural features or other detailing over entrances;
 - (g) changes in exterior siding materials, textures and colors to break up long wall expanses; and
 - (h) the use of trim and moldings that contrast the exterior siding.

8.5 RESIDENTIAL DISTRICT – MANUFACTURED DWELLING (R-MD)

8.5.1 Purpose:

The purpose and intent of this District is to provide for a residential parcels in which manufactured dwellings are accommodated on individual parcels.

8.5.2 Permitted Uses:

(a)	Accessory Building or Structure	(d)	Public Utilities
(b)	Dwelling, Manufactured	(e)	Signs
(c)	Home Occupation, Minor		

8.5.3 Discretionary Uses:

(a)	Accessory Building – Fabric Covered	(d)	Home Occupation, Major
(b)	Dwelling, Backyard Suite	(e)	Public Building
(c)	Child Care Facility		

8.5.4 The parcel area is 464 m² (4,994.4 ft²).

8.5.5 The minimum parcel width is 15 m (49.2 ft).

8.5.6 The minimum front yard setback is 4.5 m (14.7 ft).

8.5.7 The minimum side yard setback is:

- (a) Principal Buildings
 - (i) exterior side yard: 3 m (9.8 ft); and
 - (ii) interior side yard: 1.5 m (4.9 ft)
- (b) Accessory Buildings:
 - (i) exterior side yard: 3 m (9.8 ft); and
 - (ii) interior side yard: 1.5 m (4.9 ft)

8.5.8 The minimum rear yard setback is:

- (a) Principal Buildings: 4.5 m (14.7 ft)
- (b) Accessory Buildings: 1 m (3.2 ft)

8.5.9 The minimum gross floor area of a dwelling unit is 55 m² (592 ft²).

8.5.10 The maximum building height is:

- (a) Manufactured dwellings: 5 m (16.4 ft);
- (b) Accessory Buildings: 5 m (16.4 ft).

8.5.11 The maximum parcel coverage is:

- (a) All buildings together, including accessory buildings: 50% of the parcel area; and
- (b) All accessory buildings: 25% of the parcel area.

Additional Requirements for Manufactured Dwellings:

8.5.12 The minimum width of a Manufactured Dwelling shall be 6.7 m (22 ft).

8.5.13 The design and appearance of a Manufactured Dwelling shall be to the satisfaction of the Development Authority, and may be required to include enhanced design elements that add visual interest such as:

- (a) A porch or veranda on the front façade;
- (b) horizontal wall articulation on the front façade;
- (c) the use of thick columns or brackets on roof overhangs;
- (d) dormers, gables, cross gables or varied pitches for articulated roof lines;
- (e) large or bay windows on the front façade, with strong window trim;
- (f) architectural features or other detailing over entrances;
- (g) changes in exterior siding materials, textures and colors to break up long wall expanses; and
- (h) the use of trim and moldings that contrast the exterior siding.

8.6 COMMERCIAL DISTRICT (C)

8.6.1 Purpose:

The purpose and intent of this District is to provide for service commercial and retail developments serving the Village and the surrounding rural areas.

8.6.2 Permitted Uses:

(a)	Art and Craft Studios	(i)	Parking Lot
(b)	Clinic	(j)	Personal Service Shop
(c)	Community Recreational Facility	(k)	Pet Care Service
(d)	Convenience Store	(l)	Public Building
(e)	Cultural Establishment	(m)	Public Utilities
(f)	Eating Establishment	(n)	Retail Store
(g)	Hotel or Motel	(o)	Signs
(h)	Offices	(p)	Worship Facility

8.6.3 Discretionary Uses:

(a)	Accessory Buildings and Structures	(k)	Drinking Establishment
(b)	Accessory Building – Shipping Container	(l)	Dwelling, Accessory Residential
(c)	Amusement Centre	(m)	Equipment Rental Shop
(d)	Auto Body and Paint Shop	(n)	Fabric Covered Building
(e)	Automotive Repair and Service Shop	(o)	Gas Bar
(f)	Automotive Sales	(p)	Liquor Store
(g)	Bus Terminal	(q)	Storage Yard
(h)	Cannabis Retail Store	(r)	Temporary Building or Use
(i)	Car Wash	(s)	Tradesman’s Shop
(j)	Child Care Facilities		

8.6.4 The minimum parcel area is 302 m² (3250.7 ft²)

8.6.5 The minimum parcel width is 7.6 m (24.9 ft).

8.6.6 The minimum front yard setback is zero.

- 8.6.7 The minimum rear yard setback is 5 m (16.4 ft).
- 8.6.8 The minimum side yard setback is zero, except where abutting a Residential District the minimum side yard setback is 3 m (9.8 ft).
- 8.6.9 The maximum building height is 13.7 m (50 ft).

8.7 INDUSTRIAL GENERAL DISTRICT (I)

8.7.1 Purpose:

The purpose and intent of this District is to provide for a range of industrial uses of a manufacturing, processing, assembling, or distributing nature.

