

**TRAFFIC MANAGEMENT CENTRE  
INTELLIGENT TRANSPORTATION SYSTEMS (OPERATIONS)**

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**TRAFFIC MONITORING  
CAMERA POLICY**

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March 3, 2016

## DOCUMENT CONTROL

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7	Addressed comments from Traffic Management Centre Director (Myles Currie)	Final	2016/03/03

## **APPROVAL**

The version of this document dated March 3, 2016 was approved by:

Original signed by M. Currie

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Date: April 11, 2016

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## Abbreviations

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<b>I&amp;T</b>	Information & Technology
<b>ITS</b>	Intelligent Transportation Systems
<b>ITSO</b>	ITS Operations
<b>MFIPPA</b>	Municipal Freedom of Information and Protection of Privacy Act
<b>MTO</b>	Ministry of Transportation of Ontario
<b>RESCU/ATM</b>	Roads Emergency Services Communications Unit/Active Traffic Management
<b>TMC</b>	Traffic Management Centre
<b>TOC</b>	Transportation Operations Centre

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## Glossary

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<b>Contractor</b>	Non-City staff hired to provide contracted services in the Transportation Operations Centre (TOC) on behalf of the City.
<b>Corporate Information &amp; Technology (I&amp;T)</b>	A division within the City that supports the day-to-day information technology needs of the City and partners with other divisions to develop business solutions to deliver City services. For this policy, I & T is responsible for the network infrastructure service provisions for the System.
<b>Director, Traffic Management Centre (TMC Director)</b>	The Director who is responsible for the day-to-day operations of the Traffic Management Centre. The TMC Director reports to the General Manager, Transportation Services Division.
<b>Engineering Study Record</b>	A type of video record that is created by RESCU/ATM staff in order to determine the need to implement traffic management measures or to assess the effectiveness of existing traffic management measures.
<b>General Manager, Transportation Services Division</b>	The General Manager has overall responsibility for the City's compliance with traffic and parking By-laws and the <i>Highway Traffic Act</i> . Among other things, the General Manager is also accountable for Transportation Services Division's compliance with privacy legislation and the Traffic Monitoring Camera Policy.
<b>Incident</b>	An event within the Municipal Road Allowance involving vehicle(s), pedestrian(s), and/or cyclist(s) that causes interruption to the normal traffic patterns.
<b>Incident Record</b>	A type of video record that was created by RESCU/ATM staff from the time an incident is detected to the time an incident is cleared.
<b>ITS Operations (ITSO)</b>	A unit within the City's Traffic Management Centre (TMC). There are three groups within ITSO: Traffic Signal Operations Group (TSOG), Roads Emergency Services Communications Unit/Active Traffic Management (RESCU/ATM), and Systems Support Group (SSG).
<b>Manager, ITS Operations (ITSO Manager)</b>	The Manager who is responsible for the day-to-day operations of ITS operations. The ITSO Manager reports to the TMC Director.

<b>Municipal Road Allowance</b>	The width of the roadway from the property line on one side of the roadway to the property line on the opposite side of the roadway, for roadways within the boundaries of the City and which fall under the jurisdiction of the City.
<b>Operator</b>	A City or Contractor employee who has been given authority and access to the Traffic Monitoring Camera System within the TOC. The Operator reports to the RESCU/ATM Senior Engineer or the TOC Contract Supervisor.
<b>Personal Information</b>	As defined in Section 2 of MFIPPA, it is any recorded information about an identifiable individual, which includes, but is not limited to, information relating to an individual's race, colour, national or ethnic origin, sex and age.
<b>Reception Equipment</b>	The equipment or device used to receive or record the personal information collected through a video surveillance system, including a camera or video monitor or any other video, audio, physical, or other mechanical, electronic or digital device.
<b>Record</b>	For this policy, Record means information that has been retrieved from the System while it is being utilized for the purpose of traffic monitoring and is stored in a media format that allows the image(s) to be viewed for the purposes outlined in this policy only. There are two types of Records: Incident Records and Engineering Study Records.
<b>Road Emergency Services Communications Unit/Active Traffic Management (RESCU/ATM)</b>	A section within the ITS Operations at the City's TMC. RESCU is a traffic management system used to detect incidents on the City's expressways and main roads, to notify emergency responders (if necessary) and to provide up-to-date traveller information to the public. ATM is a suite of traffic management and traffic control strategies that improve operational efficiency and manage traffic flow to enhance capacity and safety.
<b>RESCU/ATM Senior Engineer</b>	A City employee who is responsible for all aspects of the TOC operations including administration of the contract under which a private contractor provides services for the operation of the TOC. The RESCU/ATM Senior Engineer reports to the ITSO Manager.
<b>Storage Device</b>	A videotape, computer disk or drive, CD ROM, computer chip, server or other device used to store the recorded data or visual, audio or other images captured by the System.
<b>Traffic Management Centre (TMC)</b>	A section within the Transportation Services Division that is comprised of six units: Traffic Safety Unit, ITS Operations, ITS Capital Delivery, Traffic Plant Installation & Maintenance, Transportation Business Systems, and Signs & Markings.



