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April 29, 2008

File No. 66490

VIA FACSIMILE

Regional Planning and Economic Development Committee
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Attention: Denis Kelly, Regional Clerk and
Bryan Tuckey, Commissioner, Planning and Development Services

Dear Sirs:

**Re: Town of Richmond Hill – Official Plan Amendment No. 246
Item #10 on Planning and Economic Development Committee Agenda,
April 30, 2008**

We represent E. Manson Investments with respect to the above-captioned matter. Our clients own lands in the Town of Richmond Hill.

We have previously provided our comments to your Staff respecting the foregoing OPA. We do not intend to outline again the concerns we have expressed regarding OPA 246. We are disappointed that these concerns have not been addressed through the modified OPA 246 presented to Regional Committee by your Staff.

OPA 246 is intended to address the 2005 PPS and the Growth Plan, to limit the circumstances under which a conversion of employment lands may take place through introduction of "non-employment" uses. OPA 246 defines "non-employment uses" in a manner which directly contradicts both the Growth Plan and the 2005 PPS. In particular, "non-employment uses" are defined in OPA 246 as including commercial and retail uses. Both of these uses, however, are considered to be employment uses under both the 2005 PPS and the Growth Plan. To the extent that OPA 246 directly contradicts both the PPS and the Growth Plan, it cannot be approved.

In addition to the foregoing, OPA 246 proposes a test for conversion which is not consistent with the policies in section 2.2.6(5) of the Growth Plan.

We note that Staff in their covering report indicate that they are relying upon Section 5.4.1.5 of the Growth Plan to address these conflicts and inconsistencies. In our submission, a direct conflict or inconsistency cannot be resolved by resorting to this section of the Growth Plan.

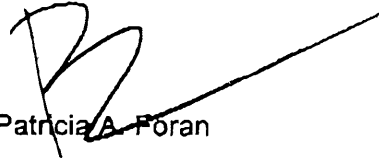
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Accordingly, we would request that Regional Committee refuse to approve OPA 246, as presented in the Staff report before you, and remit it back to your Staff for further modification.

Yours very truly,

AIRD & BERLIS LLP



Patricia A. Foran

PAF/jg

cc: E. Manson Investments

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