



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

www.newmarket.ca  
clerk's@newmarket.ca  
905.953.5300 ext. 2200

January 20, 2017



Dear [REDACTED]

**RE: Request for Information A17-16-47**  
***Municipal Freedom of Information and Protection of Privacy Act***

---

This letter is in response to your request under the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* for access to:

- Records relating to any communication between the Town of Newmarket and Bob Forrest during the 12 month period prior to October 22, 2013 and pertaining to the lands and premises known for municipal purposes as 178-194 Main St. South Newmarket.
- Records relating to any communications between the Town of Newmarket and Main Street Clock Inc., during the 12 month period prior to October 22, 2013 and pertaining to the lands and premises known for municipal purposes as 178-194 Main St. South Newmarket.

Please find enclosed copies of records to which you have been granted access. Where only partial access has been granted, we have severed (not released) the exempted portions.

Description of Records

1. Communications between Bob Forrest, and Main Street Clock Inc. (Chris Bobyk and others) and Dave Ruggle for the dates October 22 2012 to October 22, 2013.

Please find enclosed a series of emails to and from Dave Ruggle, Senior Planner – Community Building. Portions of some of these emails have been severed under Section 14 of MFIPPA which requires the Town to protect the personal information of individuals from anyone other than the person to whom the information relates. Information has also been redacted under Section 11 which allows the Town to protect information regarding positions, plans, procedures or criteria that are applied to any negotiations to be carried out on behalf of an institution.

2. Communications between Bob Forrest, and Main Street Clock Inc. (Chris Bobyk and others) and Rick Nethery for the dates October 22 2012 to October 22, 2013.

Please find enclosed a series of emails to and from Rick Nethery, Director of Planning. Portions of some of these emails have been severed under Section 11 which allows the Town to protect information regarding positions, plans, procedures or criteria that are applied to any negotiations to be carried on behalf of an institution. Other portions are severed under section 6(1)(b), section 10(1)(a), and section 14. Please see the attached index for details about the severed portions.

Further correspondence was located between the Legal Department and Bob Forrest and staff of Main St. Clock Inc. All of this correspondence is being withheld under Section 12 which allows the Town to withhold information that is subject to Solicitor Client Privilege and Section 11 which allows the Town to protect information regarding positions, plans, procedures or criteria that are applied to any negotiations to be carried on behalf of an institution.

You may request that this decision be reviewed by the Information and Privacy Commissioner. The Commissioner can be reached at:

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 appeal a decision to the Information and Privacy Commissioner, please provide the Commissioner's office with:

1. the request number assigned to the request
2. a copy of this decision letter, and
3. a copy of the original request you sent to this institution.

Appeals to the Commissioner must also be accompanied by the appropriate fee. Fees vary according to the nature of the request being appealed as follows: \$25, if the person appealing has made a request for access to a general records under subsection 17(1); \$10, if the person appealing has made a request for access to personal information under subsection 34(1); \$10, if the person appealing has made a request for correction of personal information under subsection 36(2).

No fee is payable for appealing a decision of a head to the Commissioner if the person appealing is a third party given notice of a request under subsection 21(1) of the Act.

Please note that you have 30 days from the receipt of this letter to request a review.

Please contact me at 905-953-5300, Ext. 2204 if you have any questions. Please use the request number A17-16-47 in any further correspondence.

Sincerely,

Emily Puccini  
Records Analyst

**Index of Records**  
**Request No. A17-16-47**

Communications between Bob Forrest, and Main Street Clock Inc. (Chris Bobyk and others) and Dave Ruggle

<b>Doc. No.</b>	<b>General Description</b>	<b>Release Yes/No</b>	<b>Section(s) Applied</b>	<b>Comments/Explanations</b>
1.	Email chain dated March 1, 2013 (3 pages)	Yes	14	Personal email addresses severed.
2.	Email chain dated January 3, 2013 (3 pages)	Yes	14 and 11	Personal email addresses severed.  Confidential information that could affect negotiations.
3.	Email chain dated December 3, 2012	Yes	14	Personal email addresses severed.

Communications between Bob Forrest, and Main Street Clock Inc. (Chris Bobyk and others) and Rick Nethery

<b>Doc. No.</b>	<b>General Description</b>	<b>Release Yes/No</b>	<b>Section(s) Applied</b>	<b>Comments/Explanations</b>
4.	Email chain dated October 8, 2013	Yes	6(1)(b)	Record reveals the substance of an in-camera meeting.
6.	Email chain dated July 3, 2013	Yes	6(1)(b) and 11(e)	Record reveals the substance of an in-camera meeting.  Confidential information that could affect negotiations.
7.	Email chain dated May 29, 2013	Yes	6(1)(b) and 11(e)	Record reveals the substance of an in-camera meeting.  Confidential information that could affect negotiations.
8.	Email chain dated May 7, 2013	Yes	6(1)(b), 11(e) and 14	Record reveals the substance of an in-camera meeting.  Confidential information that could affect negotiations.  Personal name removed.
9.	Email chain dated May 7, 2013 (v.2)	Yes	6(1)(b)  11(e)	Record reveals the substance of an in-camera meeting.  Confidential information that could affect negotiations.

			14	Personal name removed
10.	Email from C. Bobyk to B. Forrest et al., May 9, 2013	Yes	6(1)(b), 10(1)(a), 11(e) and 14	Record reveals the substance of an in-camera meeting.  Information that could affect a third party's negotiations.  Confidential information that could affect negotiations.  Personal name removed.
11.	Email chain dated March 8, 2013	Yes	11(e)	Confidential information that could affect negotiations.
12.	Email from C. Bobyk to J. Sponga et al., March 4, 2013	Yes	10(1)(a), 11(e) and 14	Information that could prejudice a third party's competitive position.  Confidential information that could affect negotiations.  Personal name removed.
13.	Email chain dated January 9, 2013	Yes	10(1)(a) and 11(e)	Information that could affect a third party's negotiations.  Confidential information that could affect negotiations.
14.	Email chain dated September 25, 2012	Yes	6(1)(b), 10(1)(a) and 11(e)	Record reveals the substance of an in-camera meeting.  Information that could affect a third party's negotiations.  Confidential information that could affect negotiations.