



Report to: General Committee

Meeting Date: December 3, 2024

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**SUBJECT:** Delegated Authority for signing Data Licensing Agreements, Data Sub-licensing Agreements, Data Sharing Agreements and Data Privacy Agreements

**PREPARED BY:** Matthew Miller, Manager, Data & GIS  
Information Technology Services, ext. 2036

**REVIEWED BY:** Sumon Acharjee, Chief Information Officer, Infrastructure and  
Information Technology Services Department, ext. 4733

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**RECOMMENDATION:**

1. That the report titled “Delegated Authority for signing Data Licensing Agreements, Data Sub-Licensing Agreements, Data Sharing Agreements and Data Privacy Agreements” be received; and,
2. That Council authorize the Chief Information Officer to execute approved data licensing agreements, data sub-licensing agreements, data sharing agreements, data privacy agreements and other agreements and documents required to facilitate the sharing, licensing, sub-licensing and protection of data as between the City and other levels of government or government agencies, and as between the City and third party vendors in connection with City projects, in accordance with Ontario’s Municipal Freedom of Information and Protection of Privacy Act of Ontario (MFIPPA) and in a form approved by the City Solicitor; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The purpose of this report is to obtain delegated authority for the Chief Information Officer to execute data licensing agreements, data sub-licensing agreements, data sharing agreements, data privacy agreements and other agreements and documents required to facilitate the sharing, licensing, sub-licensing and protection of data as between the City and other levels of government or government agencies, and as between the City and third party vendors in connection with approved City projects and initiatives undertaken by the Information Technology Services Department.

**BACKGROUND:**

From time to time the Information Technology Services Department is asked to sign documents pertaining to data licensing, data sub-licensing, data sharing and data privacy as part of administrative requirements to implement various projects and initiatives. As data becomes increasingly central to municipal operations, enabling the Chief Information Officer to execute these types of agreements on behalf of the City is essential to ensure timely data access, compliance and security.

**OPTIONS/ DISCUSSION:**

The City's operations rely on a broad spectrum of data resources ranging from Geographic Information Systems (GIS) data, Orthophotography, LiDAR, tabular/statistical data and other third-party vendor or municipal datasets. These data resources are often governed by agreements outlining license and usage rights, security, distribution and privacy obligations – including those contained in MFIPPA. Given the timeliness often necessary to obtain these data resources and increased frequency in the request for these types of agreements to be executed, Staff recommend that the Chief Information Officer (CIO) be given delegated authority to sign these data agreements or documents on the City's behalf. These data agreements or documents will be prepared in a form satisfactory to the City Solicitor prior to execution by the CIO. Where applicable, the City Clerk will also be consulted on issues related to privacy.

Types of data agreements covered under this report would include:

**Data Licensing Agreements**

These agreements grant permission to use datasets usually in GIS, mapping, business intelligence or dashboards, and typically outline usage rights, restrictions and terms for third party data.

**Data Sub-licensing Agreements**

These agreements are created to extend data access to other approved parties while upholding the original licensing obligations.

**Data Sharing Agreements**

These agreements facilitate the exchange of data between external organizations, other municipalities or government agencies, and typically outline data handling, security, privacy and specific usage limits.

**Data Privacy Agreements**

These agreements are often part of compliance initiatives, particularly when handling personal or sensitive data. They ensure that both parties adhere to relevant privacy laws (including MFIPPA) and regulations.

Staff recommend that the Chief Information Officer (CIO) be delegated the authority to sign the above described data agreements and related documents on behalf of the City, provided such agreements are in a form approved by the City Solicitor.

Giving the CIO authority to execute these data agreements on behalf of the City centralizes the approval process for these data agreements while safeguarding the City's interests. It ensures that data transactions align with legal, operational and security standards and requirements, facilitating the responsible and efficient use of external data assets. This centralized approval process will provide the necessary agility for the City to respond to evolving data needs while maintaining appropriate oversight and accountability.

**FINANCIAL CONSIDERATIONS**

There are no financial impacts of adopting the recommendations of this report. The requested delegation is to help fulfil administrative requirements more expeditiously to advance projects that have already secured required approvals, including funding and procurement.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

Adopting the recommendations of this report will streamline the process of approving and executing various data related agreements and is consistent with the Strategic Priorities of "Exceptional Services by Exceptional People" and "Stewardship of Money & Resources."

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The Legal, Finance and Legislative Services Departments have been consulted in the preparation of this report.

**RECOMMENDED BY:**

Sumon Acharjee  
Chief Information Officer

Trinela Cane  
Commissioner, Corporate Services