

File No.: 04-1000-20-2022-268

May 30, 2022

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 May 16, 2022 under the *Freedom of Information and Protection of Privacy Act* for:

**Most recent record of the 3D computer model showing buildings and terrain for Kitsilano and West Point Grey in FBX format.**

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

The City confirms that the computer model 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 model itself is an approximate "point in time" draft which the City created by gleaning information from various third party computer models and city data. The computer model under discussion is made up of data from various third party and city sources and it requires a computer program to produce a three dimensional computer model (not a record).

The data that made up the computer model is partially considered proprietary because: 1) some of the data used belongs to various third parties and 2) the data was gleaned and "modified" by the City into a model to be used for a specific purpose. 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.

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](mailto: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 (#04-1000-20-2022-268); 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,

*[Signed by Cobi Falconer]*

**Cobi Falconer, MAS, MLIS, CIPP/C**  
**Director, Access to Information & Privacy**  
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If you have any questions, please email us at [foi@vancouver.ca](mailto: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.

Encl. (Response Package)

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