

CD-1 (625)

408-488 West King Edward Avenue

By-law No. 11485

Being a By-law to Amend Zoning and Development By-law No. 3575

Effective April 5, 2016

Amended up to and including:

By-law No. 14425, dated July 22, 2025

Consolidated for Convenience Only

Note: Information included in square brackets [] identifies the by-law numbers and dates for the amendments to this CD-1 By-law or provides an explanatory note.

Zoning District Plan Amendment

1. This By-law amends the Zoning District Plan attached as Schedule D to By-law No. 3575, and amends or substitutes the boundaries and districts shown on it, according to the amendments, substitutions, explanatory legends, notations, and references shown on the plan marginally numbered Z-685 (c) attached as Schedule A to this By-law, and incorporates Schedule A into Schedule D, to By-law No. 3575.

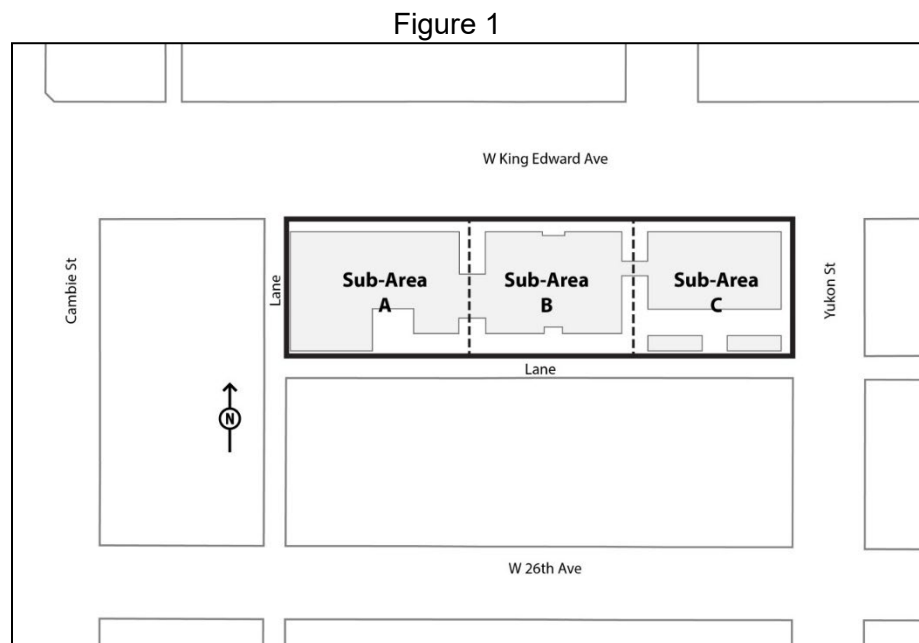
Definitions

2. In this By-law:

“Adult Day Care Centre” means the use of premises to offer health, therapeutic, social, respite, and other care services, programs, and facilities to seniors and other adults.

Sub-areas

3. The site is to consist of three sub-areas approximately as illustrated in Figure 1, solely for the purpose of allocating height.



Uses

- 4.1 The description of the area shown within the heavy black outline on Schedule A is CD-1 (625).
- 4.2 Subject to Council approval of the form of development, to all conditions, guidelines and policies adopted by Council, and to the conditions set out in this By-law or in a development permit, the only uses permitted within CD-1 (625), and the only uses for which the Director of Planning or Development Permit Board will issue development permits are:

- (a) Dwelling Uses, limited to Seniors Supportive or Assisted Housing;
- (b) Institutional Uses, limited to Community Care Facility – Class B, Adult Day Care Centre, and Child Day Care Facility; and [14425; 2025 07 22]
- (c) Accessory Use customarily ancillary to the uses listed in this section 4.2.

