

## City Council

### Notice of Motion

MM28.39	ACTION			Ward: 5
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### **2451 St. Clair Avenue West - by Councillor Frances Nunziata, seconded by Councillor Paula Fletcher**

*\* Notice of this Motion has been given.*

*\* This Motion is subject to referral to the Etobicoke York Community Council. A two-thirds vote is required to waive referral.*

#### **Recommendations**

Councillor Frances Nunziata, seconded by Councillor Paula Fletcher, recommends that:

1. City Council classify 2451 St. Clair Avenue West as a Class 4 Noise Area pursuant to Publication NPC-300 (Environmental Noise Guideline - Stationary and Transportation Sources - Approval and Planning).
2. City Council forward a copy of the City Council Decision to the Ministry of Environment Conservation and Parks.

#### **Summary**

On January 16, 2025, the Etobicoke York Panel of the Committee of Adjustment approved an application for a minor variance, subject to the conditions, to permit a new six-storey mixed-use building with ten residential units and retail on the ground floor on the lands municipally known as 2451 St. Clair Avenue West ([Application No: A0323/24EYK](#)).

As per the Community Planning staff's recommendation, the Committee of Adjustment Decision included a condition that, due to the site's proximity to the rail yard and rail facilities, a Rail Noise and Vibration Impact Study and Air Quality Study shall be completed by a certified professional engineer and peer-reviewed by a third-party to identify any adverse effects from noise, vibration, and emissions, and required mitigation to prevent or mitigate same.

A Rail Noise and Vibration Impact Study and Air Quality Addendum Letter were prepared in support of the development. The Rail Noise Study recommended several mitigation measures in addition to designating the site as a Class 4 Noise Area due to the predicted impacts of the rail yard noise on the proposed development. A Class 4 Area designation allows for higher noise level levels than would otherwise be permitted in relation to a noise sensitive land use such as residential buildings.

While the recommended mitigation measures would be secured through an agreement with the City pursuant to Section 45(9), the Class 4 Area designation can only be done through a City Council resolution. The City's peer reviewer agreed that designating the site as a Class 4 Noise

Area is necessary and appropriate for this development. For the purposes of its recommendation, City Planning is relying on the Noise Impact Feasibility Study by SLR Consulting Ltd., and the peer review completed by Thornton Tomasetti Canada Inc. respecting the Site.

**Background Information (City Council)**

Member Motion MM28.39