



**TOWN OF TORBAY
CONDITIONS REQUIRED
FOR MINERAL WORKING
BY-LAWS**

February 2025



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CONDITIONS REQUIRED FOR MINERAL WORKING BY-LAWS

CAME INTO EFFECT: These Conditions Required for Mineral Working By-laws came into effect and were adopted by Council, this 3rd day of March 2025.

Motion No: RES-59-2025

Signed and Sealed:



Craig Scott
Mayor



Sandy Hounsell
CAO

TOWN OF TORBAY		
CONDITIONS REQUIRED FOR MINERAL WORKING BY-LAWS		
Updates to align with new Towns and Local Service Districts Act, 2023	March 3, 2025 – Motion #RES-59-2025	Rev 0

Pursuant to the authority conferred in Section 8.(1)(b), 8.(1)(e), 8.(1)(f), 8.(1)(m) of the *Towns and Local Service Districts Act, 2023*, the Town Council of Torbay adopted the following By-laws on March 3, 2025.

1. TITLE

- 1.1. These By-laws may be cited as the "Town of Torbay Conditions Required for Mineral Working By-laws"; hereinafter referred to as "these By-laws".

2. PURPOSE

- 2.1 The purpose of these By-laws is to establish a set direction for the Town and its residents/developers in relation to conditions required for mineral working.

3. APPLICATION

- 3.1 These By-laws shall apply within the municipal boundaries of the Town of Torbay.

4. REPEAL OF PREVIOUS REGULATIONS

- 4.1 All previous Town of Torbay Conditions Required for Mineral Working and amendments are repealed.

5. When a subordinate permit is issued, the Town shall be notified within 7 working days by the authority issuing the permit and a copy of the permit shall be provided to the Town.

6. After a subordinate permit is issued and the Town is notified, there shall be no blasting for at least 7 working days.

7. A pre-blast survey shall be completed on all structures within a 200 meter radius of the blast area. A copy of the entire pre-blast survey shall be provided to the Town prior to the blasting.

8. The permit holder shall hand deliver notices of proposed blasting operations to residents located within approximately 1 km radius of the quarry boundaries at least 2 days prior to the blast. If the resident is not home, the notice is to be left at the residence in a manner

that ensures it will be seen by that resident upon return. A complete list of properties contacted shall be provided to the Town.

9. The permit holder shall provide notification over local radio stations for two days leading up to the blast, and the day of the blast.
10. The permit holder shall provide written notification of the proposed blast to the Town of Torbay and Department of Natural Resources (Mineral Lands Division) a minimum of 5 days prior to the proposed blast.
11. The permit holder shall notify St. John's Airport Tower prior to blast.
12. Blasting is to occur between the hours of 12 Noon and 3:00 pm Monday to Saturday. No blasting is to occur on Sundays.
13. Should damage occur to a property or structure, the Town shall be notified immediately and a complete report on the damage shall be provided to the Town within 7 working days.
14. Dust control for access to site and the quarry itself shall be provided.
15. Work at the quarry site shall be limited to 7:00 am- 6:00 pm Monday to Saturday.
16. Trucking from the quarry sites shall be limited to 8:30 am - 6:00 pm Monday to Saturday.
17. An undisturbed buffer strip shall be maintained at least 30 meters wide between the final perimeter of the quarry and the boundary of the lot on which it is located. In areas where a management unit or conservation area is identified, the buffer shall be increased to 60 meters.
18. The site may be required to be fully or partially enclosed by a fence designed and constructed to Council's specifications.

19. The peak particle velocity is to be less than 25 mm/sec at the closest point to any building, structure or utility structure. A minimum of three (3) self-triggering seismographs shall be maintained and operated on site to monitor all blasting operations. Proof of proper unit calibration shall be provided to the Town prior to any blasting operations proceeding. Seismic results shall be provided to the Town immediately following each blast. A summary of all seismic results shall be provided to the Town upon completion of all blasting operations.
20. No blasting shall be carried out that results in an air blast which exceeds 128 decibels within 7 meters of the nearest structure.
21. Rehabilitation of the site shall be an ongoing process. Final rehabilitation shall be completed as per Natural Resources requirements.
22. In addition to the above noted conditions, requirements from the Town's Development Regulations shall also apply.
23. Failure to adhere to these By-laws shall result in the Town revoking its approval of the operation and the issuing of a Stop Work Order on the property. Any work left uncompleted shall be completed by the Town and invoiced back to the quarry operator.