

**MINUTES of the 1st meeting of the Digital Strategy Advisory Panel of the
Toronto Waterfront Revitalization Corporation
20 Bay Street, Suite 1310, Toronto, Ontario
Thursday, June 7, 2018 at 11:00 a.m.**

PRESENT: Michael Geist (Chair)
Alaina Aston
Andrew Clement
Dave Dame
Charles Finley
Darin Graham
Kurtis McBride
Saadia Muzaffar
Teresa Scassa
Jutta Treviranus
Mark Wilson

VIA PHONE Kevin Tuer

ABSENT: Carlo Ratti
Pamela Robinson (travelling with the Sidewalk Toronto Fellows)
John Ruffolo

IN ATTENDANCE Will Fleissig (President & CEO, Waterfront Toronto)
Meg Davis (Chief Development Officer, Waterfront Toronto)
Marisa Piattelli (Chief Strategy Officer, Waterfront Toronto)
Kristina Verner (Vice President IS&P, Waterfront Toronto)
Ian Beverley (General Counsel, Waterfront Toronto)
Sameer Akhtar (Senior Legal Counsel, Waterfront Toronto)
Claudia Landres-Hansen (Admin Assistant, Waterfront Toronto)
Chantal Bernier (External Legal Counsel, Dentons)
George Takash (External Legal Counsel, McCarthy-Tétrault)
Emma Greer (Carlo Ratti Associati)

The Chair, Michael Geist called the meeting to order at 11:00 a.m. with the consent of Panel Members.

Michael Geist declared that, in accordance with the Waterfront Toronto Digital Strategy Advisory Panel Mandate and Operating Protocol ("DSAP Mandate"), a quorum of Panel Members was present. The Chair called the meeting to order at 11:00am.

1. Meeting Agenda

ON MOTION duly made by Mark Wilson, seconded by Charles Finley and carried, it was **RESOLVED** that the Meeting Agenda was approved subject to the removal of Item 5 (Closed Session).

2. Opening Session

Will Fleissig and Michael Geist took turns in welcoming everyone to the first meeting of the Waterfront Toronto Digital Strategy Advisory Panel (the “Panel” or “DSAP”) the panelists to the day’s meeting. Will Fleissig expressed gratitude, on behalf of Waterfront Toronto, to the Panel members for taking the time to attend the meeting. Mr. Fleissig emphasized Waterfront Toronto’s role as a steward for the public good and welcomed the advice of the Panel in pursuit of this.

Panelists and other attendees introduced themselves.

3. Declaration of Conflicts of Interest

Jutta Treviranus advised that OCAD University signed an MOU with Sidewalk Labs on inclusive design research.

Emma Greer (on behalf of Carlo Ratti) advised on working on several projects with Sidewalk Labs that will be showcased at their offices at 307.

Darin Graham advised that he lives in the Designated Waterfront Area.

Charles Finley advised that IBI Group bids on RFPs for Waterfront Toronto from time to time. However, there is no active contract currently underway to the best of his knowledge.

Kurtis McBride advised that Miovision does business with the City of Toronto, a government stakeholder of the Corporation.

4. Process and Governance issues

The following sub-agenda items were discussed:

- a) Open meeting protocols
- b) Directors insurance
- c) Code of conduct
- d) Mandate
- e) Meeting Scheduling & Workplan

Mandate

- The Panel is advisory to Waterfront Toronto Management.
- The Panelists are not authorized to speak on behalf of the Corporation or the Panel but are not precluded from speaking on Panel matters in other forums as long as they do not do so as representatives of the Corporation or the Panel.

Governance matters:

The following topics were raised and discussed:

- All meetings are open to the public except when in closed session, as provided for under Waterfront Toronto's By-Law No. 2.
- Ian Beverly extended an invitation to review the Freedom of Information policy on the website (<https://bit.ly/2P43ZKE>) so panelists were aware of what materials were subject to the Corporation's FOI policy.
- The matter of confidentiality both in terms of the Code of Conduct and the NDA were discussed. Closed session matters are confidential. The NDA is personal to the Panelist- information cannot be disclosed to the organization the Panelist works for.
- Although they are neither directors or officers of the Corporation, the Panel members will be covered by the Corporation's Directors' and Officers' Liability insurance if they sign the Indemnity Agreement.
- All potential conflicts should be put on the record proactively to deal with future conflict issues.
- The Code includes provisions relating to real estate interests in the Designated Waterfront Area.
- Panelists were asked to forward further suggestions and questions to Sameer Akhtar.

4c) Roadmap and Workplan

Kristina Verner made a high-level road map presentation, introducing the anticipated flow of topics to be discussed.

A more detailed workplan will be presented at the next session.

5. Waterfront Toronto Overview

Marisa Piattelli provided background to Waterfront Toronto and the projects it has done.

6. Sidewalk Toronto Overview by Meg Davis and Josh Sirefman**a) Overview of Quayside Project, Roles & Responsibilities of the parties**

Meg Davis introduced Quayside as a Waterfront Toronto owned property as well as a small portion of City owned land. Both Meg Davis and Josh Sirefman covered their respective organizations interests in engaging in the planning and development of Quayside, specifically the shared interest around innovation and sustainability.

Mr. Sirefman further discussed Sidewalk Labs as a company that is addressing the urbanist/technologist divide, which also carries core principles of not using technology without meaningful purpose and addressing the important elements of privacy as well as open standards.

