

363-391 Yonge Street – Class 4 Noise Area Classification (NPC-300) – Decision Report - Approval

Date: February 2, 2024

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 13 - Toronto Centre

Related Planning Application Number: 19 113000 STE 13 SA

SUMMARY

This report recommends that City Council designate the subject lands as a Class 4 Noise Area under relevant provincial noise guidelines administered by the Ministry of Environment, Conservation and Parks (MECP) for the lands at 363-391 Yonge Street.

A Class 4 Area designation allows for higher daytime and night-time sound level limits than would otherwise be permitted in relation to a noise sensitive land use such as residential dwellings and associated outdoor living areas. The impact of such higher levels would be mitigated by noise control measures that are part of the development.

A Detailed Environmental Noise Impact Assessment was prepared by GHD Limited in response to the proposed development at 363-391 Yonge Street. This assessment concludes that a Class 4 designation of the development site would be beneficial for land use compatibility with Toronto Metropolitan University.

An 85-storey mixed use development with 1,415 dwelling units and 7,440 square metres of non-residential gross floor area is currently under construction at 363-391 Yonge Street.

RECOMMENDATIONS

The Director, Community Planning Toronto and East York District recommends that:

1. City Council classify the lands municipally known as 363-391 Yonge Street, as a Class 4 Noise Area pursuant to Ministry of Environment Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning Publication NPC-300, August 2013.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

A Zoning By-law Amendment application for the site to permit an 85-storey mixed use development was approved by the Local Planning Appeal Tribunal (now OLT) on October 23, 2018 with a Final Order issued October 2, 2019.

A Site Plan Control application for the site was deemed complete as of February 7, 2019 and is currently under review.

A minor variance application (A0016/23) was approved by the Committee of Adjustment on November 29, 2023 to facilitate the proposed development. It was during the review of the minor variance application that the adjacent property owner, Toronto Metropolitan University, identified a noise issue which is the subject of this report.

THE SITE AND DEVELOPMENT

The subject property is located on the southeast corner of Yonge Street and Gerrard Street East. The site is approximately 3,766 square metres with frontage on both Yonge Street and Gerrard Street East. It is designated Mixed Use Areas in the Official Plan, and accordingly, sensitive land uses such as residential uses are permitted.

Immediately east and abutting the site is O'Keefe Lane. The Toronto Metropolitan University campus is east of O'Keefe Lane.

An 85-storey mixed use development including 1,415 dwelling units and 7,440 square metres of non-residential gross floor area is under construction. Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-details/?id=4521502&pid=220329&title=363-391-YONGE-ST>

BACKGROUND

Provincial Noise Guidelines

The Ministry of Environment, Conservation and Parks (MECP) has published guidelines that address noise issues as they relate to land use planning and permitted requirements (as part of an Environmental Compliance Approval) for industrial and institutional establishments, or transportation facilities located in proximity to sensitive

land uses, including residential uses. In 2013, the Ministry of Environment and Climate Change (now MECP) released "Environmental Noise Guideline, Stationary and Transportation Sources - Approval and Planning (Publication NPC-300)", which replaced previous guidelines.

NPC-300 classifies noise sensitive receptors by area. The four classes of receptors are as follows: Class 1 - Urban Areas; Class 2 - Suburban/Semi-Rural Areas; Class 3 - Rural Areas; and Class 4 - Infill Areas. Depending on the receptor area classification, different guideline sound limits apply. The Class 4 Area classification was introduced by the Ministry in 2013. It is intended to allow for residential infill and redevelopment in proximity to existing stationary sources of noise while still protecting residences from undue noise. A Class 4 Area classification allows for higher daytime and nighttime sound level limits than would otherwise be permitted in relation to noise sensitive land use such as residential dwellings and associated outdoor living areas.

Class 4 Areas require formal classification by the land use planning authority. City Council is the relevant land use planning authority.

COMMENTS

The proposed development is located adjacent to Toronto Metropolitan University facilities including the Library, Student Life Centre, Podium Building, and Jorgenson Hall, with supporting rooftop mechanical equipment which can operate 24 hours per day and 7 days per week.

A Detailed Environmental Noise Impact Assessment was prepared by GHD Limited working on behalf of Toronto Metropolitan University in response to the proposed development at 363-391 Yonge Street. This assessment recommends that a Class 4 Noise Area designation be approved by City Council. A peer review by HGC Engineering working on behalf of the applicants (Concord Properties) agreed with this conclusion.

The Detailed Environmental Noise Impact Assessment also recommended:

- source noise controls;
- central air conditioning systems for all occupied spaces in the development; and
- a warning clause to be included in agreements and offers of sale and purchase or lease advising residents and tenants of the proposed development that these lands have been formally classified as a Class 4 Area by the City and that higher sound level limits are permitted.