<b>Traffic Monitoring Cameras</b>	Devices that enable continuous or periodic observing or monitoring of the Municipal Road Allowance.
<b>Traffic Monitoring Camera System</b>	A system that enables continuous or periodic recording, observing, or monitoring of the Municipal Road Allowance from a remote centralised location. The System includes reception equipment and storage devices.
<b>Transportation Operations Centre (TOC)</b>	The facility at 703 Don Mills Road, Toronto, where Operators monitor traffic flow and road/weather conditions via Cameras and provide traveller information to the public. The TOC is operational 24 hours a day, seven days a week, every day of the year.
<b>TOC Contract Supervisor</b>	A Contractor employee who is responsible for supervising contracted staff involved in the day-to-day operations of the TOC. The Supervisor reports to the RESCU/ATM Senior Engineer.

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## Policy Statement

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*The City of Toronto installs and operates Traffic Monitoring Cameras within the Municipal Road Allowance and monitors the Cameras via a Traffic Monitoring Camera System located at 703 Don Mills Road, Toronto. The Traffic Monitoring Cameras and Traffic Monitoring Camera System are owned by the City.*

*It is the policy of Transportation Services Division to utilize the Traffic Monitoring Cameras for traffic management and emergency incident response by monitoring the movement of vehicles on the City's road network. Traffic Monitoring Cameras are not used for security, law enforcement or municipal licensing purposes. The Traffic Monitoring Camera System collects anonymous information on a transitory basis and does not store identifiable personal information or identifiable vehicle data.*

*It is not the City's intent to collect personal information through the monitoring of vehicles on the City's road network. However, if collection of personal information is not avoidable, then such information will only be collected as authorized under the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).*

## 1. GUIDING PRINCIPLES

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### 1.1. Scope

This policy applies to the Traffic Monitoring Cameras (hereinafter referred to as Cameras) installed by the City within the Municipal Road Allowance and the Roads Emergency Services Communications Unit System (hereinafter referred to as System) located at 703 Don Mills Road.

This policy does not apply to Cameras or Systems installed or maintained by Corporate Security, City agencies, City boards or City Commissions. This policy does not apply to red light cameras that are operated by the Red Light Camera unit of the Traffic Management Centre (TMC).

### 1.2. Purpose

Traffic monitoring, when utilized with other Intelligent Transportation System (ITS) measures, is an effective means of ensuring the efficiency and safety of City roads, the individuals who use them, and the assets located within the Municipal Road Allowance. The need to ensure optimal efficiency and safety must be balanced with an individual's right to privacy. Therefore, the purpose of this policy is to establish procedures which are intended to achieve this balance. Cameras are monitored by the Road Emergency Services Communications Unit/Active Traffic Management (RESCU/ATM) staff.

Specifically, this policy addresses requirements and responsibilities with respect to:

- The roles and responsibilities for all personnel responsible for the policy, implementation and governance, as well as individuals using and maintaining the traffic monitoring cameras and recording equipment.
- The installation of the Cameras and monitoring of the Cameras on the System.
- The use of the information obtained through the Cameras and System.
- The collection, use, disclosure, retention and destruction of recordings in accordance with privacy requirement of MFIPPA and its regulations.
- Procedures to facilitate access to records, including formal access requests and access for law enforcement purposes.

The purpose of the Cameras is for staff to monitor traffic flow, road and weather conditions and to look for and manage incidents. The Cameras are not used for security, law enforcement or municipal licensing purposes.

### 1.3. Legislated and Corporate Policy Requirements

This policy reflects the provisions of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA). The purposes of this Act are:

- (a) to provide a right of access to information under the control of institutions in accordance with the principles that,
  - (i) Information should be made available to the public,

- (ii) Necessary exemptions from the right of access should be limited and specific, and
- (iii) Decisions on the disclosure of information should be reviewed independently of the institution controlling the information.
- (b) to protect the privacy of individuals with respect to personal information about themselves held by institutions and to provide individuals with a right to access to that information.

