

Committee of the Whole (1) Report

DATE: Tuesday, May 6, 2025

WARD: 2

TITLE: 320-330 WOODBRIDGE AVENUE - CLASS 4 AREA
DESIGNATION: OFFICIAL PLAN AMENDMENT FILE OP.20.010,
ZONING BY-LAW AMENDMENT FILE Z.20.038

FROM:

Vince Musacchio, Deputy City Manager, Infrastructure Development

ACTION: DECISION

Purpose

To recommend the designation of the development at 320-330 Woodbridge Avenue (“**Subject Lands**”) owned by 5012526 Ontario Inc. (the “**Owner**”) as a Class 4 Area, pursuant to the Ontario Ministry of the Environment, Conservation and Parks (“**MECP**”) Noise Guideline NPC-300.

Report Highlights

- Based on the findings of the noise studies prepared and the peer review undertaken by the City’s noise consultant, Development Engineering staff are recommending that the Subject Lands be designated as a Class 4 Area pursuant to the MECP’s Noise Guideline NPC-300.

Recommendations

1. THAT the Subject Lands be designated as a Class 4 Area pursuant to the Ontario Ministry of the Environment, Conservation and Parks (MECP) Noise Guideline (NPC-300) (Stationary and Transportation Sources – Approval and Planning);
2. THAT, subject to approval of Recommendation 1, the City’s Noise By-law 121-2021 Schedule 4 be amended to include the Subject Lands, conditional upon the Owner satisfying the following:
 - a. Approval of a related site plan development application;

- b. Agreement to provide notice to any subsequent owner as well as any prospective purchasers or tenants that the dwellings are located in a Class 4 Area and that agreements respecting noise mitigation may exist, and if so, to be registered on title;
- c. Agreement to register warning clauses on title to the satisfaction of the City; and
- d. Submission of a copy of the registered plan of survey (i.e. R-Plan) showing the boundaries of the lands used for the designation of the Class 4 Area, to the satisfaction of the City.

Background

MECP Environmental Noise Guidelines NPC-300 outlines the various noise designation Classes.

The MECP Environmental Noise Guidelines NPC-300 establishes a “Class” system of designating various acoustic environments to evaluate noise impacts on sensitive land uses. A Class 4 Area designation is intended for development with new, noise sensitive uses that are in proximity to existing, lawfully established industrial/commercial facilities so that land use compatibility can be achieved. The Class 4 Area designation presents a solution to noise impacts on new sensitive land uses by permitting higher sound level limits and allowing for a greater range of noise mitigation measures. NPC-300 stipulates that formal confirmation of a Class 4 Area designation is required from the land use planning authority during the planning process.

The Subject Lands are located in proximity to established commercial and industrial facilities

The Subject Lands are shown on Attachment 1 and are located on the north side of Woodbridge Avenue, approximately 65 m west of Kipling Avenue. The Owner is proposing to permit the development of two purpose-built rental apartment buildings, seven (7) storeys and five (5) storeys respectively (the, “Development”).

Application History

The Official Plan Amendment (OP.20.010) and Zoning By-Law Amendment (Z.20.031) applications were previously appealed to the Ontario Land Tribunal (“OLT”) for “failure to adopt the requested amendment” and “refusal or neglect to make a decision”, respectively. A Final Order was issued by the OLT on April 15, 2025, approving the Development and included a Holding (“H”) Condition relating to the submission of an updated Noise Study to the satisfaction of the City, and the completion of a third-party peer review to evaluate the suitability of the Subject Lands as a Class 4 Area pursuant to the MECP NPC-300 Guidelines.

Previous Reports/Authority

The following are links to the previous reports prepared regarding the Subject Lands:
[December 6, 2022, Committee of the Whole Public Meeting \(Item 2, Report No. 44\)](#)

[May 9, 2023, Committee of the Whole – Interim Control By-law \(Item No. 3, Report No. 23\)](#)

[May 30, 2023, Committee of the Whole – Community Meeting including staff and Regional Councillors \(Item No. 14, Report No. 25\)](#)

[Extract from Council Meeting Minutes of March 26, 2024 \(Item 2, Report No. 7 of the Committee of the Whole\)](#)

Analysis and Options

The Owner submitted an Environmental Noise Feasibility Study for the Subject Lands.

In support of the Zoning By-law amendment application, the Owner submitted a Noise Feasibility Study, prepared by HGC Engineering (“HGC”), dated December 13, 2023, along with an Addendum dated June 4, 2024 (collectively, the “**Noise Study**”).

It was identified in the Noise Study that noise emanating from the surrounding property uses would exceed the Class 1 noise limits prescribed in MECP’s NPC-300 Guidelines. Mitigation to meet these Class 1 noise limits would require both i) coordination with the adjacent property owner to the east to install off-site noise mitigation measures and ii) revising the western elevation of the proposed design to include architectural solutions such as wrap-around balconies. As this off-site coordination could not be achieved and these measures were deemed onerous, HGC recommended that a Class 4 Area designation be applied to the Subject Lands.

The City retained Aeroustics Engineering Limited (“Aeroustics”) to complete a peer review of the Noise Study to determine if the Class 4 Area designation was reasonable to apply to this development. Based on the expert analysis, opinion, and conclusions of the peer review undertaken by the City’s noise consultant, along with subsequent discussions between the City, the Applicant and HGC, it was determined that the mitigation of the off-site stationary sources of noise to meet the Class 1 noise criteria would require significant design changes to the proposed development and an agreement with an off-site property owner to mitigate noise at the source, neither of which were determined to be feasible.

Furthermore, subsequent to these discussions, solicitors for the owner of the adjacent property to the east (7960 Kipling Avenue) of the Subject Lands and a party to the OLT appeal, provided a letter in support of the Class 4 Area designation, dated March 20, 2025. In this letter, it is noted that they are “not prepared to consent to the implementation of at-source noise control measures,” providing additional justification of the conclusion that the Owner would not be able to reasonably mitigate this off-site source of noise to meet the Class 1 noise limits.

Therefore, Development Engineering staff support the recommendation that a Class 4 Area designation for the Subject Lands is appropriate to facilitate the Owner’s development and to maintain compatibility with the surrounding lands.

Financial Impact

There are no financial impacts associated with this report.

Operational Impact

Staff from the Development Engineering Department will work with staff from By-Law & Compliance, Licensing and Permit Services Department to bring forth an amending by-law to a future Council meeting to amend the City’s Noise By-law Schedule 4 to add the Subject Lands to the Class 4 Area list, upon satisfaction of specified conditions noted in this report.

Broader Regional Impacts/Considerations

There are no broader regional impacts or considerations with this report.

Conclusion

Based on the findings of the noise studies prepared and the peer review undertaken by the City’s noise consultant, Development Engineering staff are recommending that the Subject Lands be designated as a Class 4 Area pursuant to the MECP’s Noise Guideline NPC-300, and that the City’s Noise By-law Schedule 4 be updated to include the Subject Lands, upon satisfaction of specified conditions noted in this Report.

For more information, please contact: Andrew Pearce, Director, Special Projects, Office of the DCM, Planning, Growth Management and Housing Delivery

Attachment

1. Location Map

Prepared by

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