

CORPORATE POLICY

POLICY TITLE: NOISE CLASS 4 AREA DESIGNATION

POLICY NO.: 08.C.06

Section:	Development & Planning		
Effective Date:	Click or tap to enter a date.	Date of Last Review:	Click or tap to enter a date.
Approval Authority: Council	Policy Owner: DCM, Planning and Infrastructure Development		

POLICY STATEMENT

It is the policy of the City of Vaughan to provide all stakeholders in a development application, including developers, surrounding landowners and future residents, with a fair application of land use planning guidelines in accordance with the Ministry of Environment, Conservation and Parks (MECP) Environmental Noise Guideline: Stationary and Transportation Noise Sources - Approval and Planning (NPC-300). NPC-300 defines a “Class 1 Area” as a typical urban environment and a “Class 2 Area” as a typical suburban environment, each with applicable noise guideline levels. NPC-300 also defines a “Class 4 Area” which permits increased noise guideline levels for Class 1 and 2 Areas, and additional mitigation measures for suitable infill development projects to improve compatibility between facilities.

This Policy establishes the framework for evaluating requests for a “Class 4 Area” designation as defined in NPC-300, such that it is applied in areas where it is necessary to encourage development, while recognizing that compliance with Class 1 or 2 Area sound level limits is preferred and encouraged where feasible. A Class 4 Area designation is a tool available to municipalities to facilitate intensification, but should principally be used in cases where the Class 1 or 2 Area guidelines cannot be reasonably met.

PURPOSE

NPC-300, established in 2013, provides a guideline on the proper control of sources of noise emissions to the environment. The purpose of this policy is to establish a framework for the review of residential development applications proximate to stationary sources of noise and the application of the NPC-300 Guideline in a manner that produces a consistency of outcomes, balances the interest of developers and surrounding property owners, and produces a suitable environment for future residents of the proposed development to maximize the use of their property.

POLICY TITLE: NOISE CLASS 4 AREA DESIGNATION

POLICY NO.: 08.C.06

The objectives of this policy are to:

1. Establish a general framework which uses NPC-300 and other applicable MECP land use compatibility guidelines, along with the City of Vaughan Noise By-law, to evaluate the suitability of a proposed residential development within an established setting, with respect to noise; and
2. Define the applicable criteria for acceptance and implementation of a potential Class 4 Area designation for a proposed residential development under the NPC-300 Guideline.

SCOPE

This policy applies to City staff within the Development Engineering, Development Planning, and By-Law & Compliance departments. This policy may also be referred to by external parties including developers and their noise consultants when preparing development applications. This policy shall be revisited on an as-needed basis.

LEGISLATIVE REQUIREMENTS

1. *Planning Act, R.S.O. 1990, c P.13.*
2. *Places to Grow Act, 2005, S.O. 2003, c. 13.*
3. *Environmental Protection Act, R.S.O. 1990, c. E.19.*
4. Ministry of Environment, Conservation and Parks (MECP) Environmental Noise Guideline: Stationary and Transportation Noise Sources – Approval and Planning (NPC-300)

DEFINITIONS

1. **City:** The Corporation of the City of Vaughan, including all departments, employees, and administrative divisions.
2. **DE:** Development Engineering
3. **Council:** Council of the City of Vaughan.
4. **Development Application (or Development):** Proposal put forward by a landowner to the City for review and decision, pertaining to a change of land use, construction of a new building, or the creation of a parcel of land, as governed under the Planning Act. The only types of Development Applications that this policy applies to are Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, and Site Plan Applications.
5. **Noise:** Unwanted Sound.

- 6. Sound:** An auditory vibration or sensation
- 7. Class 1 Area:** An area with an acoustical environment typical of a major population center, where the background sound level is dominated by the activities of people, usually road traffic, often referred to as "urban hum".
- 8. Class 2 Area:** An area with an acoustical environment that has qualities representative of both Class 1 and Class 3 areas:
 - a. sound levels characteristic of Class 1 during daytime (07:00 to 19:00 or to 23:00 hours); and
 - b. low evening and night background sound level defined by natural environment and infrequent human activity starting as early as 19:00 hours (19:00 or 23:00 to 07:00 hours).
- 9. Class 3 Area:** A rural area with an acoustical environment that is dominated by natural sounds having little or no road traffic, such as:
 - a. a small community;
 - b. agricultural area;
 - c. a rural recreational area such as a cottage or a resort area; or
 - d. a wilderness area.
- 10. Class 4 Area:** An area or specific site that would otherwise be defined as Class 1 or 2 and which:
 - a. is an area intended for development with new noise sensitive land use(s) that are not yet built;
 - b. is in proximity to existing, lawfully established stationary source(s) of noise; and
 - c. has formal confirmation from the land use planning authority with the Class 4 area classification which is determined during the land use planning process.

