

CORPORATION OF THE COUNTY OF DUFFERIN

BY-LAW NUMBER 2024-35

A BY-LAW TO RATIFY THE ACTIONS OF THE WARDEN AND THE CLERK FOR EXECUTING AN AGREEMENT BETWEEN THE CORPORATION OF THE COUNTY OF DUFFERIN, THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA AND RADHA SOAMI SOCIETY BEAS CANADA. (Site Plan Agreement Amendment)

BE IT ENACTED BY THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE COUNTY OF DUFFERIN AS FOLLOWS:

1. That the agreement between the County of Dufferin, the Corporation of the Township of East Garafraxa and the Radha Soami Society Beas Canada, in a form substantially the same as attached hereto as Schedule "A" be approved.
2. That the staff of the County of Dufferin is hereby authorized to take such actions as are appropriate, and the Warden and Clerk are hereby authorized to execute such documents as are appropriate to implement the agreement referred to herein.

READ a first, second and third time and finally passed this 12th day of September, 2024.

Original signed by:

Darren White, Warden

Original signed by:

Michelle Dunne, Clerk



For a complete copy of the agreement, please contact the Clerk's department.

SITE PLAN AGREEMENT

THIS AMENDING AGREEMENT made this ____ day of _____, 2024.

BETWEEN:

RADHA SOAMI SOCIETY BEAS CANADA

("Owner")

Party of the FIRST PART

- and -

THE CORPORATION OF THE TOWNSHIP OF EAST GARAFRAXA

("Township")

Party of the SECOND PART

- and -

THE CORPORATION OF THE COUNTY OF DUFFERIN

("County")

Party of the THIRD PART

WHEREAS the Owner warrants that it is the owner in fee simple of the Subject Lands and the beneficial owner of the Adjacent Lands as described in **SCHEDULE "A"** attached hereto; and

WHEREAS the Owner wishes to develop the Subject Lands and part of the Adjacent Lands in accordance with the attached plans and drawings; and

WHEREAS the Subject Lands and Adjacent Lands are subject to site plan control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended; and

WHEREAS the Township required the Owner to enter into this Agreement, which the parties executed on March 10, 2017, as a condition of approval of the plans and drawings for the Owner's proposed development of the Subject Lands; and.

WHEREAS the Township now requires the Owner to enter into an Agreement to amend the March 10, 2017, Agreement as a condition of approval to expand the Owner's development to include additional lands and to require the Owner to undertake a comprehensive transportation and traffic management study, and to implement all recommended traffic controls and measures arising from this study, all to the satisfaction of the Township and County.

NOW THEREFORE in consideration of mutual covenants, agreements and promises herein contained and the sum of Two Dollars (\$2.00) of lawful money of Canada now paid by each of the parties hereto to the other (the receipt and sufficiency of which is hereby acknowledged) and other good and valuable consideration and the mutual agreements contained herein, the parties hereto covenant and agree as follows:

DEFINITIONS

1. (a) "Adjacent Lands" shall mean the lands directly adjacent to the west of the Subject Lands referred to as the Adjacent West Lands and the lands directly adjacent to the south of the Subject Lands referred to as the Adjacent South Lands, as are both legally described in **SCHEDULE "A"** attached hereto.
- (b) "Annual Event" shall refer to an event on the Subject Lands and Adjacent South Lands in addition to regular Weekly Service Hours held up to once per calendar year on two consecutive calendar days in July or August. Annual Events are subject to the conditions of use set out in this Agreement and are characterized by increased attendance and extended periods of spiritual discourse.
- (c) "Building Permit" means a Building Permit issued pursuant to the *Building Code Act*, S.O. 1992, c. 23.
- (d) "Chief Building Official" shall mean the Chief Building Official of the County of Dufferin and includes his or her designate or other duly appointed official, and/or any other Chief Building Official duly appointed by the Township pursuant to the *Building Code Act*, S.O. 1992, c. 23.
- (e) "County" shall mean the Corporation of the County of Dufferin and/or its authorized employee(s) or representative(s), including any persons retained to give advice for the implementation and enforcement of this Agreement.
- (f) "Development" shall mean the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof and shall include the construction and installation of all