City Planning supports the proposed Class 4 designation along with anticipated mitigation measures proposed and is supported by both the applicant and TMU. The Class 4 designation would address noise impacts to the site from existing TMU buildings. The recommended on-site mitigation measures in the Noise Impact Assessment will be secured through the Site Plan Control process.

Should City Council classify the lands municipally known as 363-391 Yonge Street as a Class 4 Noise Area, City staff will forward a copy of the City Council Decision Document to the Ministry of Environment, Conservation and Parks.

CONTACT

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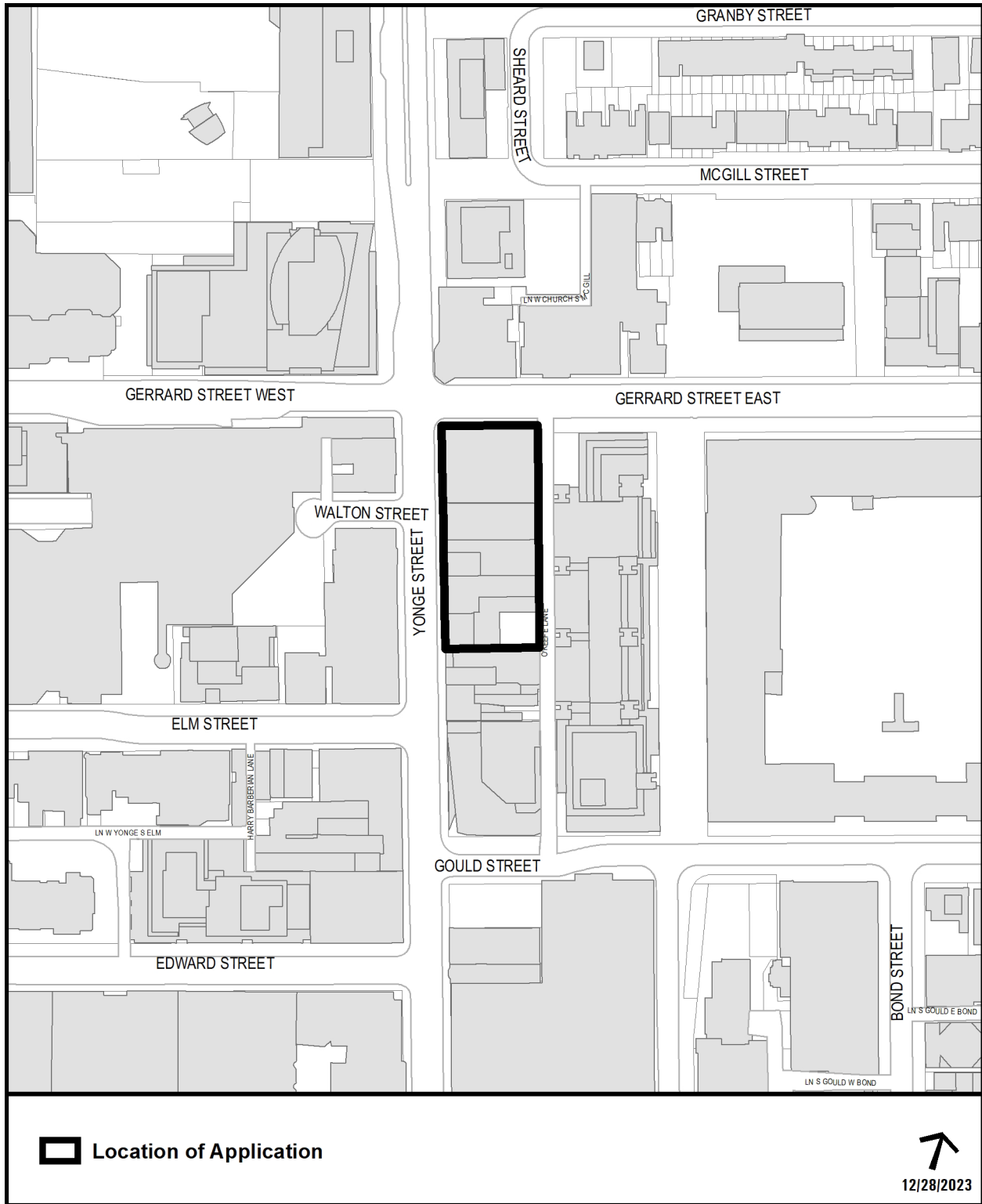
SIGNATURE

Oren Tamir
Director, Community Planning
Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings
Attachment 1: Location Map
Attachment 2: Site Plan

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Attachment 2: Site Plan

