


**MISCELLANEOUS PLANNING ITEM  
PLANNING AND DEVELOPMENT REPORT TO COUNCIL  
DEVELOPMENT PERMIT APPLICATION  
May 14, 2025**

<b>APPLICATION INFORMATION</b>		<b>FILE NO. 25D045</b>
	<b>DATE APPLICATION DEEMED COMPLETE:</b> March 19, 2025	
	<b>LEGAL DESCRIPTION:</b> Plan 0715294; Unit 1; Ptn. S 6-22-29 W4M	
	<b>AREA OF SUBJECT LANDS:</b> 470 sq. m.	
	<b>LANDOWNER:</b> Comic Traders Holdings Ltd.	
	<b>APPLICANT:</b> Steven Furguson	
<b>PROPOSAL:</b> Development Permit application for a Direct Control District #11 (DC#11) parcel to allow for the use of the existing development as a Retail and Wholesale Outlet.		
<b>DIVISION NO:</b> 6		<b>COUNCILLOR:</b> Don Waldorf
<b>FILE MANAGER:</b> Aamani Sidhu		

**EXECUTIVE SUMMARY:**

**Location of Subject Lands**

The subject property is situated at the northwest corner of the Heritage Pointe Commercial Site, within the Hamlet of Heritage Pointe. It is located directly east of Heritage Lake Drive and directly north of Pine Creek Road and Dunbow Road East. The site lies within 500 metres of the intersection of Highway 2A and Dunbow Road West.

**Summary of Proposal**

This is a Development Permit application for a Direct Control District #11 (DC#11) parcel located at Plan 0715294; Unit 1; Ptn. S 6-22-29 W4M to allow the operation of a Retail and Wholesale Outlet. The proposed use is for a comic book retail store that will support both in-person and online retail operations.

**Background**

Existing development on this condominium-titled property consists of a 9,722 sq. ft. commercial building comprising six bays. As per the DC district regulations, any occupants of bays not specifically addressed in the original decision must apply for individual development permits to ensure compliance with the district's intent. This development was approved as part of Phase 3 of the Village Centre project in 2006.

Previous approvals for Plan 0715294, Unit 1, Ptn. S 6-22-29 W4M (the subject parcel) include:

- 2020: Approval for the operation of a retail store on the top floor of the condominium unit, specifically for a western wear retail business.
- 2015: Approval for a Day Care Facility, which later relocated to another site.

## **PURPOSE OF APPLICATION:**

As Council is the Development Approving Authority for Direct Control District lands, they may decide on a Development Permit application, or may delegate the Authority, with directions that it considers appropriate.

**Council may require a Public Meeting prior to deciding on any application within the Direct Control District.**

### **Summary of Proposal**

Approval of the following use is being requested on the subject 470 sq. m. Direct Control District #11 parcel located on Plan 0715294, Unit 1, Ptn. S 6-22-29 W4M: Retail and Wholesale Outlet.

1. The applicant is requesting approval to operate a comic book retail and wholesale outlet on the subject 470 m<sup>2</sup> parcel within Direct Control District #11.
2. The business will serve as both a packing center (Monday to Friday, 9 AM–5 PM) and a retail store (Wednesday to Sunday, 12 PM–6 PM).
3. Interior modifications will include mounting slat walls on the east and west walls, removing existing mirrors, along with the addition of retail fixtures.
4. Window tinting and security camera installation are planned.
5. Site plans (found under Appendix A) show the main floor will include toy racks, display cabinets, comic tables, workstations, and desks. The basement will be primarily used for storage.
6. There will be no exterior changes to the structure.
7. A small sticker sign will be placed in the window for identification.
8. Parking demand will be minimal, with a maximum of two stalls needed for staff, who will be shuttled from the company's city location in Lake Bonavista. Customer traffic is expected to be low (1–2 customers per day), as the majority of sales are online.
9. A shared loading area, serving four businesses, will be used for deliveries.
10. No additional exterior lighting is proposed.
11. A garbage disposal system for the site is already in place.

## **SITE CONSIDERATIONS:**

### **Access:**

Common access to the Commercial Site is provided from Pine Creek Road, a paved municipal road surface.

### **Common Areas:**

Common areas of the Commercial Site contain surface parking and landscaping features.

### **Servicing Considerations:**

Properties in this area are provided water and wastewater servicing by Corix Utilities, also known as Blue Stem.