Floor Area and Density

- 5.1 Computation of floor space ratio must assume that the site consists of 5,345.0 m², being the site size at the time of the application for rezoning evidenced by this By-law, prior to any dedications.
- 5.2 The floor space ratio for all uses must not exceed 2.27, except that:
 - (a) Dwelling uses are limited to 10,000 m²; and
 - (b) Above grade floor space ratio is limited to 1.99.
- 5.3 Computation of floor area must include all floors, including earthen floor, above and below ground level, having a minimum ceiling height of 1.2 m, measured to the extreme outer limits of the building.
- 5.4 Computation of floor area must exclude:
 - (a) open residential balconies or sun decks and any other appurtenances which in the opinion of the Director of Planning are similar to the foregoing, except that:
 - (i) the total area of all such exclusions must not exceed 12% of the permitted floor area, and
 - (ii) the balconies must not be enclosed for the life of the building;
 - (b) patios and roof gardens, if the Director of Planning first approves the design of sunroofs and walls;
 - (c) where floors are used for off-street parking and loading, the taking on or discharging of passengers, bicycle storage, heating and mechanical equipment, or uses, which in the opinion of the Director of Planning are similar to the foregoing, those floors or portions thereof so used that are at or below base surface, except that the exclusion for a parking space must not exceed 7.3 m in length; and
 - (d) all residential storage area above or below base surface, except that if the residential storage area above base surface exceeds 3.7 m² for a dwelling unit, there will be no exclusion for any of the residential storage area above base surface for that unit.
- 5.5 Computation of floor area may exclude amenity areas, except that the total exclusion for amenity areas must not exceed the lesser of 10 % of the permitted floor area or 1 000 m².
- 5.6 The use of floor area excluded under section 5.4 or 5.5 must not include any purpose other than that which justified the exclusion.

Building height

6. Building height, measured from base surface, must not exceed the maximum heights set out in the following table:

Sub-Area	Maximum permitted height
A	20.3 m
B	16.4 m
C	14.5 m

Horizontal Angle of Daylight

- 7.1 Each habitable room must have at least one window on an exterior wall of a building.
- 7.2 The location of each such exterior window must allow a plane or planes extending from the window and formed by an angle of 50 degrees, or two angles with a sum of 70 degrees, to encounter no obstruction over a distance of 24.0 m.
- 7.3 Measurement of the plane or planes referred to in section 7.2 must be horizontally from the centre of the bottom of each window.
- 7.4 The Director of Planning or Development Permit Board may relax the horizontal angle of daylight requirement if:
- (a) the Director of Planning or Development Permit Board first considers all the applicable policies and guidelines adopted by Council; and
 - (b) the minimum distance of the unobstructed view is not less than 3.7 m.
- 7.5 An obstruction referred to in section 7.2 means:
- (a) any part of the same building including permitted projections; or
 - (b) the largest building permitted under the zoning on any site adjoining CD-1 (625).
- 7.6 A habitable room referred to in section 7.1 does not include:
- (a) a bathroom; or
 - (b) a kitchen whose floor area is the lesser of:
 - (i) 10% or less of the total floor area of the dwelling unit, or
 - (ii) 9.3 m².

Acoustics

8. All development permit applications require evidence in the form of a report and recommendations prepared by a person trained in acoustics and current techniques of noise measurement, demonstrating that the noise levels in those portions of dwelling units listed below do not exceed the noise level set opposite such portions. For the purposes of this section, the noise level is the A-weighted 24-hour equivalent (Leq) sound level and is defined simply as noise level in decibels.

Portions of dwelling units	Noise levels (Decibels)
Bedrooms	35
Living, dining, recreation rooms	40
Kitchen, bathrooms, hallways	45

