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CONFIDENTIAL

BY EMAIL ONLY

Ref.: 25-IE22.1

Sylwia Przeddziecki
City Council, Committees and By-laws City Hall,
12th Floor, West 100 Queen Street West
Toronto, Ontario M5H 2N2
Tel: 416-392-7032 Fax: 416-392-2980
E-mail: Sylwia.Przeddziecki@toronto.ca
E-mail: Vanessa.Miraples@toronto.ca

Dear Sylwia Przeddziecki,

Thank you for reaching out to my Office regarding Magna International's ("Magna") pilot program for testing autonomous delivery vehicles in Toronto.

Specifically, you have requested advice from my Office on whether it is acceptable and consistent with federal privacy legislation for a for-profit corporation to:

- a. record the faces of individuals on a public street, without their knowledge or consent, or the consent of the City; and
- b. send those images to the United States for collection, use and storage for their own benefit.

My Office is aware of Magna's pilot program but has not investigated this matter; I am therefore not in a position to confirm the specifics of their handling of personal information or to provide legal advice to the City of Toronto regarding this pilot program. However, I have provided some general information, below, in relation to the key concerns that you have raised.





Organizations that are subject to PIPEDA, such as Magna, must adhere to a number of [privacy principles](#). These include, [organizations' responsibility](#) for the personal information under their control, only using or disclosing personal information for the [purposes for which it was collected](#), only keeping it as long as required to serve those purposes, and [destroying, erasing, or making anonymous](#) when it is no longer required. In addition, personal information collected must be protected by [appropriate security](#) measures relative to the sensitivity of the information.

While I do not have specific information regarding the Magna vehicles, I understand that automated vehicles will generally collect data through cameras used for navigation. To the extent that this involves the collection of biometric information, I would note that my Office recently released [guidance](#) for businesses on this topic. You may also find of interest this [submission](#) to the Standing Committee on Transport and Communications regarding their study on the regulatory and technical issues related to the deployment of connected and automated vehicles.

With respect to the concern that you have raised regarding the potential transmission of images to the United States, I would note that PIPEDA does not prohibit organizations from transferring data outside of Canada. That said, principle 4.1.3 of PIPEDA provides that an organization remains responsible for personal information that has been transferred to a third party for processing and must use contractual or other means to provide a comparable level of protection while the information is processed by the third party. More information can be found here: [Guidelines for processing personal data across borders](#).

As a result of your enquiry, my Office has reached out to the organization to obtain more information and to ensure that it is taking the necessary steps to mitigate potential privacy risks to individuals, and will consider what steps are required, if any, once we review the information to be provided by Magna.

I hope that you will find the above information useful and wish to thank you once again for bringing this matter to my attention.

Sincerely,

Philippe Dufresne
Privacy Commissioner of Canada