### **Predicted Off-Site Impacts:**

None recognized.

## **POLICY CONSIDERATIONS:**

The application is **generally consistent with** the requirements and recommendations included within the existing statutory documents. The application to allow for Retail and Wholesale Outlet use on the subject property is supported by:

- Municipal Development Plan 2010 – *Commercial Development & Location*
- Growth Management Strategy – *Planning for Commercial Development*
- Heritage Pointe Area Structure Plan – *Retail/Commercial*
- Land Use Bylaw 60/2014 – *Definitions & Discretionary Uses*

The applicant has provided parking rationale within the application and identifies minimal use of parking stalls by staff and customers to illustrate that the proposal will meet the requirements of section 9.19 of the Land Use Bylaw.

- Should there be a single point in time during which the Commercial Site were at full occupancy for all involved units, in all Phases at one time, the Parking Requirements for the cumulative sum of all units would not be met; however as of this time, there have been no reported issues with respect to lack of parking or over-crowding at the Commercial Site.
- As per this section of the Land Use Bylaw, Council may request a Parking Assessment, or alternately, as stated under 9.19.19 - ***The Development Authority has discretion to amend the parking requirements if deemed necessary. The parking requirements are meant as a guideline.***

### **Land Use Bylaw 60/2014**

**18.11 Direct Control District #11 (DC11):** See Appendix C for details

#### **18.11.1 Purpose and Intent**

- *The purpose and intent of this district is to allow for a wide range of commercial uses consistent with the Heritage Pointe Area Structure Plan and Direct Control by the Council over the development on the following lands (Heritage Pointe Commercial Site):*

*In Township 22, Range 29, West 4 Meridian: Portion of Fractional South Half Section 6; In Township 22, Range 1, West 5 Meridian: Portion of South East Quarter of Section 1 Total of 3.61 acres.*

#### **18.11.3 Discretionary Use: Retail and Wholesale Outlets**

#### **18.11.4 Requirements**

**18.11.4.1** *Standards of the development shall be at the discretion of Council.*

**Definitions** for all uses can be found under section 2.5 of the Land Use Bylaw.

- **RETAIL STORE** means the use of a building or a portion thereof for the sale or display of merchandise to the public and includes the storage of merchandise on or about the premises in quantities sufficient only to supply the establishment but does not include grocery store, liquor sales, or cannabis sales.

- **WHOLESALE** the sale of commodities to retailers or jobbers and shall include the sale of commodities for the purpose of carrying on any trade or business even if the said trade of business is the consumer or end user of the commodity.

<b>CIRCULATION REFERRALS</b>	
<b>REFEREE</b>	<b>COMMENTS</b>
<b>INTERNAL</b>	
Public Works	No changes proposed or required.
Building & Safety Codes	No response was received.
Municipal Fire Services	No response was received.
<b>EXTERNAL</b>	
Alberta Transportation (ATEC)	<p>Transportation and Economic Corridors offers the following comments and observations with respect to the proposed development(s);</p> <ul style="list-style-type: none"> <li>• Pursuant to section 618.3(1) of the Municipal Government Act (MGA), the department expects that the municipality will comply with any applicable items related to provincial highways in an ALSA plan if applicable.</li> <li>• Pursuant to 618.4(1) of the MGA, the department expects that the municipality will mitigate the impacts of traffic generated by developments approved on the local road connections to the highway system, in accordance with Policy 7 of the Provincial Land Use Policies.</li> </ul> <p><b>Transportation and Economic Corridors has the following additional comments and/or requirements with respect to this proposal:</b></p> <ol style="list-style-type: none"> <li>1. The proposed development is exempted from the requirement of a permit pursuant to Section 25 of the Highways Development and Protection Regulation. This exemption is subject to the provisions of Sections 11-23 and Sections 55-59 of the Highways Development and Protection Act (Chapter H-8.5, RSA, 2004) and amendments thereto, and Sections 8-15, Sections 24-25, and Sections 35-36 of the Highways Development and Protection Regulation (Alberta Regulation 326/2009) and amendments thereto.</li> <li>2. Transportation and Economic Corridors accepts no responsibility for the noise or other impacts of highway traffic upon any development or occupants thereof. Noise impacts and the need for attenuation should be thoroughly assessed. The applicant is advised that provisions for noise attenuation and/or visual screening are the sole responsibility of the landowner.</li> <li>3. All highway accesses are to be considered temporary. No compensation shall be payable to the Permittee or their assigns or successors when Transportation and Economic Corridors (or their assigns) removes, alters, or relocates the temporary access or if highway access is removed or relocated, and indirect access is provided via a municipal road.</li> <li>4. This exemption, and associated terms and conditions, apply to the development referenced herein at the location shown, and any new or additional development activity must obtain approval from Transportation and Economic Corridors.</li> </ol>