This policy complies and is consistent with the City of Toronto *Protection of Privacy Policy*.

#### **1.4. Openness and Notification**

Information regarding this policy will be available on the City's website [www.toronto.ca](http://www.toronto.ca). A list and map of camera locations will also be provided.

#### **1.5. Auditing and Evaluating**

The City will ensure that the use of Cameras and the System is subject to review and audit every two years or sooner. The audit will address the City's compliance with the policy and guidelines. Auditing will include verification that operating procedures, monitoring practices and disposal of equipment and recorded information have been followed, and requests for information have been tracked and responded to. Any deficiencies or concerns identified will be addressed and corrected, and any revisions will be added to the policy.

## **2. TRAFFIC MONITORING CAMERA RESPONSIBILITIES**

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### **2.1. Traffic Management Centre (TMC) Responsibilities**

The Traffic Management Centre (TMC) is responsible for the installation, operation, and maintenance of the Cameras, the administration of this policy and the custody and security of any Records. The TMC is responsible for the initial collection of information and then for the subsequent disclosure or use of the information. Once that information is passed from the TMC to others, the other party is responsible for how the information, under the independent custody or control of that party, is stored, used, and disclosed.

The following personnel within the TMC play a role in the administration, implementation, and governance of the policy, as well as using and maintaining the Cameras and recording equipment. Their respective responsibilities are outlined below.

#### **2.1.1. Director of the Traffic Management Centre (TMC)**

The TMC Director is responsible for:

- Ensuring all applicable managers and supervisors are aware of this policy and of any subsequent revisions.
- Ensuring compliance with this policy.

### **2.1.2. Manager, ITS Operations (ITSO)**

The ITSO Manager is responsible for:

- Creating, maintaining and reviewing protocols for the installation, operation and use of the Cameras to achieve business objectives while minimizing potential privacy intrusion and for the control of and access to the System records.
- Establishing a training program for the operation of the equipment, including responsibilities with respect to protection of privacy and confidentiality, and ensuring that all Operators are trained appropriately.
- Ensuring that all proposed changes or additions to the Cameras and System meet the requirements of this policy, as well as other City policies and by-laws, prior to implementation.

### **2.1.3. Senior Engineer, Road Emergency Services Communications Unit/Active Traffic Management (RESCU/ATM)**

The RESCU/ATM Senior Engineer is responsible for:

- Installing, operating and using the Cameras and System.
- Managing the custody, control, access to or retention of System information or Records.
- Ensuring that City staff and the Transportation Operations Centre (TOC) Contract Supervisor who access the TOC have signed an acknowledgement that they have read this policy and any subsequent revisions and that staff are aware of any related protocols.
- Ensuring that City staff and the TOC Contract Supervisor in the TOC are trained on this policy and any related protocols, as well as any subsequent revisions, with respect to their specific job function.
- Ensuring that all System monitoring equipment and devices are securely stored in a controlled access area.
- Ensuring that City staff and the TOC Contract Supervisor in the TOC use the cameras in a manner that is within the intended purpose of monitoring as it relates to traffic conditions.
- Designating persons to operate the System and maintaining an up-to-date list; only those who have been designated are permitted to operate the System.
- Receiving requests for Incident Records or Engineering Study Records, and for disseminating records.
- Ensuring staff comply with this policy and follow any related protocols.
- Maintaining custody and security of all Engineering Study Records, from creation through to final disposition.
- Reporting any incidents or concerns to the ITSO Manager.

### **2.1.4. Contract Supervisor, Transportation Operations Centre (TOC)**

The TOC Contract Supervisor is responsible for:

- Ensuring that Contractor staff have signed an acknowledgement that they have read this policy and any subsequent revisions and that Contractor staff are aware of any related protocols.

- Providing a signed copy of the Contractor staff acknowledgement to the RESCU/ATM Senior Engineer prior to the Contractor staff receiving authorization to operate the Traffic Camera Monitoring System.
- Ensuring Contractor staff are trained on this policy and any related protocols, as well as any subsequent revisions, with respect to their specific job function.
- Ensuring that Contractor staff use the cameras in a manner that is within the intended purpose of monitoring as it relates to traffic conditions.
- Ensuring Contractor staff comply with this policy and follow any related protocols.
- Ensuring records are not accessed by unauthorized persons.
- Forwarding all requests for Records to the RESCU/ATM Senior Engineer.
- Reporting any incidents or concerns to the RESCU/ATM Senior Engineer.

