

THE CORPORATION OF THE TOWNSHIP OF SEGUIN
BY-LAW NO. 2026-017

"Being a By-law to Regulate Rock Crushing"

WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, Section 128 authorizes a municipality to pass by-laws prohibiting and regulating any matter that may cause a public nuisance; and

WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, Section 129 authorizes a municipality to pass by-laws prohibiting or regulating matters with respect to noise, vibration, odour and dust; and

WHEREAS the Municipal Act, 2001, S.O. 2001, c. 25, Section 23.1 authorizes Council to delegate its powers and duties to members of municipal staff;

WHEREAS the crushing of rock, stone, gravel or other similar materials may prove to be or cause a nuisance; and

WHEREAS the Council of The Corporation of the Township of Seguin wishes to prohibit such crushing to ensure that such activities do not create a nuisance;

NOW THEREFORE the Council of The Corporation of the Township of Seguin hereby enacts as follows:

Definitions

1) In this Bylaw,

- a) "Day" means any calendar day on which Rock Crushing occurs for any duration.
- b) "Public Authority" includes the Township of Seguin, any department, board, appointed agency, or commission of the Government of Canada or the Province of Ontario.
- c) "Rock Crushing" means the breaking down or pulverizing of rock, stones, gravel or similar material into smaller aggregate or particulate forms through the operation of mechanical devices and/or equipment.
- d) "Utility Provider" means any electricity generation, transmission or distribution company, Networks, any telecommunications company, any natural gas supply company, the Province of Ontario,

Scope

- 2)** Rock Crushing is prohibited unless otherwise exempted under Section 3 or 4.
- 3)** The following Rock Crushing is exempt from the prohibition set out in Section 2:
 - a) the Rock Crushing is occurring on land for which a license permitting Rock Crushing has been issued under the Aggregate Resources Act, provided that such Rock Crushing occurs in accordance with the terms and conditions of such license;
 - b) the Rock Crushing is undertaken by or on behalf of a Public Authority;
 - c) the Rock Crushing is undertaken by or on behalf of a Utility Provider, provided that such Rock Crushing occurs in compliance with any Environmental Compliance Approval for the mechanical device or equipment used in the Rock Crushing activities.
 - d) Rock Crushing that is not otherwise exempt under subsections 3(a), (b) or (c), provided that it only occurs from September 15 to May 15, inclusive, does not exceed seven Days within any rolling thirty-day period, and is in accordance with other applicable law.

Council Authorized Exemption

- 4)** Upon receiving an application from an owner of land, Council may exempt Rock Crushing from the prohibition in section 2, in whole or in part, where Council determines in its sole discretion that the proposed Rock Crushing will not create a nuisance. In considering whether a nuisance will be created, Council may consider the attributes of the property upon which the Rock Crushing is proposed and any proposed mitigation measures which would serve to diminish any nuisance qualities of the proposed Rock Crushing. In furtherance thereof, Council may impose specific conditions deemed necessary to mitigate impacts on adjacent properties and the environment. All exemptions authorized by Council shall be subject to the standard conditions set out in Schedule "A" in addition to the specific conditions imposed by Council.
- 5)** If the conditions associated with an exemption under Section 4 are not adhered to, the exemption may be revoked in accordance with Sections 6 and 7.

Delegation of Authority to Revoke

- 6) The authority, set out in section 5, to revoke an exemption granted under section 4 is hereby delegated to the Township's Municipal Enforcement Officers.
- 7) Upon completing an inspection of the exempted Rock Crushing activities, where a Municipal Enforcement Officer determines that there is non-compliance with any of the conditions imposed, the Municipal Enforcement Officer may give a person undertaking the exempted Rock Crushing six (6) hours written notice that the exemption will be revoked unless compliance with the condition has been achieved. For clarity, notice is not required to be given to the applicant/owner of the property.

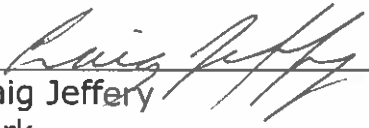
General

- 8) Municipal By-law Enforcement Officers are hereby authorized to enforce the provisions of this by-law.
- 9) Any individual who violates any provision of this by-law is committing an offence and, upon conviction, is liable to a fine as outlined in the Provincial Offences Act, R.S.O. 1990, c.P.33.
- 10) Should any section or part of this By-law be declared illegal or unenforceable by a court of law, such section or part shall be regarded as independent of the remaining sections, which shall remain in full effect.
- 11) This By-law shall come into force and effect on May 15, 2026.

BY-LAW read a **FIRST, SECOND** and **THIRD** time and finally **PASSED** and **ENACTED** this 2nd day of March, 2026.



Ann MacDiarmid
Mayor



Craig Jeffery
Clerk

By signing below, I Mayor MacDiarmid will not exercise the power to veto this by-law.



Date





Signature

Schedule A to By-law 2026-017

Standard Conditions

1. The applicant agrees and authorizes municipal staff to enter onto the property whereupon the exempted Rock Crushing is occurring for the purpose of determining whether there is compliance with this By-law and any conditions herein imposed.
2. The applicant agrees and acknowledges the delegation of authority set out in section 6 of this By-law and further acknowledges that a Municipal Enforcement Officer has authority to revoke the exemption upon 6 hours written notice.