## CIRCULATION REFERRALS

	<ol style="list-style-type: none"> <li>5. The landowner shall indemnify and hold harmless the Minister and his employees and agents from any and all claims, demands, actions and costs whatsoever that may arise, directly or indirectly, from anything done or omitted to be done in the construction, maintenance, operation, or alteration of the work described.</li> <li>6. Any peripheral lighting (yard lights/area lighting) that may be considered a distraction to the motoring public or deemed to create a traffic hazard will not be permitted.</li> <li>7. The landowner (or a designated representative) is responsible for obtaining any other necessary municipal, provincial, or federal approvals.</li> </ol>
Corix Utilities (Blue Stem)	No response was received.
City of Calgary	The City of Calgary has no comments regarding Application #25D 045 for the proposed Retail and Wholesale Outlet.
<b>PUBLIC</b>	<i>Public notification/referral does not occur with respect to Development Permits on Direct Control District lands unless review of the application involves a Public Meeting.</i>

## SUMMARY

The request before Council is for approval of Development Permit application 25D 045 to allow for the operation of a Retail and Wholesale Outlet on Plan 0715294, Unit 1; Ptn. S 6-22-29 W4M.

## OPTIONS FOR COUNCIL CONSIDERATION:

### OPTION #1 – APPROVAL

**The suggested motion for Option #1 is as follows:**

*Moved that Development Permit 25D 045 to allow the operation of a Retail and Wholesale Outlet on Plan 0715294, Unit 1; Ptn. S 6-22-29 W4M be approved subject to the following conditions:*

## APPROVAL DESCRIPTION

This approval allows for the operation of a Retail and Wholesale Outlet on Plan 0715294, Unit 1; Ptn. S 6-22-29 W4M in accordance with the application for Development Permit and the plans as accepted by the Development Authority to be appropriate, subject to the following conditions:

## SUGGESTED PRE-RELEASE CONDITIONS

*Pre-release Conditions must be fulfilled before the Development Permit will be signed and released. Unless a time extension is issued under agreement between the Development Authority and the Applicants, **failure to complete the pre-release condition on or before October 14, 2025, will see this approval be deemed null and void.***

The Development shall not proceed until such time as the County has issued a signed Development Permit.

1. The applicant is required to submit a refundable security deposit in the amount of \$1,000 in order to ensure compliance with the Alberta Building and Fire Codes for the proposed use and occupancy of the development. This security will be refunded at such time that final confirmation for occupancy of the structure is provided by the County's Safety Codes Officer and the Foothills Fire Inspector.

#### **SUGGESTED CONDITIONS OF APPROVAL**

*The following requirements must be completed within twenty-four (24) months from the date the Development Permit is signed and issued unless a time extension is approved under agreement between the Development Authority and the Applicant(s). **Failure to complete the conditions of approval will see the Development Permit be deemed null and void.***

1. The applicant shall maintain the development in accordance with all conditions of approval and plans that have been acknowledged by the municipality to be appropriate. Any revisions and/or additions to the use of this land shall not proceed unless appropriate approvals and permits have been obtained;
2. The applicants are required to obtain all necessary building, plumbing, gas, septic, and electrical permits and inspections applicable to use and occupancy of the existing development used in conjunction with the business;
3. Business operations and involved related use (ie: parking/loading) shall at all times be wholly located within the boundaries of the legally titled unit and its associated common area;
4. The applicant is required to maintain an annual business license with Foothills County;
5. Prior to occupancy, the applicant shall contact the Foothills Fire Department in order to arrange for a fire inspection, and shall ensure that the unit is clearly marked with appropriate municipal addressing; Please contact the County's GIS department to fulfill this requirement;
6. An Emergency Response Plan is required to be submitted for review and acceptance by the County;
7. Fascia signage similar to the composite signage currently found within the Heritage Pointe Commercial Site is permitted for each vendor. Prior to installation of any signage on the subject property, detailed sign dimensions and location specifications shall be provided for review and acceptance by Foothills County;
8. It is the landowner's responsibility to provide notification to the Development Authority upon completion of the development, including all listed conditions of approval;
9. The applicant shall be responsible for payment of any professional costs including legal fees that may be incurred by the County with respect to implementation of this permit.

