**City of Toronto
Digital Infrastructure Plan**

Discussion Guide

December 2019

TORONTO

WHAT IS THE PURPOSE OF THIS GUIDE?

This discussion guide has been created to provide you with information on the Digital Infrastructure Plan project. This discussion guide will be distributed at each public meeting and contains the same information that is presented on the boards at each meeting.

While this guide provides a lot of information on this project, it may not answer all of your questions. If you have more specific questions not outlined in this document, please visit the project website **toronto.ca/connectedcommunity**, email **digitalfeedback@toronto.ca** or talk to City staff at one of the public meetings.
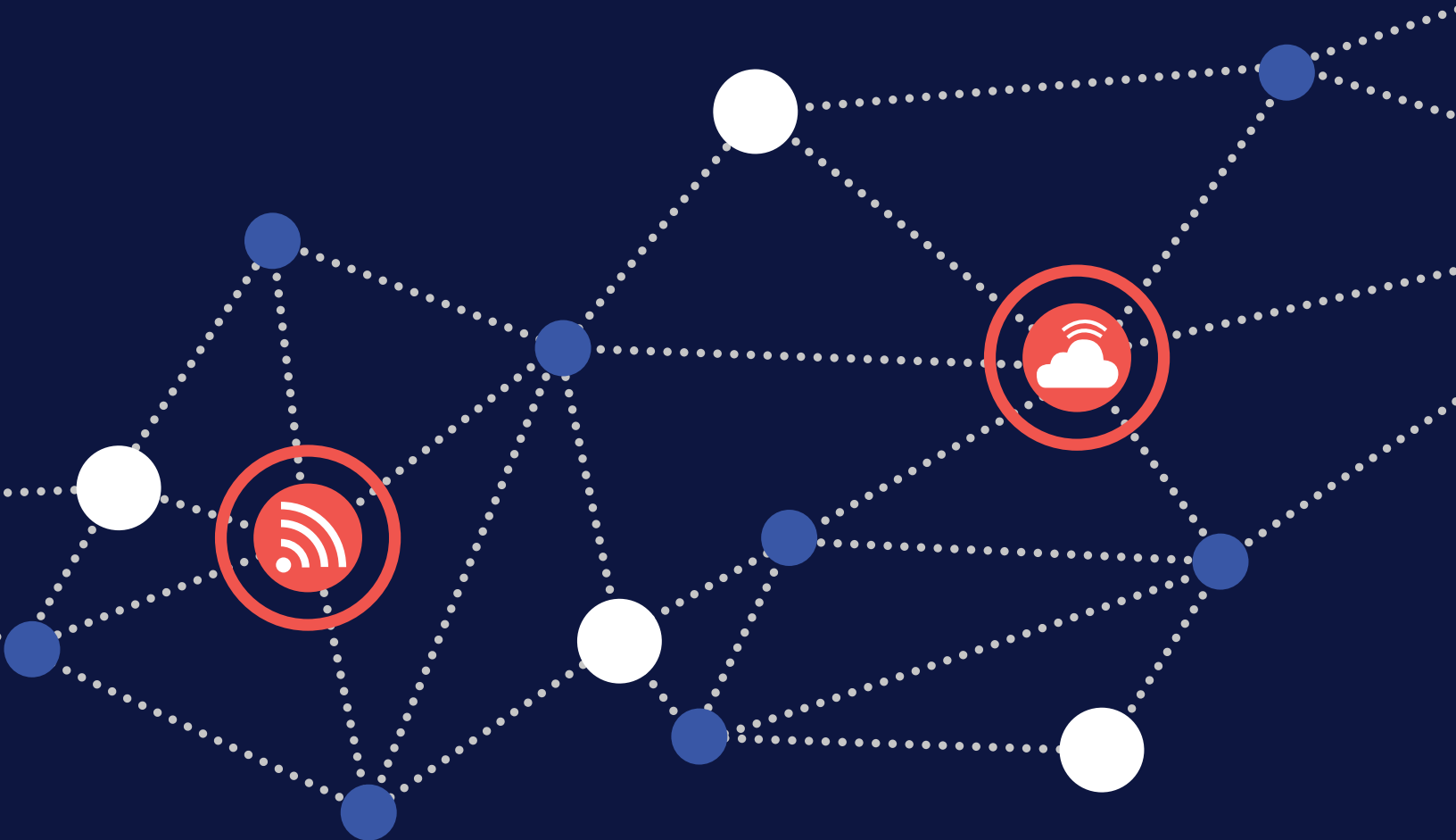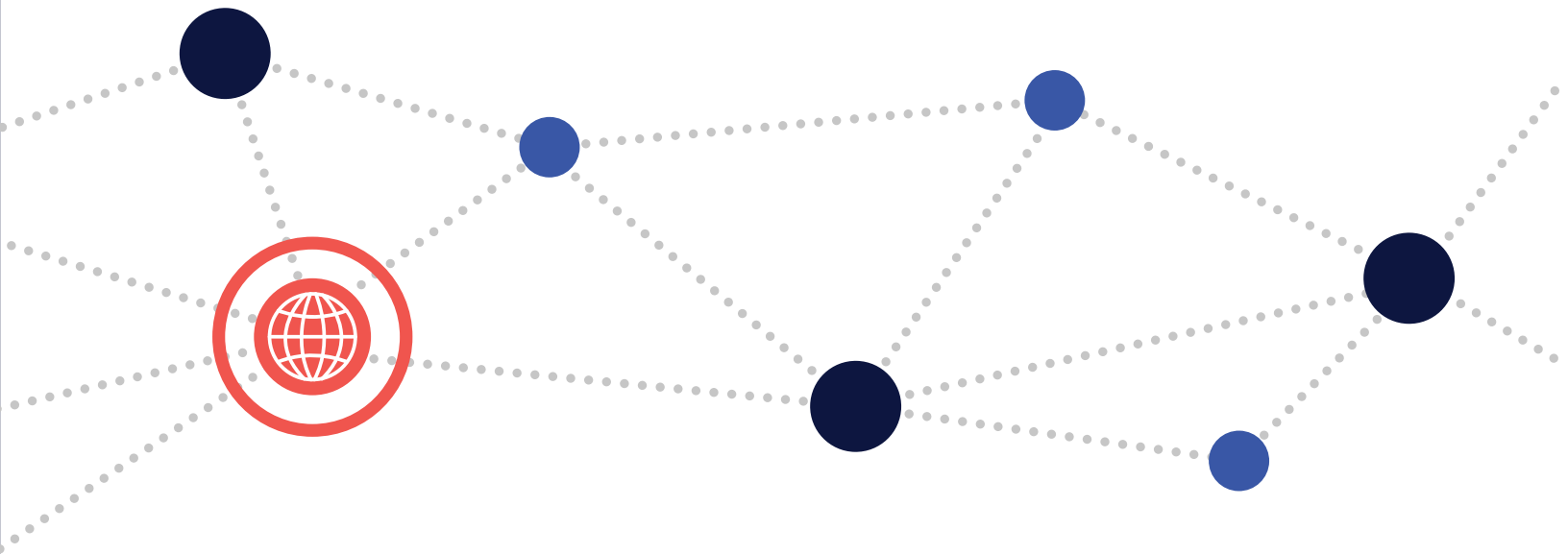
TABLE OF CONTENTS

