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OFFICE OF THE CITY CLERK
KAWARTHA LAKES



December 14, 2016

City of Kawartha Lakes
26 Francis Street
P.O. Box 9000
Lindsay, ON
K9V 5R8

Attention: City Clerk and Council

Ministry of Transportation, Ontario
Replacement of Stoney Creek Culverts on Highway 35
City of Kawartha Lakes
Noise By-Law Exemption Request

The Ministry of Transportation, Ontario (MTO) retained Dillon Consulting Limited to complete the Class Environmental Assessment (Class EA) and Design for the replacement of the Stoney Creek culverts located approximately 6 km south of Lindsay in the City of Kawartha Lakes. The site location is shown on **Figure 1**. The project is being completed in accordance with the MTO's Class EA for Provincial Transportation Facilities (2000) for a Group 'C' project.

130 Dufferin Avenue
London, Ontario
Canada
N6A 5R2
Mail: Box 426
London, Ontario
Canada
N6A 4W7
Telephone
519.438.6192
Fax
519.672.8209



FIGURE 1: STONEY CREEK CULVERTS



To address future operations, capacity and safety requirements along Highway 35, a planning and preliminary design study was completed in 2007 for a future four lane expansion. The Stoney Creek culverts were identified for replacement as part of the highway expansion.

The Ministry of Transportation, Ontario (MTO) retained Dillon Consulting Limited to undertake a Group 'C' Class Environmental Assessment (EA) for Provincial Transportation Facilities to determine the best option for rehabilitating or replacing the existing Stoney Creek culverts, including construction staging alternatives. The culverts are being replaced prior to the future four lane expansion to address the existing condition of the culverts. The replacement will only accommodate the existing two lane Highway 35 cross-section.

Rehabilitation and replacement alternatives were considered. Replacement has been recommended.

Three construction staging alternatives were considered for the replacement of the Stoney Creek culverts. The alternatives considered were:

- Detour around the construction zone with a temporary closure of Highway 35 – **Recommended**
- Maintain two lanes of traffic on Highway 35 through the construction zone
- Maintain one lane of traffic on Highway 35 through the construction zone using temporary traffic signals.

Each construction staging alternative was evaluated based on traffic impacts, environmental impacts, property impacts, utilities impacts, relative cost, and, construction complexity/duration.

The detour alternative has a significantly lower cost and the lowest impact on the environment, property and utilities, reduces construction complexity, and minimizes construction duration.

It is anticipated that work will begin in 2017 and that traffic will be diverted to Kawartha Lakes Road (KLR) 31 and Highway 7 while works are completed at Stoney Creek. Considering the higher traffic volumes which occur during the summer, the highway closure will occur after Labour Day and will last up to eight weeks.

In order to complete construction within an eight week period or less, night work and weekend work may be required. By way of this letter, we respectfully request an exemption from the City's By-Law to Regulate Noise (2005-2025), to permit **nightly construction between 9:00 p.m. and 7:00 a.m. and work on Sundays and statutory**



holidays, for the project duration. The table below outlines pertinent information for this exemption:

Noise By-Law Requirement	Solution
Applicant	Ministry of Transportation, Ontario Eastern Region 1355 John Counter Blvd. Kingston, ON K7L 5A3
Description of the sound of which exemption is sought	Construction related noise including jack hammering, chipping, asphalt paving and general construction related noise such as truck back-up alarms.
Statement of provisions of the By-law from which exemption is sought	Schedule B Clause 1, " <i>Operation of commercial construction equipment in connection with commercial construction .</i> " and Schedule B Clause 2, " <i>Erection, alternation , repair, dismantling or any activity related to commercial construction</i> ".
Time period for which exemption is sought	September 5, 2017, to December 22, 2017.
Reason why the exemption should be granted	The Stoney Creek culverts located approximately 6 km south of Lindsay require replacement. Night time, weekend and statutory holiday work is anticipated for the time period noted above to maintain/reduce the schedule and minimize the duration the detour is in effect.
Statement of steps, if any, planned or presently taken to bring about compliance with the By-Law	Through the Class EA process, several construction staging options and working hours were considered. It was determined however, that continuing work during the periods exempted in the By-Law would result in the fewest overall impacts.

To complete the Class EA process and ensure contract tendering is completed in a timely fashion, we would appreciate if this request could be processed by **January 20, 2017**. If you anticipate an issue with this timing, please let us know.

If you have any questions regarding this request, please contact Brad Craig at 1-855-566-2321 ext. 1318 or via e-mail at bcraig@dillon.ca.

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Thank you for your consideration.

Sincerely,

DILLON CONSULTING LIMITED

Brad Craig, P.Eng.
Project Manager

PKN:lpt

cc: Dan Brandao, P.Eng., MTO
Erin Pipe, MTO
Juan Rojas, P.Eng., City of Kawartha Lakes

Our file: 12-7235

