

Economic and Development Services Committee – September 9, 2024

Request by Bruce Street Developments Limited (Medallion) to Classify New Buildings at 135 Bruce Street as a Class 4 Area in Accordance with Ministry of the Environment, Conservation and Parks' Environmental Noise Guidelines (File: SPA-2022-23) (Ward 4)

That the Economic and Development Services Committee recommend to City Council:

Whereas, Bruce Street Developments Limited (“Medallion”) intends to construct a 22 storey apartment building and a 10 storey apartment building connected by a 4 storey podium featuring a combined total of 509 units at the northwest corner of 135 Bruce Street (Phase 1) (see Attachment 1); and,

Whereas, Medallion submitted an Environmental Noise Assessment prepared by Valcoustics Canada Ltd. (“Valcoustics”) which assessed the impact of nearby roads and stationary noise sources on the proposed development; and,

Whereas, Valcoustics’ noise assessment predicts that sound levels exceeding the Ministry of the Environment, Conservation and Parks’ (M.E.C.P.) noise guidelines for a Class 1 Area would be experienced at the apartment units due to the noise emitted by mechanical equipment and truck delivery activities at the Tribute Communities Centre; and,

Whereas, Bousfields Inc. on behalf of Medallion submitted a letter dated November 15, 2023 to the City requesting the City classify Phase 1 of Medallion’s development as a Class 4 Area in accordance with M.E.C.P. guidelines since the development cannot satisfy Class 1 Area sound level limits (see Attachment 2); and,

Whereas, the M.E.C.P. Publication NPC-300 Environmental Noise Guideline – Stationary and Transportation Sources (the “Guideline”) provides advice, sound level limits and guidelines that may be used when land use planning decisions are made, and are intended to minimize the potential conflict between proposed noise sensitive land uses and stationary sources of noise emissions; and,

Whereas, the Guideline defines Class 1 Areas as those with an acoustic environment typical of a major population centre, where the background sound level is dominated by the activities of people and usual traffic, often referred to as “urban hum”; and,

Whereas, a Class 4 Area is an acoustical environment that would otherwise be defined as Class 1 or 2 and where higher daytime and nighttime sound limits from that otherwise permitted in an urban area, for both indoor and outdoor areas, may be considered, and which is intended for development with new noise sensitive land uses that are not yet built, and has formal confirmation by the land use planning authority; and,

Whereas, the Guideline allows receptor based noise control measures to be accounted for through measures such as closed exterior doors and windows and specific construction techniques/materials for Class 4 Areas only; and,

Whereas, Valcoustics' noise study concluded that the proposed development would satisfy the daytime and nighttime sound limits for Class 4 Areas subject to warning clauses being provided to occupants of the apartment units; and,

Whereas, the Economic and Development Services Department retained H.G.C. Engineering, a professional stationary and transportation engineering consultant, to conduct a third party peer review of Valcoustics' noise study and the Class 4 Area request on behalf of the City and at the cost of Medallion; and,

Whereas, H.G.C. Engineering reviewed the noise study and agreed with the final conclusions and recommendations of Valcoustics and the Class 4 Area request; and,

Whereas, the site plan agreement for Medallion's development will require warning clauses for occupants and will require all units to be supplied with an air conditioning system so that windows and exterior doors can remained closed when exterior sound levels are elevated;

Therefore be it resolved that Phase 1 of Bruce Street Developments Limited's residential development at 135 Bruce Street contained in Site Plan application file SPA-2022-23 is hereby classified as a Class 4 Area as defined in the Ministry of the Environment, Conservation and Parks Publication NPC-300 (Environmental Noise Guideline – Stationary and Transportation Sources).