SECTION 1: LEARN MORE ABOUT THE PUBLIC CONSULTATION

What are these consultations about?

Digital technology is changing the way we access information, work, and connect with each other. Municipal services that integrate digital technology are leading to increased efficiencies, improved decision-making, and the better management of public assets. Some examples of this are highlighted in the **Case Study display panels**.

As the use of digital technologies increases, the City is developing a **Digital Infrastructure Plan** (DIP) to help guide day-to-day, as well as long-term planning directions and decisions, and to help evaluate internal and external proposals in the digital realm (e.g. Quayside).

This public consultation will help inform the City as it fulfils the **direction** received from Toronto City Council in February 2019 to develop a policy framework and governance model associated with digital infrastructure, and a work plan for implementation. It also fulfils **direction** received in June 2019 to evaluate policies on ethical digital standards and create a code of technological practices. The starting point of this work is to develop a set of principles to guide the DIP.

Through this consultation, the City is hoping to understand:

- What do you like about the draft principles?

- What new policies and/or procedures are needed?

- What topics require further discussion and consideration?

- What suggestions do you have for strengthening the City's approach?
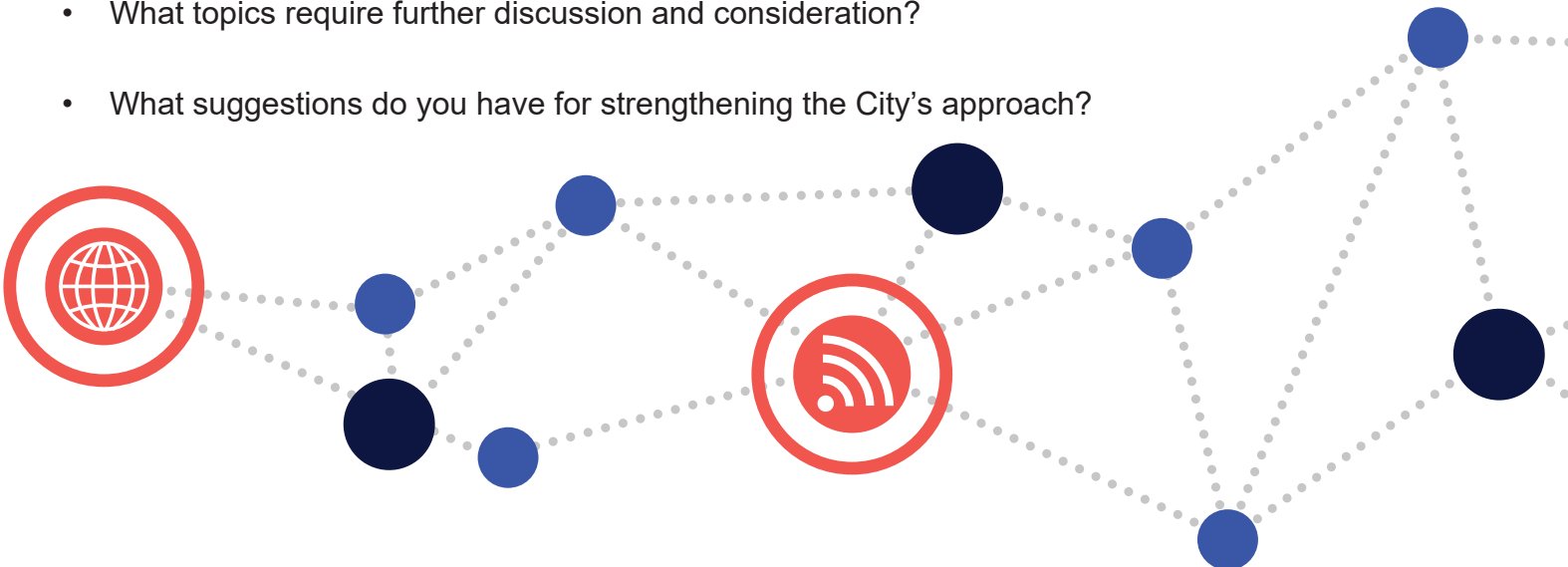
What is Digital Infrastructure?

Digital infrastructure means infrastructure that creates, exchanges or uses data or information as a part of its operation. *Digital infrastructure* includes physical structures, cabling and network systems, software systems, data standards and protocols. Some examples include sensors (cameras, GPS sensors, microphones, etc.), broadband and telephone networks, Wi-Fi, apps and open data standards.
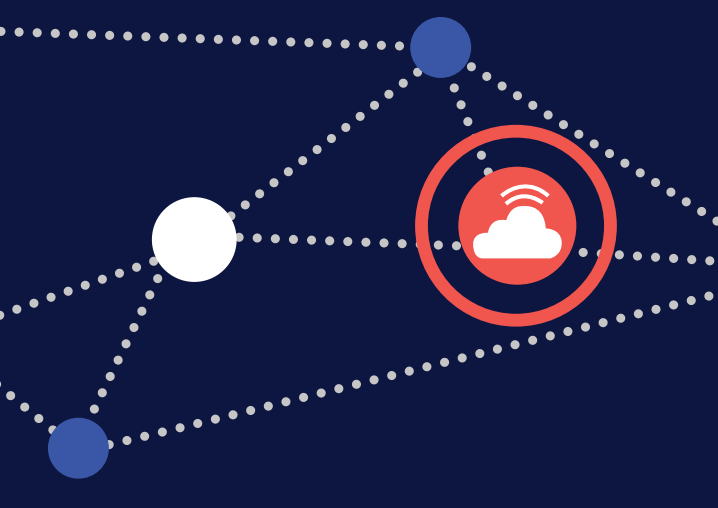
How will the Digital Infrastructure Plan be used?