## **ADVISORY CONDITIONS**

The following requirements are provided by Foothills County to inform the applicant(s) and landowner(s) of their necessity. It is the responsibility and liability of the applicant(s)/landowner(s) to ensure adherence with these requirements for the life of the development.

1. The development shall be maintained in accordance with all conditions of approval and plans as accepted by the County to be appropriate. Additions to, or revisions to the development and use approved herein may occur only upon obtaining appropriate independent approvals;
2. Development is to comply with the requirements of the applicable Building, Safety, and Fire Codes at all times;
3. All installations of exterior lighting shall adhere to the guidelines and technical specifications as outlined within the County's Dark Sky Bylaw;
4. Days and hours of operation for the packing centre are permitted to Friday, 9 AM–5 PM and as a retail store permitted Wednesday to Sunday, 12 PM–6 PM.
5. The applicant shall maintain an annual business license with Foothill County;
6. All garbage and recycling materials shall be stored in weather-proof and animal-proof containers that are required to be visibly screened from adjacent lands;
7. The issuance of a development permit from the County does not relieve the applicant of the responsibility of complying with all other relevant municipal bylaws and requirements, nor excuse violation of any provincial or federal regulation or act which may affect use of the land.

### **Notes:**

1. Contravention of any of the above conditions and/or requirements will result in this permit being considered null and void.
2. This Development Permit shall thereafter be null and void if the development or use is abandoned for a period of six months.
3. The conditions of this Development Permit must be met and adhered to at all times. Fines and/or Enforcement action may occur if operating outside of the Development Permit.

## **OPTION #2 – REFUSE**

**Should Council not support the application, they may wish to consider the following motion of refusal:**

*Moved that Development Permit 25D 045 to allow the operation of a Retail and Wholesale Outlet on Plan 0715294, Unit 1; Ptn. S 6-22-29 W4M be refused.*

## **APPENDICES**

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### **APPENDIX A: MAP SET**

MAP 1 – ORTHO

MAP 2 – LOCATION

MAP 3 - LAND USE

MAP 4 - SITE PLAN (MAIN FLOOR)

MAP 5 – SITE PLAN (BASEMENT)

### **APPENDIX B: SUPPLEMENTARY MATERIALS**

### **APPENDIX C: LAND USE BYLAW**

DC#11 DISTRICT



## APPENDIX A: MAP SET

### MAP 1 – ORTHO



S 06-22-29 W4M; Plan 0715294 Unit 1



Legend  
Townships  
Hamlet  
Parcels

Document Path: C:\p\PlanningData\MDP\_Planing.mxd

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## APPENDIX A: MAP SET

### MAP 2 – LOCATION



### MAP 3 – LAND USE MAP



Legend

- Townships
- Hamlet
- Parcels
- CR - Country Residential
- DC - Direct Control
- ER - Environmental Reserve
- MR - Municipal Reserve
- REC - Recreation
- RC - Residential Community District