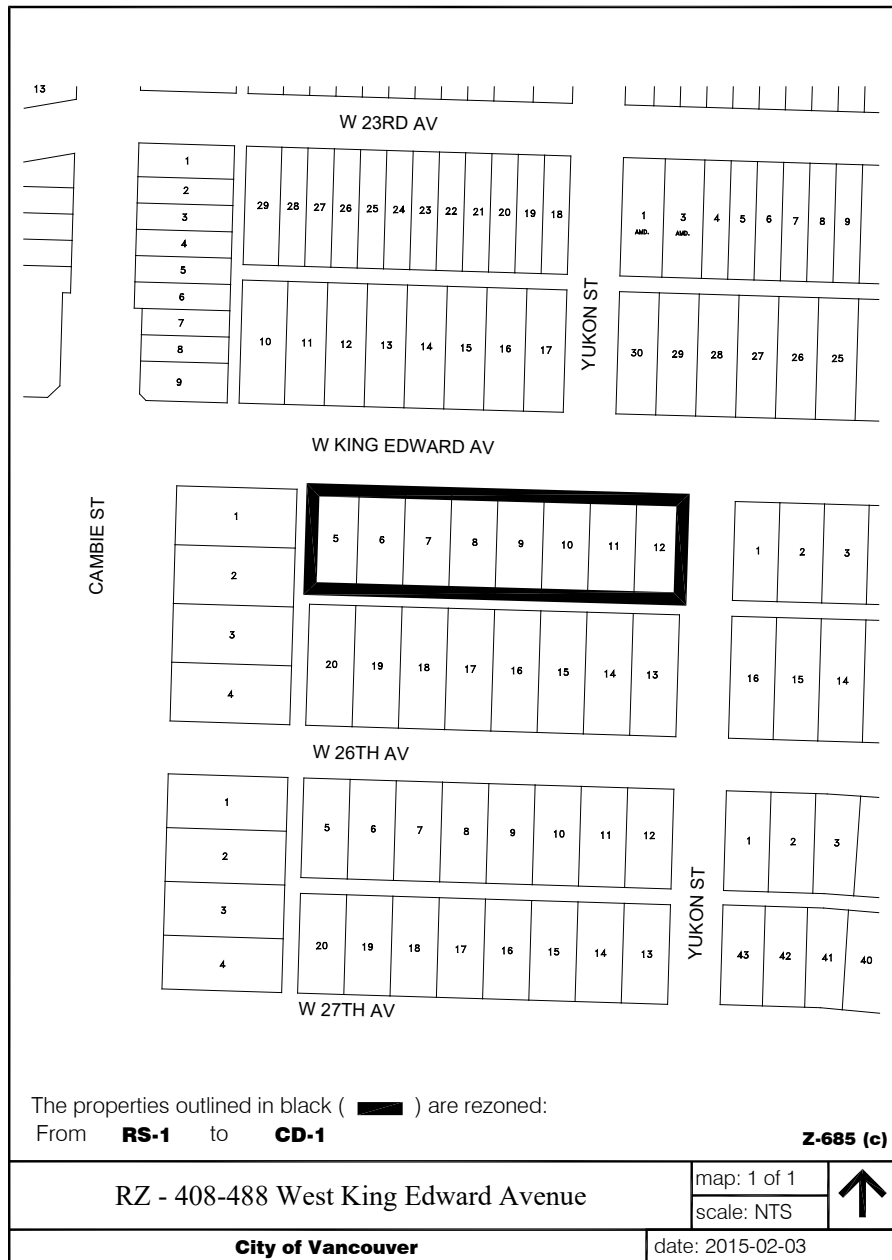
Severability

9. A decision by a court that any part of this By-law is illegal, void, or unenforceable severs that part from this By-law, and is not to affect the balance of this By-law.

Force and Effect

10. *[Section 10 is not reprinted here. It contains a standard clause including the Mayor and City Clerk's signatures to pass the by-law and certify the by-law number and date of enactment.]*

Schedule A



Public Hearing – February 26, 2015 – Item 4 – [Agenda](#)

Summary – To rezone 408-488 West King Edward Avenue from RS-1 (One-Family Dwelling) District to CD-1 (Comprehensive Development) District, to permit the development of a six-storey residential development comprised of 32 community care bedrooms and 103 Seniors Supportive or Assisted Housing Units, in which 47 of the latter would be strata titled and 56 would be secured as market rental. A height of 20.3 m (66.5 ft.) and a floor space ratio (FSR) of 2.27 are proposed.

By-law enacted on April 5, 2016 – [By-law No. 11485](#)

Public Hearing – July 8, 2025 – Item 1 – [Agenda](#)

Summary – To amend CD-1 (625) By-law No. 11485 for 408-488 West King Edward Avenue, to add Child Day Care Facility to the list of permitted Institutional uses. Included within the “Miscellaneous Amendments Concerning Various CD-1 By-laws and Rezoning Conditions” referral report.

By-law enacted on July 22, 2025 – [By-law No. 14425](#)