#### **2.1.5. City and Contractor Employees**

City and Contractor employees are responsible for:

- Reviewing this policy, attending training related to this policy, and signing the acknowledgement form.
- Complying with this policy in performing their duties and functions related to the operation of the System.
- Refraining from accessing or using the information contained in the System, its components, files, or databases for personal reasons, or destroying, erasing or altering any Record or information without proper authorization.
- Protecting the privacy of individuals with respect to personal information under MFIPPA.
- Ensuring that they do not adjust, zoom or manipulate the Cameras to overlook spaces that are not intended to be covered.

#### **2.2. Corporate Information & Technology (I&T) Responsibilities**

Corporate I&T is responsible for the network infrastructure service provisions for the Cameras and the System.

### **3. CAMERAS AND SYSTEM INSTALLATION AND OPERATION**

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#### **3.1. Use of the Cameras and System**

The use of the Cameras, including specific camera positions, is determined on the basis of reasonable and justifiable grounds for the purposes of the provision of public road safety, determining traffic flow, and assisting in incident detection and mitigation within the Municipal Road Allowance. The System allows for the adjustment of the camera position by Operators. If possible, the System is configured so that Operators cannot adjust or manipulate the Cameras to view areas not intended to be monitored. It is prohibited for operators to use the Cameras in a manner that is against the intended purpose of monitoring as it relates to traffic conditions.

Although RESCU/ATM will try and accommodate requests by the Police, media and other organizations, ongoing incident management is RESCU/ATM's first priority. Any such accommodation is done in accordance with MFIPPA.

Video feeds to all internal users and external subscribers **must be blocked** in any situation where persons may be identified, such as:

- A person on an expressway that appears to be suicidal
- A pedestrian walking on an expressway or on any portion of a road right-of-way where pedestrians are not allowed.
- A bicyclist riding on the expressway or on any portion of a road right-of-way where bicyclists are not allowed.
- Abnormal construction worker activity
- A possible crime scene

The operating procedures for the use of the Cameras and Systems are outlined in the City's *Standard Operating Practice (SOP): Traffic Camera Monitoring*.

### 3.2. Camera Locations

Each Camera position is assessed on a case-by-case basis considering the availability of existing poles, the availability of communications infrastructure and the extent of coverage. Installation is done on the road network where it is necessary for monitoring traffic conditions. Equipment is installed in such a way that it effectively views road segments that have been identified as requiring video monitoring. The City takes all reasonable steps to mitigate any adverse effects, including the following:

- Position cameras in a manner conducive to viewing traffic, not sidewalks or other public space.
- Cameras are placed so that they do not view into an area where individuals have a greater expectation of privacy, such as private buildings or other facilities which are not within the Municipal Road Allowance.
- Mount cameras at a height to minimize the possibility of facial recognition.
- Use camera feature to obfuscate facilities, buildings, condominiums, and residences from view, which is set up at installation and cannot be modified by Operators.

All locations for the installation of the Cameras require the approval of the General Manager, Transportation Services or his or her designate.

### 3.3. Transportation Operations Centre (TOC)

#### 3.3.1. Access Control to Facility

The TOC on the 5<sup>th</sup> Floor is where Operators monitor traffic flow and road/weather conditions via Traffic Cameras and provide traveller information to the public. The computer room on the 4<sup>th</sup> floor is where the servers and communications equipment are located. The TOC and the computer room are restricted areas and only those who have a business need are granted

access to these areas. Request for access to both areas must be approved by the ITSO Manager.

Access is also granted to individuals who need to access the facility for non-TOC related business needs (i.e. custodians, building maintenance staff, Health and Safety members and Fire Wardens). Their access to the TOC is related to their corresponding function and they are not allowed to access the facility for any other reason.

During special event coverage, access will be granted to individuals who are providing coverage for the event and need to access the facility for event-related business needs (i.e. emergency services personnel, transit authorities and related Transportation Services staff). They will not need an authorized staff member with them at all times while they are in the TOC, but their access to the TOC must be related to their corresponding function. They will not be allowed to access the facility for any other reason.

Individuals/organisations visiting the TOC must obtain approval from the ITSO Manager or RESCU/ATM Senior Engineer before entering the TOC and must have an authorized staff member with them at all times while they are in the TOC.