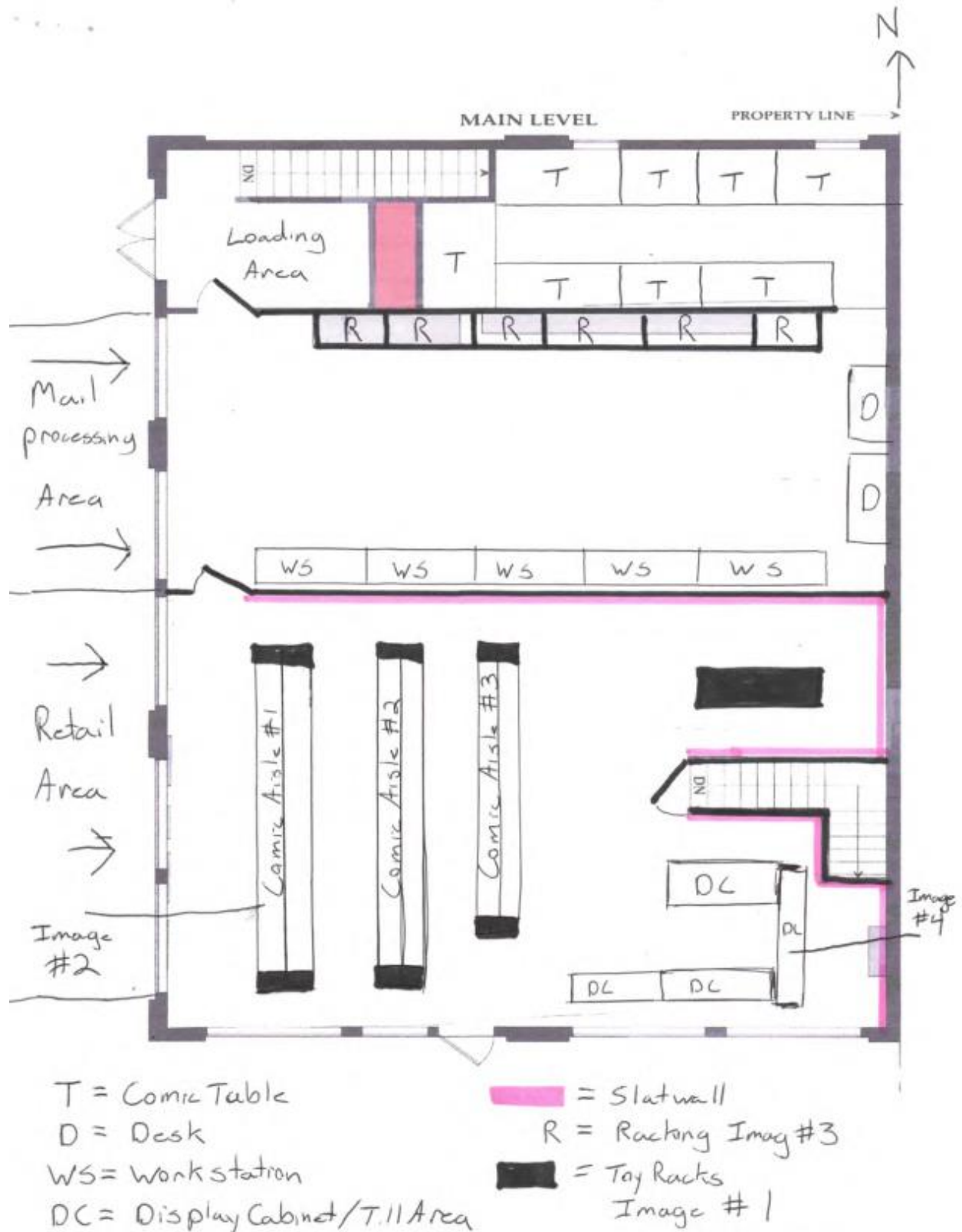
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### MAP 4 – SITE PLAN (MAIN LEVEL)