8.7.2 Permitted Uses:

(a)	Accessory Buildings and Structures	(i)	Light Manufacturing
(b)	Accessory Building – Shipping Container	(j)	Public Utilities
(c)	Agricultural Supply Depot	(k)	Public Building
(d)	Building Supply Centre	(l)	Signs
(e)	Car Wash	(m)	Storage Yard
(f)	Equipment Rental Shop	(n)	Tradesman’s Shop
(g)	Fabric Covered Building	(o)	Warehousing
(h)	Grain Elevator and Seed Cleaning		

8.7.3 Discretionary Uses:

(a)	Abattoir	(h)	Intensive Vegetative Operation
(b)	Auto Body and Paint Shop	(i)	Kennel
(c)	Automotive Repair and Service	(j)	Natural Resource Extractive Industries
(d)	Automotive Sales	(k)	Temporary Building or Use
(e)	Bulk Fuel Storage and Distribution	(l)	Waste Transfer Station
(f)	Dwelling, Accessory Residential	(m)	Veterinary Clinic
(g)	Heavy Manufacturing		

8.7.4 The minimum parcel area is 929 m² (9999.6 ft²).

8.7.5 The minimum parcel width is 30 m (98.4 ft).

8.7.6 The minimum front yard setback is 7.6 m (24.9 ft).

8.7.7 The minimum side yard setback is 1.5 m (4.9 ft) except where a fire wall is provided, no side yard setback is required.

8.7.8 The minimum rear yard setback is 1.0 m (3.2 ft).

- 8.7.9 The maximum building height is 13.7 m (50 ft).
- 8.7.10 For an application for an industrial development, the development permit application shall contain the following information:
- (a) the type and nature of the industry, including the use of highly flammable or explosive materials;
 - (b) the estimated number of employees;
 - (c) the estimated water demand and source;
 - (d) the type of effluent and method of treatment;
 - (e) transportation routes to be used; and
 - (f) any accessory works required.

8.8 URBAN RESERVE DISTRICT (UR)

8.8.1 Purpose:

The purpose and intent of this District is to provide for the continuation of existing rural pursuits and the future expansion of urban development.

8.8.2 Permitted Uses:

(a)	Accessory Buildings and Structures	(e)	Extensive Agriculture
(b)	Accessory Buildings – Fabric Covered	(f)	Public Utilities
(c)	Accessory Buildings – Shipping Containers	(g)	Signs
(d)	Community Recreational Facility		

8.8.3 Discretionary Uses:

(a)	Intensive Vegetative Operation	(b)	Temporary Building or Use
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8.8.4 The minimum parcel area is 16.2 ha (40 acres).

8.8.5 The minimum front yard setback is 15 m (49.2 ft).

8.8.6 The minimum side yard and rear yard setback is 15 m (49.2 ft).

8.8.7 The design, site location, site coverage, yards, height of buildings, external finish, and landscaping generally of all buildings and structures shall be to the satisfaction of the Development Officer who in determining a Development Permit application shall take into account:

- (a) the general purpose of the district; and
- (b) the existing future uses of adjacent parcels.

8.8.8 The Development Authority shall be satisfied prior to the granting of a Development Permit that the proposed use will not prejudice the future orderly development of the area.

8.9 COMMUNITY SERVICE DISTRICT (CS)

8.9.1 Purpose:

The purpose and intent of this District is to provide for cultural, educational, institutional, and recreational uses.

8.9.2 Permitted Uses:

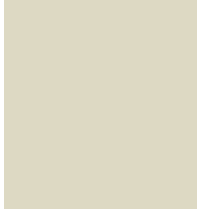
(a)	Accessory Buildings and Structures	(h)	Community Recreational Facilities
(b)	Campground	(i)	Parking Lots
(c)	Cemetery	(j)	Public Buildings
(d)	Child Care Facilities	(k)	Public Utilities
(e)	Cultural Establishment	(l)	Schools
(f)	Exhibition Grounds	(m)	Signs
(g)	Fabric Covered Building	(n)	Worship Facility

8.9.3 Discretionary Uses:

(a)	Accessory Building – Shipping Container	(d)	Intensive Vegetative Operation
(b)	Clinic	(e)	Temporary Building or Use
(c)	Care Facility		

8.9.4 The maximum building height is 15 m (49.2 ft).

8.9.5 The design, setting, external finish and architectural appearance of all buildings including accessory buildings and structures and landscaping shall be to the satisfaction of the Development Authority to ensure that adequate protection be afforded to the amenities of the area.



Part 9 Land Use District Map

9 LAND USE DISTRICT MAP



- Commercial District - (C)
- Industrial General District (I)
- Residential District (R)
- Residential - Mobile Home (R-MH)
- Urban Reserve District (UR)
- Community Service and Recreation (CS)
- Legal Parcels
- Roads
- Village Boundary

Land Use District Draft Map

November 12th 2024