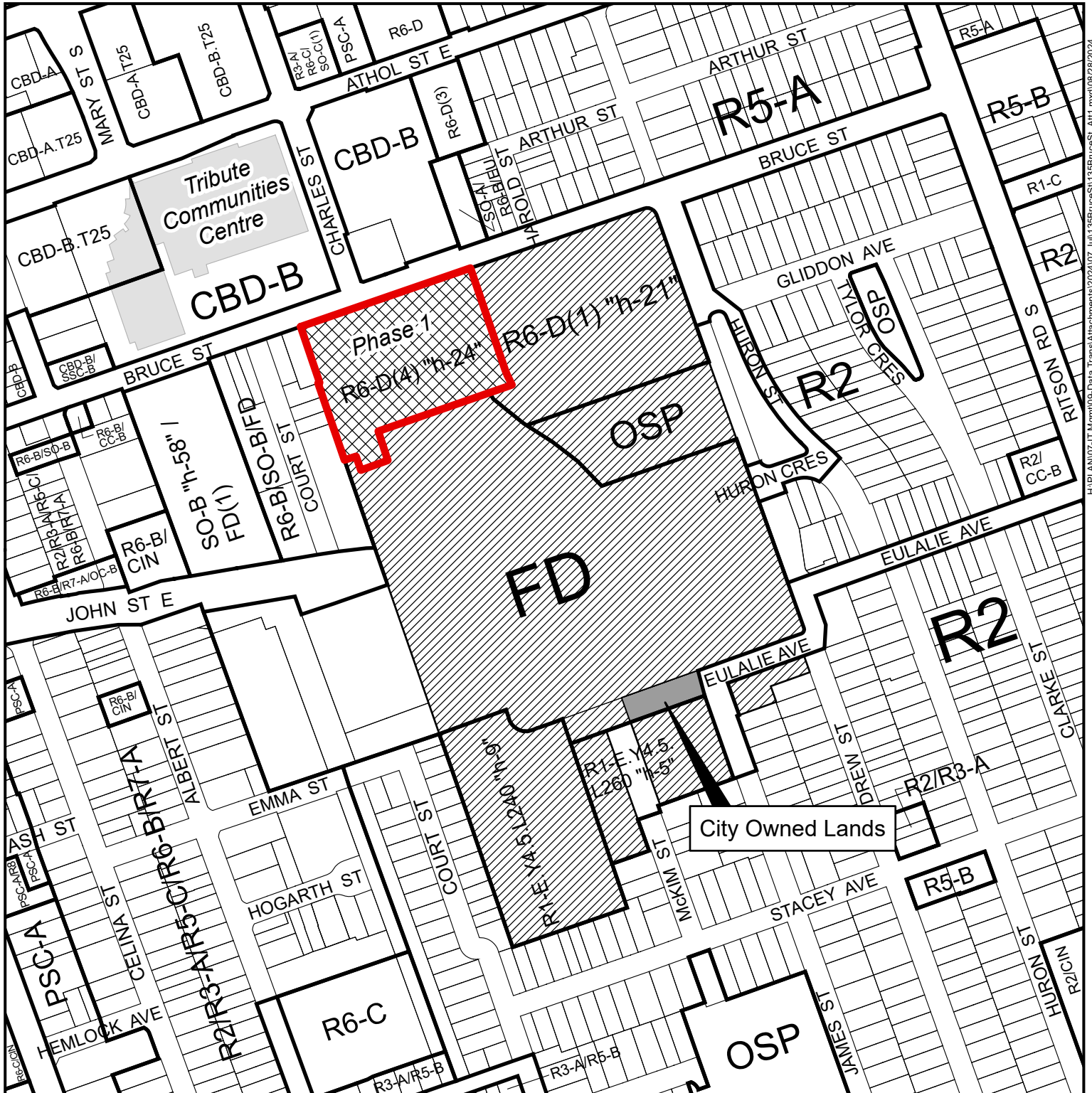
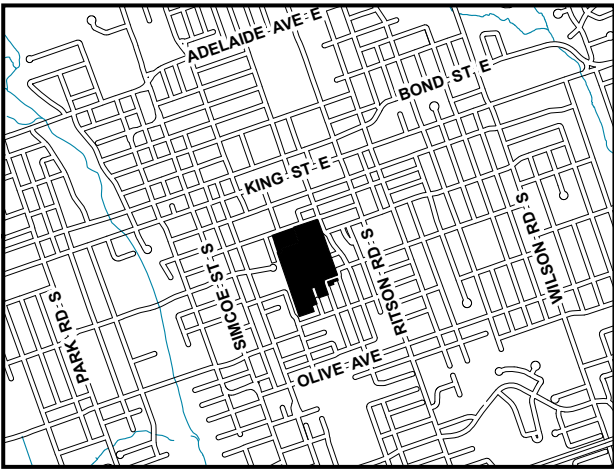
**Item: ED-24-92  
Attachment 1**

Economic and Development Services

**Subject:** Request by Bruce Street Developments Limited (Medallion) to Classify New Buildings at 135 Bruce Street as a Class 4 Area in Accordance with Ministry of the Environment, Conservation and Parks' Environmental Noise Guidelines

**Ward:** Ward 4  
**File:** SPA-2022-23

**Subject Site**   
**Other Lands Owned by the Applicant** 



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Project No. 1589

November 15, 2023

Robert, Bedic, Senior Planner  
City of Oshawa  
8th Floor, Rundle Tower, City Hall  
50 Centre Street South  
Oshawa, ON L1H 3Z7

Dear Robert,

**Re: Application No. SPA-2022-23 (Related to Approved Rezoning Application  
(File No. Z-16-03)  
135 Bruce Street  
Class 4 Noise Request Letter**

Bousfields Inc. ("Bousfields") is the planning consultant to Bruce Street Developments Limited ("the applicant") for their lands located on the south side of Bruce Street, east of Drew Street, municipally known as 135 Bruce Street ("the Property"). The Property is planned for a new subdivision, to be developed in phases, with new mixed-use blocks, residential blocks, a new public park and the extension of two public roads.

