

Rice Commercial Group of Companies
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December 1, 2009
The Regional Municipality of York
17250 Yonge Street
Newmarket Ont
L3Y 6Z1

Attention: Bryan Tuckey, M.C.I.P., R.P.P.
Commissioner of Planning and Development Services

Re: Region of York, Draft Official Plan, June 2009

Sent via email

Dear Bryan,

On behalf of the Rice Commercial Group of Companies (RCG), we respectfully submit our comments and concerns with the Region's Draft Official Plan, June 2009.

Firstly, RCG is a member in good standing of BILD and we fully endorse and support the submissions made by Malon Given Parsons Ltd. on behalf of BILD.

RCG is generally concerned with the imbalance between the principle of Economic Vitality and the principles of Healthy and Complete Communities. If a balanced, financially viable business environment cannot be achieved when implementing the designated and the proposed Strategic Employment Land areas, development capital will be forced to go elsewhere.

RCG is primarily a non-residential land owner-developer/builder in York Region. In order to facilitate the development of employment land requires substantial infrastructure investment which is borne entirely on the backs of the developer. The Region's Official Plan should establish a policy framework to reduce the financial burden and in turn create and provide financial incentives to non-residential developers. These policies may include less restrictive land uses in employment areas, linkages to and subsidies from the residential growth sector, reduction in non-residential development charges, expedited

development approvals and a non-prescriptive approach to sustainable development and building.

RCG is specifically concerned with the policy of Major Retail not being permitted on the designated or in the proposed Strategic Employment Land areas. With the magnitude of growth expected over the next 25 years there will be in need for Major Retail in every new community in York Region.

It is our understanding that current Provincial policies do not bar large scale retail uses from employment areas where a municipality has determined such uses to be appropriate. The Growth Plan maintains a broad definition of employment areas in order to allow municipalities this discretion. The Growth Plan also does not exclude major retail uses from employment areas because they function as a cluster of businesses and create economic activity together with offices, manufacturing, warehousing/distribution etc. The jobs generated by retail uses should count toward achieving employment forecasts mandated in provincial policy.

The PPS states that planning authorities shall promote economic development and competitiveness by:

- Providing an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long term needs
- Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses
- Planning for, protecting and preserving employment areas for current and future uses

The PPS also states that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential and employment land uses (including industrial, commercial and institutional).

Neither employment nor commercial uses are defined terms but commercial would include retail and employment should read to include all employment generating uses including major retail. We are not aware that the PPS nor the Growth Plan narrows either term to exclude or prohibit retail or major retail uses from employment areas and we strongly recommend that the Region of York amends the prohibitive policies in the current Draft of the Official Plan that restricts Major Retail on the designated and in the proposed Strategic Employment Areas.

Some of our lands in the Town of East Gwillimbury are currently envisaged as a Major Local Centre in the Town's Draft Official Plan. The proposed Major Local Centre at the

Highway 404 and Green Lane node permit a range of employment uses that will achieve the economic vitality and complete community objectives of both the Town and the Region.

Our lands at Highway 404 and Major Mackenzie Dr. in Richmond Hill are currently designated employment. The Secondary Plan and subsequent OPA's expanded the retail permissions on these lands and those permissions remain in full force and effect. The Town's employment land protection OPA that the Region approved and then supported at the OMB recognizes that the retail uses, including retail warehousing, are permitted. RCG will strongly oppose the Official Plan if it is the intention to remove the existing retail permissions.

Trusting our submission will be received and reviewed and we would appreciate any future notifications with respect to the Region of York's Official Plan.

Yours truly,

Rudy Buczolits
Senior Vice President

The Rice Commercial Group of Companies

cc.

Bruce Macgregor, Chief Administrative Officer
John Waller, Director, Long Range and Strategic Planning Branch
Barbara Jeffery, Manager, Land Use Policy and Environment