Many existing regulations and policies address a number of related topics: personal information and privacy, security, data management, procurement, intellectual property, consumer protection and others. The DIP will build on these existing regulations to enable a consistent approach for the City to evaluate digital infrastructure policies and proposals. A number of outcomes are possible through the evaluation process, such as approval and implementation; approval with conditions (for example, new regulatory oversight); and refusal to proceed. Proposals may come from:

- City divisions, to improve services or asset management; or

- Private companies, universities, researchers, community organizations, who are looking to partner with the City or launch products or services.

Components of digital projects for review could include:

- Proposed innovations, including new ideas, tools and approaches and how they improve existing approaches, where applicable;

- Broader environmental, social and economic outcomes that the project is aiming to achieve;

- Required City resources (including staff time) to sustain the project; and

- Proposed evaluation criteria, monitoring and reporting outcomes.

SECTION 2: CONSULTATION PROCESS

Background

The Digital Infrastructure Plan will take approximately 18 to 24 months to finalize. During this time, at least three rounds of stakeholder and public consultations will be conducted. The first round of consultation is being held now (December 2019), and includes public meetings, stakeholder, community and online consultation.

The feedback received during this consultation will be used to develop guiding principles to form the foundation of the Digital Infrastructure Plan. Therefore, it is important to get them right.

Staff will report on the outcomes of these consultations to the Executive Committee at its meeting of January 23, 2020. This report will include an updated version of the principles which reflect feedback received during these consultations.

Public Meetings

There will be three public events during this phase of public consultation:

December 7, 2019 -- McGregor Park Community Centre, 10 a.m. - 12:30 p.m.

December 9, 2019 * -- Toronto City Hall, Council Chamber, 6:30 - 9 p.m.

December 12, 2019 -- North York Central Library, 1:30 - 4 p.m.

* This meeting will be livestreamed at **youtube.com/thecityoftoronto**

Online Consultation

The online consultation questionnaire will be available at **toronto.ca/connectedcommunity** until December 19, 2019. Comments, questions and feedback can also be submitted by email to **digitalfeedback@toronto.ca**.

Community and Partner Consultation

In addition to the public, feedback will be sought from community groups and other partners that include, but are not limited to Academics, Toronto Region Board of Trade, Indigenous people, etc.

Are there any other opportunities to get involved?

- Additional stakeholder and public consultations will be scheduled in 2020.

- A Community Advisory Group (CAG) will be established in 2020 to provide input on the design of additional consultations and implementation, as well as on the project content itself. Anyone can apply to be part of the CAG. Please take one of our CAG overview documents if you are interested.

- All future opportunities will be promoted online and will be sent to subscribers of the Digital Infrastructure Plan list. Sign up to be notified of future opportunities at toronto.ca/connectedcommunity.

Roadmap to the Digital Infrastructure Plan

The Digital Infrastructure Plan will be informed by at least three rounds of stakeholder and public consultations.