City and Contractor staff conducting maintenance of the System are required to obtain approval from the ITSO Manager or RESCU/ATM Senior Engineer before entering the TOC and 4<sup>th</sup> floor computer room and must sign in when they enter these areas and sign out when they leave these areas. Contractor staff must always be accompanied by City staff.

Access is removed from City and Contractor staff who no longer have a business need to be in the TOC or the computer room. Access for Contractor staff is removed immediately when such staff is no longer working at 703 Don Mills Road under the TOC Operations Contract. The access list is reviewed every three months to ensure that only authorized City and Contractor staff have access to the TOC.

### **3.3.2. Photography and Videotaping**

Photography and videotaping within the TOC by visitors, contractors and City staff are not permitted unless approved by the ITSO Manager or RESCU/ATM Senior Engineer. Such approval is never granted if there is an active incident being monitored.

### **3.3.3. Unauthorized Release of Data**

Any data collected from within the TOC cannot be released unless approved by the ITSO Manager or the RESCU/ATM Senior Engineer.



## 4. INFORMATION AND RECORDS MANAGEMENT

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### 4.1. Use of Information Collected

The System is used for traffic engineering purposes and incident response only. It is not used for tracking or monitoring individual vehicles or people. Although the video is being fed continuously from the field to the TOC, the TOC only records under the following circumstances:

- During a declared incident
- For an engineering study

The information collected through the System is used only:

- To assess the effectiveness of traffic system and efficiency measures, such as traffic signal timing plans, works maintenance operations programs, temporary work zones, etc.
- To mitigate the effects of detected incidents which impact the normal traffic patterns within the Municipal Road Allowance.
- To provide available records to a law enforcement agency in Canada to aid an investigation undertaken with a view to a law enforcement proceeding or from which a law enforcement proceeding is likely to result, in accordance with the provisions of MFIPPA, and the City's applicable law enforcement request guidelines.
- For Transportation Services staff to investigate incidents involving the safety of pedestrians, cyclists, motorists or City assets.

**The System does not record video on a continuous basis.**

### 4.2. Video Feeds to Internal Users and External Subscribers

In order to provide timely and accurate traffic situation information to the public, the TOC provides video feeds, obtained from the System, to a limited number of internal users and external subscribers on a 24 hour basis, every day of the year. The internal users include four District Communication Centres, Traffic Plant Installation & Maintenance (TPIM) laboratory, City Hall and four Civic Centres. External subscribers are limited to bonafide media, government institutions, and academic institutions. Current external subscribers include nine media, the Ministry of Transportation of Ontario (MTO), Toronto Police and the University of Toronto ITS Testbed. The agreement between the City and the internal users and external subscribers states that the records dealt with or created while delivering a traffic monitoring program are under the City's control and are subject to the MFIPPA.

With the exception of specific TPIM staff in the Electronics & Communications Group (ECG), internal users cannot control the cameras (i.e. panning, tilting and zooming is not available to them); ECG staff use the panning, tilting and zooming features for testing and field validation purposes. External subscribers never control the cameras (i.e. panning, tilting and zooming are not available to them). Whenever feasible, TOC staff may accommodate an internal user or external subscriber's request to move cameras to a desired angle or direction for monitoring a particular traffic situation. However, requests are not accommodated if there is a reasonable likelihood of an unjustifiable invasion of personal privacy.

### 4.3. Retention of Information Collected

The information collected through the System is retained in accordance with the Records Retention Schedule stipulated in the Toronto Municipal Code (i.e. captured images are routinely over-written after a 45 day retention period, logs can be destroyed after three years). If a record is made available to law enforcement or in response to a Freedom of Information request, then such Record should be retained for three years. A Record will be created from the information collected only when requested under the “Use of Information Collected” section of this policy, provided the requested information has not already been over-written. No other Records are created or retained.

### 4.4. Unauthorized Disclosure

Any unauthorized disclosure of System information is cause for disciplinary action, up to and including termination of employment for City employees and termination of contract for a Contractor. Any City employee or any Contractor employee having knowledge of any unauthorized disclosure of any Record must immediately inform the ITSO Manager of the breach. The ITSO Manager will inform the Manager, Privacy and Open Information in the City Clerk's Office, and together they will take all reasonable actions to recover the Record and limit the Record's exposure.

## 5. ACCESS TO RECORDS

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### 5.1. Access Restrictions

Access to the Records created by the System is restricted. Access is limited to:

- Authorized employees responsible for the operation or administration of the System.
- Authorized employees who need the information for one of the purposes listed in section 3.1 of this policy.
- Authorized employees who need to make copies of Records to respond to Freedom of Information (FOI) requests, court orders or legal holds.
- Authorized employees of other divisions (e.g. EMS, Fire, and MLS) who may have a legitimate purpose to access records.

