

File No.: 04-1000-20-2021-593

December 13, 2021

s.22(1)

Dear s.22(1)

Re: **Request for Access to Records under the Freedom of Information and Protection of Privacy Act (the "Act")**

I am responding to your request of November 19, 2021 under the *Freedom of Information and Protection of Privacy Act* for:

Record of the most current version of the 3D computer model for the Broadway Plan in FBX format. Date range: January 1, 2020 to November 19, 2021

We have completed the search for responsive records for this request and no responsive records have been located.

Subject matter experts in the Planning Department confirm that the 3D computer model images for the Broadway Plan are extractions from a computer model and are the only records that are responsive to the request.

The City confirms that the 3D computer model for the Broadway Plan itself is not a record as per the definition in Schedule 1 of the Act, "books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records". The 3D model itself is an approximate "point in time" draft which the City created by gleaning information from various city data, with assumptions and manipulations made for analytical purposes. The computer model under discussion is made up of data from various city sources and it requires a computer program to produce a three dimensional model. It is therefore not a record.

The data that made up the computer model is partially considered proprietary because it was gleaned and "manipulated" by the City into a model to be used for a specific purpose. The data in the model also contains hypothetical assumptions related to several properties owned by private entities. The data in this computer model is not mutable – it cannot be separated, sliced, or severed or else the model would be rendered changed and/or considered useless. Being unable to slice the data into subsets makes it impossible for the City to view/prepare the data and notify third parties. In other words, each of the data subsets assembled to create the model are not stand-alone, they all interact together to create the current computer model which cannot be viewed without a computer program.

Based upon this information, our conclusion is that the City has no responsive records for this request.

Under section 52 of the Act, and within 30 business days of receipt of this letter, you may ask the Information & Privacy Commissioner to review any matter related to the City's response to your FOI request by writing to: Office of the Information & Privacy Commissioner, info@oipc.bc.ca or by phoning 250-387-5629.

If you request a review, please provide the Commissioner's office with: 1) the request number (#04-1000-20-2021-593); 2) a copy of this letter; 3) a copy of your original request; and 4) detailed reasons why you are seeking the review.

Yours truly,

[Signature on file]

Barbara J. Van Fraassen, BA
Director, Access to Information & Privacy

Barbara.vanfraassen@vancouver.ca
453 W. 12th Avenue Vancouver BC V5Y 1V4

If you have any questions, please email us at foi@vancouver.ca and we will respond to you as soon as possible. Or you can call the FOI Case Manager at 604.871.6584.

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