2019 → **2020** → **2021** → **2022**

Staff report on principles
Jan 2020

Staff report with update/draft plan
Early 2021

Staff report on final plan
Late 2021

Consultation on principles
Dec 2019

Second round of consultation
Mid/Late 2020

Third round of consultation
Mid-2021
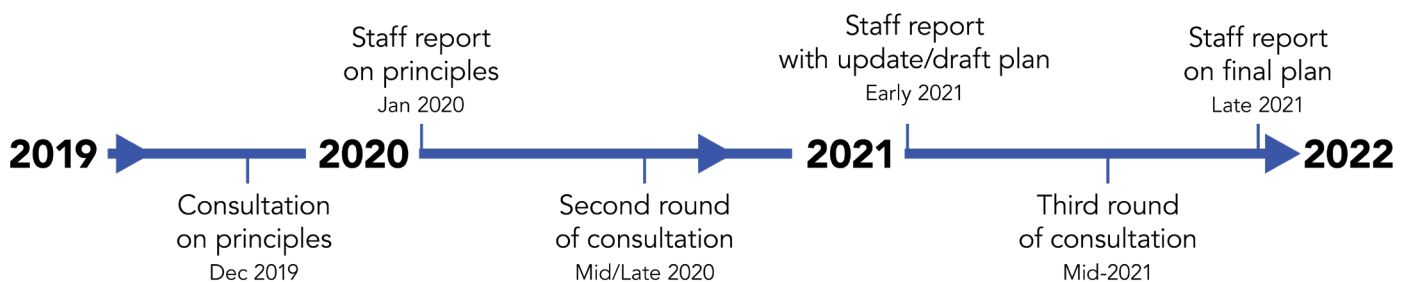
SECTION 3: DRAFT DIGITAL INFRASTRUCTURE PLAN: INTRODUCTION TO THE PRINCIPLES

Purpose: How will the principles be used?

The digital governance principles will form the guiding framework for the City's Digital Infrastructure Plan. They will help guide day-to-day as well as long-term planning directions and decisions, and will be used to help evaluate internal and external proposals in the digital realm.

In addition to City policies and regulations, digital infrastructure projects will need to comply with all applicable Provincial and Federal legislative and regulatory requirements, including the Canadian Charter of Rights and Freedoms. If changes are made to the legislative and regulatory framework, the higher standard shall apply. It is anticipated that a process of monitoring and evaluation will be needed to ensure the plan and principles remain current over time.

Status of the Digital Infrastructure Plan

The principles presented in this round of consultation are in draft format. They will be further refined based on your feedback. **We would like your feedback on these!** Through this consultation the City is hoping to understand:

- What do you like about the draft principles?

- What new policies and/or procedures are needed?

- What topics require further discussion and consideration?

- What suggestions do you have for strengthening the City's approach?

Organization

The draft principles are based on the **direction** of City Council and on research from other jurisdictions. Some implementation policies and processes which currently exist - or which might be needed - are also identified below each principle.

Principle 1: Equity & Inclusion

Digital Infrastructure will be used to create and sustain equity and inclusion in its operations and outcomes. Digital Infrastructure will be flexible, adaptable and responsive to the needs of all Torontonians, including equity-seeking groups, Indigenous people, those with accessibility needs and vulnerable populations.

Some Things We Are Currently Doing

Equity Lens

The Equity Lens process will be applied to digital infrastructure projects to identify how they will address the City's Equity goals and benefit equity-seeking groups and Indigenous people, as well as potential negative impacts and how they will be mitigated.

Declaration of Compliance with Anti-Harassment/Discrimination Legislation & City Policy

When the City enters into an agreement with a third party (i.e. through a procurement for Digital Infrastructure), the City ensures, through contractually binding language, that the third party complies with human rights, workplace safety, employment standards and accessibility laws.

Accessibility for Ontarians with Disabilities Act (AODA)

The City of Toronto is committed to leading by example, ensuring that all our web-based services and information are accessible and usable by residents, businesses, visitors and City staff, consistent the City's Digital Accessibility Standard and AODA. Accessibility and usability are the combination of several factors, and not simply about compliance.

Digital Literacy and Safety

The City partners with the Toronto Public Library and other public and private organizations to improve digital literacy across Toronto.

Wi-Fi in City Spaces (in development)

Free Wi-Fi is available at City Hall and most civic centres. The TO Connect program is aimed at bridging the digital divide by expanding free Wi-Fi in recreation centres and Long-Term Care Homes.

Data for Equity Strategy (in development):

This strategy will support the collection of socio-demographic data, such as race, gender, age and disability, to ensure equitable program planning and service delivery for Toronto residents. Digital Infrastructure needs to align with this strategy.

Some Things We Are Thinking About

- A way for the City to ensure automated processes, which result in decisions about people or groups of people, will not harm Indigenous people and equity-seeking groups (e.g. through the use of Algorithmic Impact Assessments).

- Guidance on the appropriate use of data profiles of individuals, to ensure they are used to increase equity.