When used in this policy, “access” means any of the following:

- The information must be viewed in the presence of ITSO Manager or RESCU/ATM Senior Engineer.
- If required by a law enforcement agency or authorised City or law enforcement staff, a Record of the information may be provided if the Record exists.

## **5.2. Access Procedures**

### **5.2.1. Requests from Transportation Services Staff**

Transportation Services staff (manager level and above) may contact the ITSO Manager directly by email to obtain a copy of the Record when it is required for a purpose of a traffic engineering purpose. The ITSO Manager keeps a log for audit purposes that includes:

- The date and time at which the copy of the Record was provided.
- The identification of the staff person receiving the copy of the Record.
- The specific reason for the request.

Staff who have authorized access to System information or any Record created through the System are required to sign a written agreement regarding his or her duties, obligations, and responsibilities with respect to the confidentiality, use and disclosure of the Record.

### **5.2.2. Requests from Law Enforcement Agencies**

The MFIPPA gives ITSO the right to disclose personal information to another institution covered by the Act or to a law enforcement agency in Canada to aid an investigation leading to or likely to lead to a law enforcement proceeding. Law enforcement agencies are required to complete the requisite form and submit to the ITSO Manager. In making a determination to release a Record, the ITSO Manager may consult with Legal Services and the City Clerk's Office.

In providing the Record, the ITSO Manager specifies the following:

- The Record is intended only for the person or entity to which the Record is addressed and may contain confidential and/or privileged material.
- Any review, transmission, dissemination or other use of or taking any action in reliance upon this information by persons or entities other than the intended recipient or delegate is strictly prohibited.

### **5.2.3. Requests from Others**

All requests that are not covered in 5.2.1 and 5.2.2 must follow the City's Freedom of Information (FOI) request process. This includes requests from the public, insurance and legal firms. Requesters are required to submit a FOI request to the City Clerk's Office.

### **5.2.4. OpenData**

As part of the City's Traveller Information System initiative, the TMC makes available still video images from all its cameras on the City's OpenData website. These images are available to the general public and are of such quality that no personal information is identifiable.

### **5.2.5. "Live" Feed**

The TMC also makes available "live" video images to several communications media, MTO, University of Toronto ITS Testbed, Transportation Services facilities, Toronto Police Service, Toronto Fire Services and Toronto Paramedic Services. An access request form must be

completed and submitted to the ITSO Manager. Upon signing a formal Video Feeds Agreement with the City, the subscriber can receive, if authorised, video feeds from the TOC.

## 6. REFERENCES

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- Province of Ontario, Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56,  
[http://www.e-laws.gov.on.ca/html/statutes/english/elaws\\_statutes\\_90m56\\_e.htm](http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90m56_e.htm).
- Information and Privacy Commissioner of Ontario, *Guidelines for the Use of Video Surveillance*, October 6, 2015,  
[https://www.ipc.on.ca/images/Resources/2015\\_Guidelines\\_Surveillance.pdf](https://www.ipc.on.ca/images/Resources/2015_Guidelines_Surveillance.pdf).
- City of Toronto, *Toronto Municipal Code Chapter 217, Records, Corporate (City)*, Schedule A, Article II, Records Retention Schedule, October 2, 2015,  
[http://www.toronto.ca/legdocs/municode/1184\\_217\\_1.pdf](http://www.toronto.ca/legdocs/municode/1184_217_1.pdf).
- City of Toronto, City Clerk's Office, *Protection of Privacy Policy*, Policy No. CIMS 006, Version No. 1.0, July 21, 2014,  
<http://www1.toronto.ca/City%20Of%20Toronto/City%20Clerks/Corporate%20Information%20Management%20Services/Files/pdf/P/ProtectionOfPrivacyFinalAODA.pdf>.
- City of Toronto, City Clerk's Office, *Policies and Procedures: Disclosure of Personal Information in Response to a Law Enforcement Request*,  
[http://wi.toronto.ca/intra/clerks/cco\\_policies.nsf/72a49e128e12bc71852570f100551958/77b06f1fd1ccb1ac852578a00047d3ca?OpenDocument](http://wi.toronto.ca/intra/clerks/cco_policies.nsf/72a49e128e12bc71852570f100551958/77b06f1fd1ccb1ac852578a00047d3ca?OpenDocument).