In July 2022, the applicant filed a Site Plan Control application for a 1.08-hectare parcel at the northwest of the Property, immediately south of Bruce Street ("the subject site"). The subject site forms part of Block 1 of the Property. The applicant is proposing to construct a 22-storey building at the west end of the subject site (Building A) and a 10-storey building at the east end (Building B) ("the Proposal"). The buildings will be connected by a 4-storey podium. The proposed new buildings are for residential use, with 509 new dwelling units proposed as part of the Proposal.

An Environmental Noise Assessment has been prepared by Valcoustics Canada Ltd. (November 2, 2023) to review the transportation and stationary noise in proximity to the subject site ("the VCL Report"). The VCL Report identifies that the existing hockey arena facility located approximately 60 metres north of the subject site (the Tribute Communities Centre, at 99 Athol Street East) could have impact on the subject site from a noise perspective. The noise sources associated with this facility are the mechanical equipment and truck delivery activities at the loading docks. All other transportation noise and stationary noise sources identified in the vicinity were not expected to have significant impact.

The Ministry of Environment, Conservation and Parks (MECP) identifies applicable noise criteria for planning a new noise sensitive development, including new residential units as proposed for the subject site. The subject site and its surrounding area are currently considered a Class 1 area, referring to an area where the ambient

sound environment is dominated by “urban hum”, primarily traffic noise, due to the proximity of the area road network. To meet the Class 1 sound levels requirements, a sound barrier breaking the line of site between the Tribute Communities Centre and the top storey windows of the new buildings would be required. As outlined in the VCL Report, the barrier would need to be approximately the height of the proposed buildings, and thus not considered feasible. Alternatively, at-source mitigation measures could be implemented at the Tribute Communities Centre, but the VCL Report also outlines that this approach is not considered feasible.

For new noise sensitive uses to be established in what would otherwise be considered a Class 1 area, it is possible to have a site deemed Class 4 by the municipality. Re-classification to Class 4 has been used historically when it is not practical or feasible to meet the Class 1 sound level limits.

The MECP’s publication “Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning (NPC-300)”, August 2013, defines Class 4 area as:

*“an area or specific site that would otherwise be defined as Class 1 or 2 and which:*

- *is an area intended for development with new noise sensitive land use(s) that are not yet built;*
- *is in proximity to existing, lawfully established stationary source(s); and*
- *has formal confirmation from the land use planning authority with the Class 4 area classification which is determined during the land use planning process.*

*Additionally, areas with existing noise sensitive land use(s) cannot be classified as Class 4 areas.”*

By way of this letter, on behalf of the applicant **we are requesting to have the subject site included within a Class 4 noise classification.**

The subject site is located within an acoustic environment typical of a major population centre (Class 1 and 2), is intended for new noise sensitive land use (including residential), and is in proximity of existing, lawfully established stationary noise sources, including the Tribute Communities Centre.

From a land use planning perspective, the implementation of physical mitigation measures to meet Class 1 is not feasible/desirable. However, if the subject site is reclassified as Class 4, the MECP sound level limits are predicated to be met without the use of any physical mitigation measures to address stationary noise impact. In a Class 4 area, buildings need to have central air conditioning to allow exterior windows to remain closed (although are permitted to be operable). In addition, in accordance

with the NPC-300, warning clauses would need to be registered on title to advise purchasers/tenants of adjacent noise levels.

Based on the foregoing, and the more detailed findings included in the VCL Report, it is our opinion that the proposed development is appropriate for the NPC-300 Class 4 area classification. This will appropriately facilitate new residential dwelling units on the subject site, which will allow for intensification within the Oshawa Urban Growth Centre and the implementation of the applicable residential land use designation and zoning permissions.

Should you require any additional information or clarification, please do not hesitate to contact the undersigned at (416) 947-9744.

Yours truly,  
**Bousfields Inc.**



Caitlin Allan, MCIP RPP

cc. *Rad Vucicevich, Medallion Corporation*