- Communicating to Torontonians how existing Digital Infrastructure supports equity.

Principle 2: A Well-Run City

Digital Infrastructure will enable high quality, resilient and innovative public services, and support evidence-based decision-making.

Some things We Are Currently Doing

Procurement

Vendors have various ways to propose Digital Infrastructure components that respond to the City's needs and priorities:

- Competitive procurements: when the City identifies a need, it generally conducts an open and competitive bidding process, either with the public or an established list of pre-qualified vendors. A comprehensive bid, response, and evaluation process is followed.

- Unsolicited and non-competitive procurement: this is a procurement where no competitive process is followed. These procurements are subject to increased oversight and may require a resolution of City Council or a standing committee.

- Social procurement: this program supports equity-seeking groups, Indigenous communities and social purpose enterprises through Supply Chain Diversity and Workforce development.

Development Approvals

Digital Infrastructure that is integrated into physical infrastructure (e.g. pipes, lighting, landscaping) will have its traditional components evaluated, approved and secured through Building, City Planning and Development review processes, such as applications for Zoning By-Law Amendments, Site Plan review, Plan of Subdivision and Building Permits.

City Vision Documents

A number of Council-adopted plans, policies and guidelines articulate a vision for Toronto that Digital Infrastructure proposals can be evaluated against. Some of these include the Corporate Strategic Plan, Toronto Official Plan, TO Prosperity: Toronto Poverty Reduction Strategy, TransformTO Climate Action Plan, HousingTO Action Plan, the City's Commitments to Indigenous Peoples, and the Vision Zero Road Safety Plan.

Legal Contracts

The City typically secures commitments through many types of legal agreements and contracts, such as Data Sharing Agreements for information and Plans of Subdivision for land-use.

Cloud Strategy

Provides direction for a holistic view of the use of cloud computing to improve the efficiency and effectiveness of services.

Connected Community / Smart City initiative

Promotes the use of data and technology to connect communities, solve challenges and deliver services efficiently and effectively to residents.

Some Things We Are Thinking About

- How proposals for Digital Infrastructure may be integrated with the existing building, planning and development review processes.

- The creation of digital standards, which set out new processes for creating digital services, and new expected qualities of those services.

- The creation of an evaluation framework for Digital Infrastructure proposals, using these principles as a guide.

- Other ways the City might meet its need by procuring Digital Infrastructure, such as agile and challenge-based procurements.

- Making the maintenance of Digital Infrastructure sustainable and flexible.

Principle 3: Social, Economic & Environmental Benefits

Digital Infrastructure will contribute to positive social, economic and environmental benefits by supporting the success of Toronto's residents, businesses, academic institutions and community organizations.

Some Things We Are Currently Doing

Open Data

The City routinely releases non-personally identifiable data that can be used by anyone for any purpose through an Open Data license. Organizations collaborating with the City are also encouraged to provide data that can be shared through the Open Data Portal.

Academic Partnerships

The City regularly partners with universities and colleges to study outcomes, such as the University of Toronto's Travel Modelling Group.

Digital Main Street

An initiative that helps small businesses adopt digital tools such as e-commerce platforms and social media, started by the City of Toronto and the Toronto BIA Association (TABIA).

The Green Market Acceleration Program

This provides local firms and foreign investors with an opportunity to collaborate with the City of Toronto in order to accelerate the development and commercialization of made-in-Toronto green technologies.

Economic Collaboration

The City regularly shares information about its Digital Infrastructure projects, and works collaboratively with businesses through forums such as the Toronto Region Board of Trade's Smart City Working Group.

Transportation Innovation Zone (in development):

The City is examining a proposed framework for, and designation of, transportation innovation zones for transportation technology trials proposed by third parties.

Some Things We Are Thinking About

- A public-interest intellectual property policy, where the City can create value for Toronto's residents, businesses and others by broadening access to innovation.

- Ensuring that Digital Infrastructure is fit for the purpose it was intended to serve, and not over-complicated or "technology for technology's sake".

- How to support Toronto's businesses while also ensuring our international trade agreements are respected.

- Developing a way to evaluate the environmental impact of energy-intensive advanced Digital Infrastructure, using existing and emerging technologies.

- Further approaches to support competition and incubation of Toronto's innovative organizations.