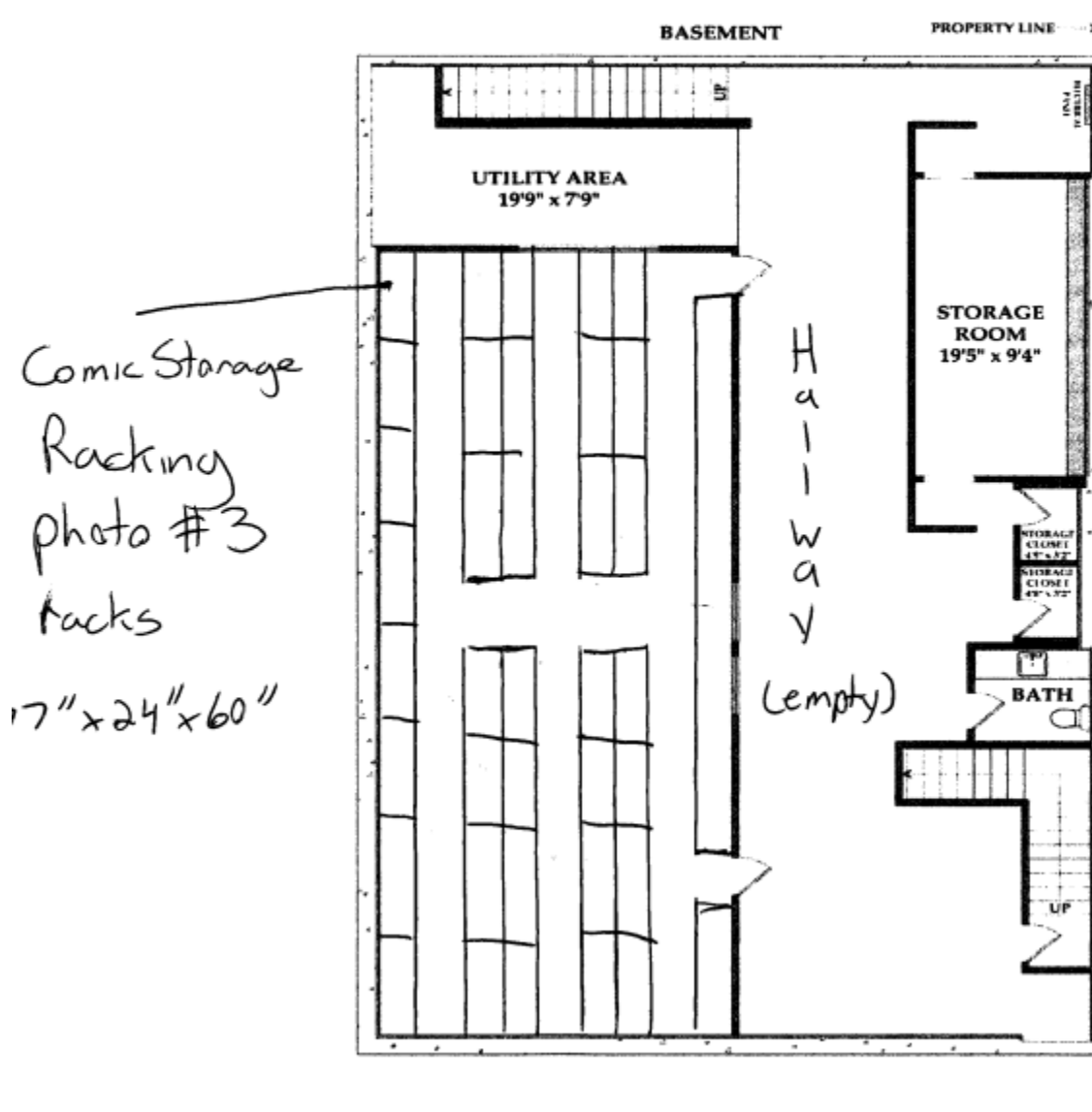


## APPENDIX A: MAP SET

### MAP 5 – SITE PLAN (BASEMENT)

GROSS LEASABLE AREA (GLA) - 5,292.32 Sq.Ft. / 491.66 m<sup>2</sup>

CUSTOMER: SUSAN PENLEY // REMAX CENTRAL CALGARY



GROSS LEASABLE AREA OF UNIT

## APPENDIX B: SUPPLEMENTARY MATERIALS

### PARKING AND LOADING PLAN

Parking plan and Loading plan

Part 1 parking plan

Staff----Our staff don't drive and all live by our Lake Bonavista site

At 9 am every day a portion of our staff will be shuttled to south location using our shuttle van

The staff that do drive might use max 2 stalls per day and will be instructed to park in south corner of the lot away from store fronts

Customers----- will park out in front of store

Our business is 95% online and were the largest exporter of Comics in Canada

Almost all our customers are US based

We do not expect much for traffic 1-2 customers max , we aren't even going to have signs other than a sticker on the glass at the front door



## Part 2 Loading unloading delivery vehicles

As per photo there is a loading area at the side of the building

This is where deliveries for all 4 businesses in the building are dropped off

We keep this area clear and there is a loading zone sign behind the car in the photo

You can see solid steel double door behind the car that's where our deliveries will go into the building

The room on the other side of the door is large enough for 4 pallets to be delivered

It is marked loading area on the new maps



To the left of where the car is are the garbage bins and recycling bins there in a enclosed brick box these are shared by all tenants of the building

