

November 25, 2009

File No.: 50 5053 001

Via fax: 1-905-895-3031

Karin Price
Committee Co-ordinator
Regional Clerk's Office
York Region
17250 Yonge Street, 4th Floor
NEWMARKET, Ontario
L3Y 6Z1

Dear Ms. Price

RE: **W. J. SMITH GARDENS LIMITED**
22655 Yonge Street, Town of East Gwillimbury
Request for Deputation - December 2, 2009

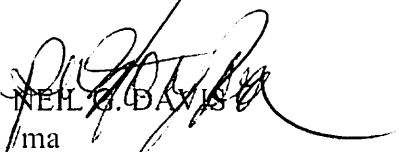
We are the solicitors for W. J. Smith Gardens Limited.

In the letter of November 16, 2009, copy of which is attached, our client suggested a deferral of adoption of the Region's Official Plan as it relates to our client's lands to allow for the anticipated discussions to be completed.

We will be in attendance with our client and its consultants to address the matter and answer any questions.

Yours very truly,

DAVIS WEBB LLP


NEIL G. DAVIS
/ma
cc W.J. Smith Gardens Limited

November 16, 2009

COPY

Regional Municipality of York
Planning Department
17250 Yonge Street
Newmarket ON L3Y 6Z1

Attention: Ms. Barb Jeffrey, Manager, Land Use Policy and Environment

Dear Ms. Jeffrey:

**RE: W. J. Smith Gardens Limited
22655 Yonge Street
Town of East Gwillimbury**

We are writing in follow up to recent correspondence, discussions and meetings which have been held with respect to our clients' property, as referenced above; and, the Region's draft Official Plan.

As you are aware, W. J. Smith Gardens Limited are the registered owners of approximately 2,100 acres of agricultural land generally located west of 2nd Concession Road, south of Ravenshoe Road, north of Holborn Road and east of the Holland River. The subject lands are located in the Holland Marsh area.

Of the 2,100 acres approximately 875 acres are actively farmed. The remaining lands will ensure adequate crop rotation and opportunity for expansion of the farming operation to meet growing demand now and into the future.

Notwithstanding that virtually the entire property is identified by the Province as being located within the Holland Marsh as a "Specialty Crop Area" a portion of the site has been identified as containing a Provincially Significant Wetland. The overlap of this feature has restricted the ability of our client to expand its current farming operations.

Several meetings and discussions have been held with various provincial ministries, the Region and the Town of East Gwillimbury and the Lake Simcoe Conservation Authority in an effort to resolve this issue. Tom Hilditch of Savanta Inc., was retained to carry out an Environmental Assessment of the property which has taken place over the last year. A report summarizing his findings is currently being finalized and will be submitted to the Province, Region, Town and the Conservation Authority upon completion.

We are cognisant of the Region's pending approval of its draft Official Plan; however, as the precise designation of and policies of application to our clients' lands may change as a result of the Savanta report, and, subsequent discussions with the Province & Region, we respectfully request that the Region defer approval of its Official Plan as it pertains to the W. J. Smith Gardens Limited property.

As the Town of East Gwillimbury is also in its Official Plan Review process and will be approving its Official Plan in the near future, we will be making a similar request of Town Council.

This will provide adequate time for our client, the various ministries, the Region, the Town and the Conservation Authority to hopefully come to some resolution for the designation of and policies applicable to the subject property and will avoid, if possible, the need for any appeals by our client.

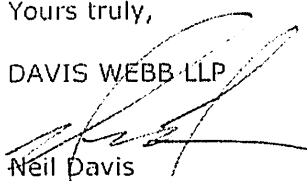
We trust you will find the above request an appropriate next step, however, should you have any questions or require additional information, please do not hesitate to call.

Could you please notify us of any meetings convened to discuss the approval of the Regional Official Plan.

We would be pleased to delegate at the appropriate time to ensure Council understands our client's dilemma and consequent request.

Yours truly,

DAVIS WEBB LLP



Neil Davis
/ma

Cc : Denis Kelly, Regional Clerk
Mayor James Young, East Gwillimbury
Don Sinclair, East Gwillimbury
Paul & Ian Smith, W. J. Smith Gardens Limited