

March 24, 2010

[REDACTED]

[REDACTED]

RE: Freedom of Information Request – FOI 2010 - 05

Your initial request for access to records under the *Municipal Freedom of Information and Protection of Privacy Act* (the "Act") was received in our office on December 15, 2009 and your clarification letter, along with the statutory fee of \$5.00, was received on February 22, 2010.

Further to your request, it is expected that fees under section 45 of the Act will apply to your request. The estimated fee is \$1065. The details of the fee estimate are contained in the attached table, which corresponds to the list of questions contained in your request. This is simply an estimate and the amount of the fees payable prior to disclosure of the records will be amended based on the actual time required to locate, copy or printout records and prepare the records for disclosure. Prior to proceeding with your request, and in accordance with Section 7(1) of R.R.O. 1990, Regulation 823 – General under the Act, payment of a deposit of 50% of the estimated fee (\$532.50) is required to be paid before further steps are taken to respond to your request.

The Act provides that all or part of the fee can be waived if in our opinion it is fair and equitable to do so, if the fee will cause you a financial hardship or if dissemination of the records will benefit public health or safety.

You should note that our preliminary review of the records indicates that some of the following exemptions contained in the Act might apply to certain records that you have requested:

- Section 6 – Records of closed meetings
- Section 7 - Advice or recommendations
- Section 10 – Third party information
- Section 12 – Solicitor-client privilege
- Section 14 – Personal information

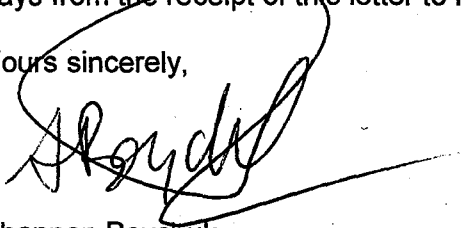
As a result, some of the records may be severed or withheld from disclosure based on the applicability of one or more of these exemptions. As noted in our previous correspondence, the Act provides that a request may be made for access to a record(s) in the custody or control of

the Town, but the Town is not required to *create* a new record in response to a request under the Act.

In addition, while the general time limit for responding to requests for access to records is 30 days, we wish to advise you that the time limit for responding to your request has been extended in accordance with section 20 of the Act. The time limit will be extended for an additional 40 days from the date that the Town receives written acceptance of the fee estimate and payment of the required 50% deposit (\$532.50). The reason for the time extension is the large number of records that must be reviewed in order to respond to your request. This will require considerable staff time and resources as set out in the attached table.

You may request that this decision and/or fee estimate be reviewed by The Information and Privacy Commissioner/Ontario, 2 Bloor Street East Suite 1400 Toronto, Ontario M4W 1A8, Tel: 416-326-3333 or 1-800-387-0073 website: <http://www.ipc.on.ca>. Please note that you have 30 days from the receipt of this letter to request a review.

Yours sincerely,



Shannon Boychuk
Manager of Administration/Acting Deputy Clerk

Attachments

FEE ESTIMATE – SECTION 45

Question #	Details of Fee Estimate	Fee Estimate*
1	Corporate & Financial Services and Customer and Legislative Services Department – 3 hours to review relevant files and make copies or printouts of responsive records	\$90
2	Corporate & Financial Services Department and Corporate Communications – 2 hours to review relevant files and make copies or printouts of responsive records	\$60
3,4,5	Corporate & Financial Services, Parks & Recreation Services and Customer & Legislative Services Departments – 8 hours to review relevant records and make copies or printouts of responsive records	\$240
6	Corporate & Financial Services Department - .5 hours to review relevant records and make copies or printouts of responsive records	\$15
7	Planning & Development Services and Legal Services Departments – 3 hours to review relevant records and make copies or printouts of responsive records	\$90
8	Customer & Legislative Services Department and Legal Services Department – 14 hours to review relevant records and make copies or printouts of responsive records	\$420
9	Infrastructure & Environmental Services and Administration Departments – 3 hours to review relevant records and make copies or printouts of responsive records	\$90
10	Question to be clarified or withdrawn	
11	Legal Services Department – 2 hours to review relevant files and make copies or printouts of responsive records	\$60
TOTAL		\$1065

* This is simply an estimate and the amount of the fees will be amended based on the actual time required to locate, copy or printout records and prepare the records for disclosure.