Alaina Aston enquired about the business model of Sidewalk Labs as well as the general interest of Alphabet. Josh Sirefman explained that the business model is developing concurrently with project work. Andrew Clement requested further details clarifying Alphabet's interests in pursuing the Sidewalk Toronto Project. Mr. Sirefman provided a high-level response which Mr. Clement indicated was not as fulsome as he was hoping.

Craig Nevill-Manning, Head of Engineering at Sidewalk Labs, delivered a presentation on creating the standard to create the benchmark for future development. He emphasized that data collection was not the goal of the project and the need to demonstrate a connection between data collection and an improved quality of life.

b) Responsible Data Use Framework

Alyssa Harvey-Dawson, General Counsel and Head of Legal, Privacy and Data Governance at Sidewalk Labs and Craig Nevill-Manning spoke of four areas grounded into the core principles for data handling which she stated were privacy, stewardship, access and security

Examples of this data collection were given, such as pothole detection and garbage volume monitoring, which at first mention, do not have significant privacy implications and can help the City understand whether to direct resources to certain areas. No examples were provided where Sidewalk is considering data collection which may have more sensitive privacy implications. Representatives from SWL indicated that they welcomed advice of the Digital Strategy Advisory Panel to ensure that Sidewalk Labs thoroughly considered the privacy implications through a critical lens.

Ms. Harvey-Dawson discussed the importance of aggregating data to avoid any privacy implications and explained the legal obligation to handle and use data responsibly. Once again this was linked to all data collection being in support of tangible results and beneficial purposes.

Lauren Reid, Director, Privacy and Data Governance for Sidewalk Labs, continued the conversation on the importance of responsibly handling data that can potentially impact people, and Canada's role in modelling itself on responsible innovation development. Further, she emphasized that there is a limited window of time to addressing these issues properly from ground up to find meaningful solutions.

The notion of defining "we" was addressed and who this is referring to when in slides and discussion. Ms. Harvey-Dawson noted that "we", is meant to be anyone (Sidewalk Labs, Waterfront Toronto, private corporations, Canadian tech, City Planners etc.), who can benefit from this data. It was agreed that "we" is confusing, and until products and policy are created this question will remain up in the air, but will need to be properly identified as the project continues

Concerns over the Sidewalk Labs branding and the use of proprietary and confidential disclaimer on presentation slides was expressed by Andrew Clement. Ms. Harvey-Dawson acknowledged that this should be revised for future use.

Will Fleissig spoke to the requirement for continued coordination with all levels of government as the project evolves. He further explained that Waterfront Toronto is within arm's reach of Government/Council, but their separation exists as they are not supposed to be part of the same process (segregation of duty).

c) Working thoughts on data governance

Potential complications and risks involved with data use and data-driven decisions were discussed. Specifically, how do you address people and populations that are not represented in data collected from a decision-making standpoint? There are certain economic and cultural implications that can arise from this divide. Further, that these risks are amplified when if decisions are connected to automation and artificial intelligence.

Ms. Reid spoke to the artificial intelligence discussion as something that should be tabled for later, and that the conversation of data ethics, and building a process that constantly checks and coordinates with Canadian values and Toronto's diversity should be the top priority.

Issues of open standards were addressed as a precursor to prevent against monopolization. The need to assess the value of data and how the value is shared by both the public sector to the private sector was discussed. Concerns over vendor lock-in and proprietary solutions were also expressed.

John Whitrock, an engineer with Sidewalk Labs, spoke to the importance of creating the conditions for open innovation. He noted that this can only be done with participation from all stakeholder.

It was stated that Sidewalk Toronto will welcome third party audits and standards, to create the open digital infrastructure with best in-class security.

Mr. Clement raised a concern regarding the need to address the notion of surveillance infrastructure in terms of the solutions being implemented, and the tremendous amount of data sharing that is currently conducted without consent. Function creep is a concern that may develop over time, and the longevity of these standards need to be addressed. Ann Cavoukian, an advisor to Sidewalk Labs, discussed the use of strong de-identification tools at source, ones which reduce the reidentification to less than 0.3%.

Mr. Clement responded that even in cases where strong de-identification can be achieved, this does not necessarily satisfy concerns over responsible data use, citing the Cambridge Analytica scandal.

Jutta Treviranus pointed out that due to their statistical outlier status, the marginalized are the most at risk even when de-identification is relatively strong.

7. **Panelists feedback to Sidewalk Toronto**

Panelists suggested greater clarity about which entity is being referred to when terms such as "we" are used.

Panelists reinforced the need to avoid data monopolization. Panelists expressed a desire to ensure that publicly funded data infrastructure not disproportionately benefit the private sector. There was also recognition that this project will require that the way data is handled, collected, will push the envelope in terms of the existing policy frameworks, and policy innovation is a key area that this project could have a positive impact.

7. **Panelist closing thoughts**

A round table opportunity was provided for Panelists to provide their initial reflections on the meeting. Generally, it was expressed that these were strong opening discussions and debates around these important topics. There are still many areas that need more information to be able to address them most effectively, but it was recognized that the Panel has a unique opportunity to meaningfully advance the work being done in these areas. It was also noted that there is a need for diligence to ensure Toronto's full diversity will be accounted for in decisions.

8. **Termination of the Meeting**

There being no further business, **ON MOTION**, duly made by Michael Geist, seconded Mark Wilson and carried, it was **RESOLVED** that the meeting be terminated at 16:07 p.m. local time.