POLICY

1) Roles and Responsibilities

- a. Development and Parks Planning Staff:
 - i. Intake Development Applications and circulate to Development Engineering staff as appropriate; and
 - ii. Coordinate any comments provided by Development Engineering as well as the payment of any deposits or fees as required
 - iii. Prepare reports to Council on findings and recommendations, in consultation with Development Engineering.
- b. Development Engineering Staff:

POLICY TITLE: NOISE CLASS 4 AREA DESIGNATION

POLICY NO.: 08.C.06

- i. Conduct review of reports provided by Development Planning, provide comments on reports to Development Planning for circulation to applicants;
- ii. Retain third-party peer reviewers as required; and
- iii. Prepare reports to Council on findings and recommendations.

c. External Acoustical Consultants:

- i. Complete third-party peer reviews when requested by Development Engineering staff; and
- ii. Provide technical guidance as required.

d. Council

- i. Review staff recommendations regarding potential Class 4 Area designations; and
- ii. Grant formal approval of Class 4 Area designations.

2) General Considerations:

- a. Class 4 Area designations may be considered for new residential development applications in proximity to existing stationary sources of noise if sufficient information is provided to show that meeting the Class 1 or 2 noise level limits is not feasible.
- b. As part of a Development Application, upon request of DE Staff, applicants may be obligated to submit a Noise Report (also known by various other names, including an Environmental Noise Feasibility Study (ENFS), Noise and Vibration Study (NVS) or Noise Impact Study (NIS)) as part of their submission package. Upon receipt of a submitted application, the Development Planner will circulate the submission to the DE reviewer for review. All Noise Reports which recommend a Class 4 Area designation shall be circulated to either the Manager of Development Services and Environmental Engineering (Manager, DSEE) or their delegate (typically, the Environmental Engineer) for review and acceptance.
- c. The Manager, DSEE or their delegate will conduct a preliminary review of the Noise Report to determine if the City rejects the potential application of a Class 4 Area designation. If the designation is considered for further review, the Class 4 Area Designation Procedure will be followed to determine whether a Class 4 Area designation is

suitable for the property and that the property should be added to the City's Noise By-law (121-2021).

3) Technical Considerations:

a. The designation of a development site as a Class 4 Area may be accepted by the City if the Noise Report sufficiently demonstrates that meeting the Class 1 or Class 2 noise level limits at the proposed development are not technically, logistically or financially feasible:

i. Not Technically Feasible: The applicant has identified potential mitigation solutions to stationary sources that require unreasonable changes to the design of the proposed development.

1. Example: A Noise Report identifies that an acoustic barrier along a property boundary can mitigate noise from an off-site source. The Class 4 limits can be met with a 3 m tall barrier, but a 10 m tall barrier would be required to meet the Class 1 limits, which would affect other considerations such as urban design and shadow requirements.

ii. Not Logistically Feasible: The applicant has identified potential mitigation solutions for off-site stationary source(s); however, despite the applicant's best efforts, the off-site property owner(s) is/are unwilling to consent to implementing the mitigation measures.

1. Example: A Noise Report identifies ventilation equipment at an adjacent property that can be mitigated through either replacing the equipment, upgrading the equipment or adding silencers to the equipment or acoustic barriers surrounding the equipment. However, the off-site property owner is not willing to enter into an agreement for the applicant to implement these upgrades on the stationary source site.

iii. Not Financially Feasible: The applicant has identified potential mitigation solutions which can be implemented to reach the Class 1 or 2 limits; however, these measures require a significant expenditure to meet and do not provide material benefit to future

residential users. While the costs of mitigation measures may not be fully defined at this stage of assessment, a high-level estimate should be included to provide financial justification that the measure is not feasible.

1. Example: A Noise Report identifies that mitigation measures to reduce noise to 3 dBA above the Class 1 limits cost \$250,000, while mitigation measures to reach the Class 1 limits cost \$1,000,000, and it is the consultant's professional opinion that this difference will not be materially perceptible to end users.
- b. While mitigation beyond the Class 4 limits is not a requirement of NPC-300, in scenarios where a Class 4 Area designation is approved, the applicant is encouraged to put forth their best efforts to mitigate as close to the Class 1 or 2 limits as possible.
- c. Any predicted exceedances of the Class 4 sound level limits which cannot be feasibly resolved through source-based mitigation must be mitigated through receptor-based (on-building) controls as defined by the MECP. The use of enclosed noise buffers can be utilized only for high-rise multi-unit buildings, the feasibility of which should be confirmed by the applicant.

4) Cost Recovery

- a. If a peer review is recommended under the Class 4 Area Designation Procedure, a deposit will be requested from the applicant to initiate this review. Funds from this deposit will be allocated towards third-party peer review fees, City administrative costs in accordance with the City's Fees and Charges By-law, and applicable taxes. Following the completion of the peer review, any excess funds will be returned to the applicant; should additional funds be required to complete the review, these will be requested from the applicant.
- b. Upon approval of a Class 4 Area Designation, a surcharge fee in accordance with the City's Fees and Charges By-law will be required by Development Planning to amend the City's Noise By-law and formally recognize the designation. This surcharge will be shared between Development Planning and Development Engineering.

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ADMINISTRATION

Administered by the Office of the City Clerk.

Review Schedule:	3 Years <small>If other, specify here</small>	Next Review Date:	January 27, 2029
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Related Policy(ies):	
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Related By-Law(s):	City of Vaughan's Noise By-law (121-2021)
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Procedural Document:	PRC.62 – Noise Class 4 Area Designation
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Revision History

Date:	Description:
January 27, 2026	Approved at Council Report No. 1 Item No. 4
<small>Click or tap to enter a date.</small>	