



Town of Halton Hills
1 Halton Hills Drive
Halton Hills ON L7G 5G2
www.haltonhills.ca

June 23, 2021

VIA MAIL

**Re: MFIPPA Request No. FOI 2021-0012
DECISION, RELEASE**

Your request for access under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) was received on June 14, 2021:

Please provide documentation on the names or positions of anyone the City provided free parking spots / stalls / passes to in 2020. For example:

1. All City Councillors received a pass to park for free at the city's parkade and a pass to park at metered parking without charge.
2. Chief of Police received a pass to park for free at the city's parkade
3. Fire Chief received a pass to park at a city parking lot

Our review is now complete. The Town of Halton Hills operates municipal parking lots and in 2020, fees for Monthly Municipal Parking Lot Permits were waived April 1 – October 1. Permit holders are not municipal officials therefore their names are withheld as per Section 14 (attached) of MFIPPA. Below is a list of the municipal parking lots and the number of permit holders whose fees were waived April 1 – October 1, 2020:

Acton

Main Street North (8); Willow Street South (2)

Georgetown

Back Street (9); Dominion Gardens (13) and (1) for April/May only; Draper Street (5);
Edith Street (4); Market Street Legion (3); Wesleyan Street (6)

There are no other records responsive to your request.

You may request the Information and Privacy Commissioner (www.ipc.on.ca) review this within thirty (30) days from the date of this letter. The Commissioner's address is 2 Bloor Street East, Suite 1400, Toronto, Ontario, M4W 1A8. The \$25.00 Appeal Fee should be made payable to the Minister of Finance. IPC Appeal form: <https://www.ipc.on.ca/access-individuals/filing-an-appeal/>

Sincerely,

Valerie Petryniak
Town Clerk
and Director of Legislative Services

Ashley Mancuso
Information Governance
and Records Management Specialist

Att.

Municipal Freedom of Information and Protection of Privacy Act

R.S.O. 1990, CHAPTER M.56

Personal Privacy

14 (1) A head shall refuse to disclose personal information to any person other than the individual to whom the information relates except,

- (a) upon the prior written request or consent of the individual, if the record is one to which the individual is entitled to have access;
- (b) in compelling circumstances affecting the health or safety of an individual, if upon disclosure notification thereof is mailed to the last known address of the individual to whom the information relates;
- (c) personal information collected and maintained specifically for the purpose of creating a record available to the general public;
- (d) under an Act of Ontario or Canada that expressly authorizes the disclosure;
- (e) for a research purpose if,
 - (i) the disclosure is consistent with the conditions or reasonable expectations of disclosure under which the personal information was provided, collected or obtained,
 - (ii) the research purpose for which the disclosure is to be made cannot be reasonably accomplished unless the information is provided in individually identifiable form, and
 - (iii) the person who is to receive the record has agreed to comply with the conditions relating to security and confidentiality prescribed by the regulations; or
- (f) if the disclosure does not constitute an unjustified invasion of personal privacy. R.S.O. 1990, c. M.56, s. 14 (1).

Criteria re invasion of privacy

(2) A head, in determining whether a disclosure of personal information constitutes an unjustified invasion of personal privacy, shall consider all the relevant circumstances, including whether,

- (a) the disclosure is desirable for the purpose of subjecting the activities of the institution to public scrutiny;
- (b) access to the personal information may promote public health and safety;
- (c) access to the personal information will promote informed choice in the purchase of goods and services;
- (d) the personal information is relevant to a fair determination of rights affecting the person who made the request;
- (e) the individual to whom the information relates will be exposed unfairly to pecuniary or other harm;
- (f) the personal information is highly sensitive;
- (g) the personal information is unlikely to be accurate or reliable;
- (h) the personal information has been supplied by the individual to whom the information relates in confidence; and
- (i) the disclosure may unfairly damage the reputation of any person referred to in the record. R.S.O. 1990, c. M.56, s. 14 (2).

Presumed invasion of privacy

(3) A disclosure of personal information is presumed to constitute an unjustified invasion of personal privacy if the personal information,

- (a) relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation;
- (b) was compiled and is identifiable as part of an investigation into a possible violation of law, except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation;
- (c) relates to eligibility for social service or welfare benefits or to the determination of benefit levels;
- (d) relates to employment or educational history;
- (e) was obtained on a tax return or gathered for the purpose of collecting a tax;
- (f) describes an individual's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness;
- (g) consists of personal recommendations or evaluations, character references or personnel evaluations; or
- (h) indicates the individual's racial or ethnic origin, sexual orientation or religious or political beliefs or associations. R.S.O. 1990, c. M.56, s. 14 (3).

Limitation

- (4) Despite subsection (3), a disclosure does not constitute an unjustified invasion of personal privacy if it,
- (a) discloses the classification, salary range and benefits, or employment responsibilities of an individual who is or was an officer or employee of an institution;
 - (b) discloses financial or other details of a contract for personal services between an individual and an institution; or
 - (c) discloses personal information about a deceased individual to the spouse or a close relative of the deceased individual, and the head is satisfied that, in the circumstances, the disclosure is desirable for compassionate reasons. R.S.O. 1990, c. M.56, s. 14 (4); 2006, c. 19, Sched. N, s. 3 (2).

Refusal to confirm or deny existence of record

- (5) A head may refuse to confirm or deny the existence of a record if disclosure of the record would constitute an unjustified invasion of personal privacy. R.S.O. 1990, c. M.56, s. 14 (5).