

**THE CORPORATION OF THE VILLAGE OF NEW DENVER**  
**BYLAW NO. 752, 2023**  
**OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW**

A bylaw to amend Village of New Denver Official Community Plan Bylaw No. 611, 2007

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WHEREAS it is deemed expedient to amend “Village of New Denver Official Community Plan Bylaw No. 611, 2007”;

NOW THEREFORE the Council of the Village of New Denver in open meeting assembled, enacts as follows:

1. Section 13.1 of the “Village of New Denver Official Community Plan Bylaw No. 611, 2007” and amendments thereto is amended by repealing the text and replacing it with the following:

**13.1. Designation**

- 13.1.1. In accordance with the Local Government Act, all areas within the Village of New Denver are designated as areas for consideration of Temporary or Industrial Use Permits, for uses not permitted on a parcel.

**13.2. Objectives**

- 13.2.1. The Temporary Commercial or Industrial Use Permit designation is intended to apply to business uses that are temporary and small scale in nature and where the existing zoning does not permit the commercial or industrial use.

**13.3. Guidelines**

- 13.3.1 Despite zoning of a property, Temporary Use Permits for temporary, small scale commercial or industrial uses may be supported, subject to approval by Council.
- 13.3.2 When reviewing an application for a Temporary Use Permit, Council may consider the following; in addition, Council may consider factors beyond the following:
  - a) The compatibility of the operation, function, appearance, and intensity of the proposed temporary use with the surrounding areas, has been evaluated;
  - b) The proposed temporary use would not create an amount of traffic that would adversely affect the natural environment, or character of the area;
  - c) The subject temporary use would not precipitate public health and safety hazards or cause environmental degradation;
  - d) The proposed temporary use would not have adverse effects on neighbouring land uses or property owners; and
  - e) The proposed temporary use does not require a significant amount of capital investment in a particular location.
- 13.3.3 As a condition of issuing a Temporary Use Permit, Council may identify specific conditions including, but not limited to:

- f) The demolition of a building or structure associated with the permit, or the restoration of the property as described in the permit by the date specified in the permit;
  - g) Posting a letter of credit as security to guarantee the performance of the terms of the permit;
  - h) The hours of the proposed use;
  - i) The area of the proposed use; and
  - j) Environmental and groundwater protection measures.
2. This bylaw may be cited as “Village of New Denver Official Community Plan Amendment Bylaw No. 752, 2023.”
  3. This bylaw shall take effect upon adoption by Council.

READ A FIRST TIME this 12<sup>th</sup> day of September, 2023.

READ A SECOND TIME this 12<sup>th</sup> day of September, 2023.

WHEREAS A PUBLIC HEARING was held on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
ADMINISTRATOR

Certified to be a true copy of Bylaw No. 752, “Village of New Denver Official Community Plan Amendment Bylaw No. 752, 2023”.

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CORPORATE OFFICER