There is also a no parking loading zone sign on the gate for the garbage bins



Parking aerial view of building 1

Comic Traders portion of building marked with black sharpie

Loading area marked with


Customer parking stall shared with 3 other businesses marked with


Staff parking preferred





This is the full area view of the entire parking area for all business

Preferred shared staff spots are marked with 

Preferred customer spots are marked with 



## APPENDIX B: SUPPLEMENTARY MATERIALS

### APPLICATION LETTER

#### COMIC TRADERS APPLICATION

1. HAND DRAWN SITE PLAN INCLUDED
2. DESCRIPTION OF BUSINESS  
COMICTRADERS BUYS AND SELLS NEW 90% AND USED 10% COMIC BOOKS AS WELL AS SOME COLLECTABLE TOYS (PHOTOS OF EXISTING 1200SQ FOOT LOCATION INCLUDED), 90% OF OUR BUSINESS IS ONLINE SALES FROM OUR WEBSITE AT COMICTRADERS.CA. OUR SITE IS 5400 SQ FEET. 2700 SQUARE FEET WILL BE USED AS A RETAIL STORE AND STUDIO FOR OUR ONLINE SHOW, THE TOP LEVEL. 2700 SQ FOOT BASEMENT WILL BE USED TO STORE MERCHANDISE AS WELL AS A PACKING CENTER FOR MAIL. COMIC TRADERS PACK AND SHIPS 100 ORDERS PER DAY AVERAGE. ONCE PACKED WE DROP THE PACKAGES OFF AT THE POST OFFICE 1 A DAY. OUR PACKING CENTER RUNS 5 DAYS A WEEK MONDAY TO FRIDAY 9-5 AND HAS 3 EMPLOYEES. OUR RETAIL STORE WILL BE OPEN 5 DAYS A WEEK, WEDNESDAY TO SUNDAY NOON TO 6 PM.
3. BUSINESS WILL BE ENTIRELY RUN FROM SITE.
4. THE ENTIRE BUSINESS WILL BE LOCATED INSIDE THE CONDO UNIT
5. N/A NO NEW BUILDINGS WILL BE BUILT
6. COMICTRADERS EMPLOYS 4 FULLTIME AND TWO PARTIME EMPLOYEES
7. COMICTRADERS SELLS COMICS 90% OF SALES ARE ONLINE THE 90% IS PACKED AND SHIPPED 10% OF SALES ARE WALK IN CUSTOMERS
8. CONDO UNIT HAS A REAR DOUBLE DOOR ALL SHIPMENTS 1-2 INCOMING AND 5 OUT GOING WILL LOAD INTO A SMALL VAN THROUGH THE REAR DOOR. COMIC TRADERS HAS A VAN WE PICK UP AND DROP OFF ALL OUR OWN SHIPMENTS.
9. N/A CONDO LOT IS IN AN EXISTING STRIP MALL
10. VEHICLE GENERATION, STAFF WILL HAVE UP TO 4 VEHICLES ON SITE, COMICTRADERS HAS 1 VAN, AND WE DO NOT EXPECT A LOT OF WALK IN TRAFFIC, HOWEVER WE COULD HAVE 5-10 VISITERS PER DAY.
11. WE ARE AWARE THERE ARE PARKING ISSUES IN THE LOT, COMICTRADERS HAS 12 SPOTS DIRECTLY IN FRONT OF OUR CONDO HOWEVER WE DON'T EXPECT TO NEED MORE THAN 5 AT A TIME, IF PARKING IS A SERIOUS ISSUE WE MAY HAVE STAFF PARK OFFSITE AND SHUTTLE THEM TO WORK DAILY.
12. N/A BUILDING IS EXISTING
13. ALL DELIVERIES AND SHIPMENTS (2 INCOMING 5 OUTGOING WEEKLY) ARE DONE WITH OUR VAN

14. HOURS, OUR PACKING CENTER RUNS 5 DAYS A WEEK MONDAY TO FRIDAY 9-5 AND HAS 3 EMPLOYEES. OUR RETAIL STORE WILL BE OPEN 5 DAYS A WEEK, WEDNESDAY TO SUNDAY NOON TO 6 PM.
15. WATER USAGE, NEXT TO ZERO, JUST STANDARD WASHROOM USAGE
16. GARBAGE AND RECYCLING SITES FOR PROPERTY ARE ALREADY INPLACE, HOWEVER COMICTRADERS PRODUCES ALMOST NO GARGAGE AT ALL , ALL OUR INCOMING SHIPMENTS COME IN REUSABLE BOXES , WE REUSE ALL BOXES,
17. N/A
18. N/A NOT DANGEROUS GOODS ON SITE
19. N/A
20. N/A NO EVENTS ONSITE (HOWEVER IT IS A RETAIL STORE WE WILL OCCASIONALLY HAVE A SALE LIKE BOXING DAY ETC, BUT NOTHING UNUSUAL 90% OF OUR BUSINESS IS ONLINE SO OUR EVENTS ARE ONLINE VIRTUAL EVENTS)
21. N/A SITE ALREADY GRADED
22. N/A SITE ALREADY GRADED
23. N/A LANSCAPING EXISTING
24. N/A NO NEW LIGHTING EXISTING STRIP MALL
25. N/A NO SIGNAGE
26. N/A STORM WATER EXISTING
27. N/A
28. N/A APPLICANT PURCHASED CONDO UNIT SEPT,20 2024

