



TOWN OF GIBSONS

P O Box 340
474 South Fletcher Road
Gibsons, BC V0N 1V0

P:604-886-2274
F: 604-886-9735
Website: www.gibsons.ca

File Number: 0570-20

September 28, 2015

Bradley Benson
1676 Gower Point Road
Gibsons, BC V0N 1V5

Dear Bradley Benson:

**Re: Freedom of Information and Protection of Privacy Act (the "Act")
Notice of Fee Estimate – FOI 2015-08**

I am writing further to your request for information under the Act, dated July 13, 2015, more specifically:

Any and all records related to the Tug Boat Landing marina, Gibsons Oceanfront Hotel and George Hotel and Residences development proposals generated by and/or shared among Wayne Rowe and any and all of the following people and corporations: Andre Boel, Emanuel Machado, Art Phillips, Klaus Fuerniss, Klaus Fuerniss Enterprises Inc. and Hyak Marine; between January 1, 2012 and July 13, 2015.

This request for records has been clarified with you, through email, to include a review of the records redacted in both FOI2014-06 and FOI2014-11 as well as a search to determine if records were omitted from the previous release. For your reference:

FOI2014-06- dated May 30, 2014 resulted in 941 pages of records responsive to your request as follows:

- All written and email correspondence, including any reports, email attachments, minutes and notes of any and all meetings, and any other information shared amongst Art Phillips and the Director of Planning, Andre Boel, between July 31, 2013 and May 31, 2014.

FOI2014-11 dated September 15th, 2014 resulted in 96 records responsive to your request as follows:

- Any and all minutes and notes of any and all formal and informal meetings attended by Emanuel Machado regarding the George Hotel and Residences development application. This request specifically includes (but is not exclusive to) all records generated by all staff and elected people in attendance at the May 7th, 2013 and June 21, 2013 meetings.

Section 75 of the Act provides that fees may be charged for limited and specific services associated with processing formal requests for records. The estimated costs associated with processing your request is \$1,654.00. The fee estimate has been determined as follows:

Locating and retrieving records:	
Estimated time: 30 hours @ \$7.50 per 1/4 hour	\$ 900.00
Less: First 3 hours free @ \$7.50 per 1/4 hour	(90.00)
Producing and preparing records for disclosure:	
Estimated time: 28 hours @ \$7.50 per 1/4 hour	840.00
Severing Records 2000 pages = 33 hours	No Charge - 0.00
Copying records:	
Responsive pages provided on CD	4.00
Shipping and handling:	
Hold for Pickup	0
TOTAL:	\$ 1,654.00

All reasonable efforts have been made to generate an accurate estimate; however, the fee you will be required to pay will be based on actual costs, whether those costs are higher or lower than the estimate.

The scope of this request is quite broad and covers the same timeframes and subject matter of your two previous requests noted above as well as FOI2014-01, FOI2014-04, FOI2014-08, FOI2014-12. By narrowing the scope of your request, you may be able to reduce the fees payable. Please contact me if you would like to discuss this further.

Deposit

You are required to send us a deposit of \$827.00 (50% of the total fee estimate), before we process your request. Please send a cheque or money order to my attention for this amount, made out to the Town of Gibsons.

The Town of Gibsons will not proceed further with your request until we receive your deposit. While the Act imposes an obligation for us to respond to your request within 30 business days, the period of time that is spent while we are waiting for your deposit will not be included in the calculation of our response time. As such, the deadline by which we are required to respond is stopped until the deposit has been paid.

Fee Waiver

You have requested a waiver of fees related to this request as the "request is a matter of public interest and you will be using the information to inform the Public". The Act provides that we may excuse you from paying all or part of the fee if, in our opinion, you cannot afford to pay, or there are other reasons that justify excusing the fee, or if the record relates to a matter of public interest, including the environment, public health or safety. In considering your request we do not feel this request meets the requirements for public interest and therefore will not be waiving the fees.

Review of Fee

The Act also provides opportunity for you to consult with the Information and Privacy Commissioner to review this fee estimate or any other aspect of this response. The Act allows you 30 days from the date you receive this notice to request a review by writing to:

Office of the Information and Privacy Commissioner
P.O. Box 9038, Stn. Prov. Govt.
Victoria, BC V8W 9A4
Tel. (250) 387-5629 Fax (250) 387-1696

If you request a review, please provide the Commissioner's office with:

1. Your name, address and telephone number;
2. The request number assigned to your request FOI 2015-08;
3. A copy of your original request for information
4. A copy of this letter;
5. The reasons or grounds upon on which you are seeking the review.

Please contact me at slwilliams@gibsons.ca if you have any questions regarding this letter. If I do not hear from you by October 28th, 2015 I will consider your request to be abandoned and will close this file.

Yours truly,

TOWN OF GIBSONS



Selina L. Williams
Corporate Officer / FOI Coordinator