



TOWN OF NEWMARKET  
395 Mulock Drive  
P.O. Box 328  
Newmarket, ON L3Y 4X7

www.newmarket.ca  
info@newmarket.ca  
905.895.5193

May 2, 2016

VIA email to: [REDACTED]

Dear: [REDACTED]

**RE: Request for Information A17-16-15  
Municipal Freedom of Information and Protection of Privacy Act**

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Thank you for your request, which was received by our office on April 18, 2016. This letter is to inform you of the decision made in response to your request for information under the *Municipal Freedom of Information and Protection of Privacy Act* ("the Act"). You have requested information pertaining to the agenda and minutes and any supporting papers regarding the land swap at Market Square discussed in Closed Session on 24 June 2013.

We have identified the following records as responsive to your request:

1. Special Committee of the Whole Closed Session Agenda of June 24, 2013
2. Special Committee of the Whole Closed Session Minutes of June 24, 2013
3. Report – Office of the CAO Closed Session 2013-05 (Property Matter)

Access to these records is being denied based on Section 6(1) (b) of the Municipal Freedom of Information and Protection of Privacy Act. This section states: that "[a] head may refuse to disclose a record, that reveals the substance of deliberations of a meeting of a council, board, commission or other body or a committee of one of them if a statute authorizes holding that meeting in the absence of the public".

These meetings were held in Closed Session under the authorization of Section 239(2) (c) of the Municipal Act. This section authorizes holding a meeting in closed session if the subject matter being discussed is "a proposed or pending acquisition or disposition of land by the municipality or local board". As the development application and related land negotiations have not been finalized, the closed session records are still confidential at this time.

You may ask for a review of this decision within 30 days of receiving this letter by writing to: The Information and Privacy Commissioner/Ontario, 2 Bloor Street East, Suite 1400, Toronto, Ontario, M4W 1A8, Tel: 416-326-3333 or toll free 1-800-387-0073. (Website: [www.ipc.on.ca](http://www.ipc.on.ca))

If you decide to request a review of this decision, please provide the Commissioner's office with the following: the file number listed at the beginning of this letter, a copy of this decision letter, and a copy of the original request for information that you sent to our institution and the reasons why you believe the records exist (if the decision was that no records exist).

In addition, you must send an appeal fee to the Commissioner's office. If your request was for your personal information; the appeal fee is \$10.00. The appeal for all other requests for information is \$25.00. Please include the fee with your letter of appeal – appeal fees should be in the form of either a cheque or money order, payable to the Minister of Finance.

Please use request number A17-16-15 assigned to this request in any further correspondence.

Regards,

A handwritten signature in black ink, appearing to read "Sarah Niezen". The signature is fluid and cursive, written in a professional style.

Sarah Niezen  
Records and Projects Coordinator