## APPENDIX C: LAND USE BYLAW

### DC#11 DISTRICT

#### **18.11 DIRECT CONTROL DISTRICT #11 (DC11)**

#### **DC#11**

##### **18.11.1 PURPOSE AND INTENT**

The purpose and intent of this district is to allow for a wide range of commercial uses consistent with the Heritage Pointe Area Structure Plan and Direct Control by the Council over the development on the following lands (Heritage Pointe Commercial Site):

In Township 22, Range 29, West 4 Meridian:  
Portion of Fractional South Half Section 6;  
In Township 22, Range 1, West 5 Meridian:  
Portion of South East Quarter of Section 1  
Total of 3.61 acres

##### **18.11.2 PERMITTED USES**

Convenience / Grocery Store  
Public Works  
Restaurants  
Service Station  
Signs not requiring a development permit  
Solar Power System, Private (Not requiring a Development Permit)

##### **18.11.3 DISCRETIONARY USES**

Accessory Uses  
Appliance Service and Repair  
Auto Sales and Service  
Business Offices (i.e. – Veterinarian, Medical Doctor, Dentist, Lawyer, Small Business Centre)  
Cannabis Retail Store  
Community services (i.e. Fitness Facility, Library, Recycle)  
Country Recreational Centre / Lodge  
Day Care Center  
Dwelling, Single Family  
Farm Equipment and Sales  
Hotel / Motel  
Public Quasi Public Installations and Facilities  
Retail and Wholesale Outlets (i.e. Post Office, Dry Cleaner, Beauty Salon/Spa, Coffee Shop, Liquor Store, Video Store, Art Market)  
Signs requiring a Development Permit  
Solar Power System, Private (Requiring a Development Permit)

##### **18.11.4 REQUIREMENTS**

18.11.4.1 Standards of the development shall be at the discretion of Council.

##### **18.11.5 MINIMUM REQUIREMENTS**

18.11.5.1 Area of Lot:

- a. Area shown on Certificate of Title; or
- b. Area allowed for by bylaw amending this section.

**18.11.5.2 Minimum Yard Setback Requirements:**

- a. Front Yard Setback:
  - i. 4m (13.12 ft.) from an Internal Subdivision Road – Property Line
  - ii. 38m (124.67 ft.) from the centre line of a Municipal Road.
  - iii. 64m (209.97 ft.) from the centreline of a Municipal Road, Major.
  - iv. 40m (131.23 ft.) from the ultimate right of way or 70 meters from the centreline of a Provincial highway, whichever is greater.
- b. Side Yard Setback:
  - i. 1.5m (4.92 ft.) from property line
- c. Rear Yard Setback
  - i. 6m (19.69 ft.) from property line

**18.11.6 MAXIMUM LIMITS**

**18.11.6.1 Number of Lots**

- a. At the discretion of Council

**18.11.6.2 Height of Buildings:**

- a. 12m (39.37 ft.) or
- b. If higher than 12m, at the discretion of Council

**18.11.6.3 Coverage of Lot:**

- a. 60%

**18.11.7 PROCEDURE**

**18.11.7.1** Notwithstanding the procedure established for development permit applications in Section 4 and Section 5, an application for development permit in respect of lands referred to in Section 8.11.1 shall be referred by the Development Officer to the Council for its approval or refusal.

**18.11.7.2** Notwithstanding the procedure established for the issuance of development permits in Section 5, the Council shall decide on all applications for development permits with respect to lands referred to in Section 18.11.1. The council may approve a development permit application with or without conditions or may reuse an application for development permit.

**18.11.7.3** There is no appeal to the Development Appeal Board from a decision of the Council on an application for a development permit in respect of the lands referred to in Section 18.11.1.