Principle 4: Privacy & Security

Toronto's Digital Infrastructure must operate in a way that protects the privacy of individuals in accordance with privacy laws, and be safe from misuse, hacks, theft or breaches.

Some things We Are Currently Doing

Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)

Provincial law outlines conditions when the City can collect, use and disclose personal information. This also applies to all those acting on behalf of the City. Some key highlights in MFIPPA include:

- The City cannot collect your personal information unless it is authorized by statute, used for the purposes of law enforcement, or necessary for the proper administration of a lawfully authorized activity.

- When the City collects personal information, it must tell you how it intends to use the information and provide you with the contact information of someone who can answer questions you might have.

- In most circumstances, you have a right to see your personal information held by the City, and the right to ask for a correction.

- You have a right to appeal any decisions made by the City or to complain about the City's practices to the Information and Privacy Commissioner of Ontario.

Privacy Impact Assessments (PIAs)

The City conducts PIAs for all business cases and new technology systems that collect personal information. PIAs use a Privacy-by-Design approach to ensure legal and City policy compliance, put in practice fair information practices, and to reduce, mitigate and avoid privacy risks to the public.

Cyber Security Program

The Chief Information Security Officer coordinates the City's cyber security program, which includes initiatives to assess and manage capabilities to identify, protect, detect, respond and recover from cyber requirements associated with digital infrastructure.

Legal Contracts

The City embeds its requirements for privacy and security in its contracts and agreements with private sector entities working on the City's behalf.

Cyber Security Enterprise Risk Assessment (ongoing):

The City is undertaking a review on standards, practices and policies across the City and its agencies and commissions to protect against cyber security risks.

Some Things We Are Thinking About

- More specific guidance on the regulation of data gathered in areas that are "semi-public" (e.g. some privately-owned publicly accessible spaces).

- Clearer guidance about privacy concerns in public-private partnerships, where determining which privacy law applies needs clarity.

- Alternative and new forms of data governance which could further protect and represent the interests of those who have data collected about themselves (such as a municipal data trust).

- How the City can play a role in expanding privacy protections to groups of people.

Principle 5: Democracy & Transparency

Decisions about Digital Infrastructure will be made democratically, in a way that is ethical, accountable, transparent and subject to oversight. Torontonians will be provided with understandable, timely, and accurate information about the technologies in their city, and opportunities to shape the digital domain.

Some Things We Are Currently Doing

Open Decision-Making Process

All decisions of City Council are made in meetings open to the public, with limited and specific exceptions. The public are welcome to engage in the decision-making process, submit comments or speak to Committee. If unable to attend in person, the City Clerk's Office provides livestreams of meetings and hosts a video archive of past meetings and all documentation.

Internal Accountability Process

Public complaints about the City's management of information can be sent to City's Corporate Information Management Services unit for investigation.

City Accountability Officers

The City has a number of independent officers who have the mandate to hold the City's decisions to account:

- *Integrity Commissioner* provides advice, complaint resolution and education to members of City Council and Boards on application of the City's codes of conduct, the Municipal Conflict of Interest Act (MCIA) and other bylaws and policies regarding ethical behaviours.

- *Auditor General* holds City Council and City administrators accountable for use of public funds.

- *City of Toronto Ombudsman* speaks for fairness and listens, investigates and seeks to resolve the public's concerns about City services and administration.

Freedom of Information

City records are subject to freedom of information laws, where you have a right to request records held by the City.

Routine Disclosure

Many City divisions have a Routine Disclosure plan that identifies records that are available directly from those divisions without having to file a Freedom of Information request.

Some Things We Are Thinking About

- Publishing an education and transparency web page about the City's Digital Infrastructure, sharing our policies and a list of digital items.

- The creation of an advisory body, such as a community advisory group, to provide advice to the City on issues related to Digital Infrastructure.

- Working with the City's agencies, boards and commissions, to determine how these principles could apply to their Digital Infrastructure.

- Investigating what the City can proactively release to improve oversight of Digital Infrastructure.

- Opportunities for the City to create, encourage and use more open source software.

For more information on Federal and Provincial processes and to review the case studies, please refer to the boards at the public meetings or check out the boards online at **toronto.ca/ connectedcommunity**.