

Email: 28(1)

September 19, 2018

CONFIDENTIAL

28(1)

Dear 28(1) :

Re: Access to Information Request #2018-033 – Travellers Building

This is further to the City's correspondence to you on August 13, 2018 and your access to information request received by the City on July 9, 2018, amended as follows:

“We are requesting records from and after January 1, 2001, up to the present day. The owners of the Travellers Building are 240 Argyle Street Properties Inc. and/or Michael Lee.

1. Any records in the control or possession of the City of Regina, council, or any committee or department related to advice given or recommendations made to the City of Regina, council, or a committee or department regarding the Travellers Building, 1833 Broad Street, Regina, SK, a municipal heritage property (the “Travellers Building”).
2. Any records in the control or possession of the City of Regina, council, or any committee or department related to financial resources or assistance provided to the owner of the Travellers Building, through the Heritage Building Rehabilitation Program or council or any committee or department, to rehabilitate or preserve the Travellers Building.
3. Any records in the control or possession of the City of Regina, council, or any committee or department related to temporary stop orders issued by council or any committee or department, requiring the owner of the Travellers Building to cease activities that might result in damage to or destruction of the Travellers Building, pursuant to s.29(1) of the Heritage Property Act.

4. Any records in the control or possession of the City of Regina, council, or any committee or department related to orders requiring the owner of the Travellers Building to take steps to preserve the Travellers Building, pursuant to s.31 of the Heritage Property Act.
5. Any records in the control or possession of the City of Regina, council, or any committee or department related to inspections of the Travellers Building authorized by council or any other committee or department, pursuant to s.34 of the Heritage Property Act or otherwise.
6. Any records in the control or possession of the City of Regina, council, or any committee or department, related to any order exempting the owner of the Travellers Building from complying with any fire or building code regulations.
7. Any records in the control or possession of the City of Regina, council, or any committee or department related to safety complaints or other complains by citizens in respect of the Travellers Building, made to or kept with the Building Standards Branch, council or any committee or department.”
8. Any records in the control or possession of the City of Regina, council, or any committee or department, related to any request or inquiry made by the owner to use the location of the Travellers Building for any alternative use including, for example, as a parking facility.”

The remaining records relevant to the request are attached. Pursuant to section 8 of *The Local Authority Freedom of Information and Protection of Privacy Act* (LA FOIP). Some of the information contained in the attached has been redacted. The redaction is pursuant to

- 16(1)(b): Consultations and deliberations involving officers or employees of the local authority.
- 28(1): Protection of personal information from disclosure.
- Non-responsive: Information that is not relevant and does not reasonably relate to the request.

I have included a copy of all above-noted sections of the Act.

If you wish to exercise your right to request a review of this decision, you may complete a Request for Review form and forward it to the Saskatchewan Information and Privacy Commissioner within one year of this notice. A copy of this form can be found at <http://www.qp.gov.sk.ca/documents/Forms/L27-1R1-B.pdf> or you may contact the Saskatchewan Information and Privacy Commissioner at 306-787-8350.

Responses to requests may be published on the Regina Open Data website at the City's discretion. All information/data is handled in accordance with LA FOIP. Your identity as the applicant is protected. Published requests will be available on the Open Data website at <http://open.regina.ca/> after a minimum of three business days following release to you.

If you have any questions, please contact Cindy Howden at 306- 777-7263 or by email at lafoip@regina.ca.

Yours truly,



Jim Nicol
City Clerk

Jn/ch

Enclosure(s)



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**c. L-27.1 LOCAL AUTHORITY FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY**

- (l) reveal technical information relating to weapons or potential weapons; or
 - (m) reveal the security arrangements of particular vehicles, buildings or other structures or systems, including computer or communication systems, or methods employed to protect those vehicles, buildings, structures or systems.
- (2) Subsection (1) does not apply to a record that:
- (a) provides a general outline of the structure or programs of a law enforcement agency; or
 - (b) reports, by means of statistical analysis or otherwise, on the degree of success achieved in a law enforcement program.

1990-91, c.L-27.1, s.14; 2003, c.29, s.33 2017,
c.17, s.8.

Documents of a local authority

- 15(1) A head may refuse to give access to a record that:
- (a) contains a draft of a resolution or bylaw; or
 - (b) discloses agendas or the substance of deliberations of meetings of a local authority if:
 - (i) an Act authorizes holding the meetings in the absence of the public; or
 - (ii) the matters discussed at the meetings are of such a nature that access to the records could be refused pursuant to this Part or Part IV.
- (2) Subject to section 29, a head shall not refuse to give access pursuant to subsection (1) to a record where the record has been in existence for more than 25 years.

1990-91, c.L-27.1, s.15.

Advice from officials

- 16(1) Subject to subsection (2), a head may refuse to give access to a record that could reasonably be expected to disclose:
- (a) advice, proposals, recommendations, analyses or policy options developed by or for the local authority;
 - (b) consultations or deliberations involving officers or employees of the local authority;
 - (c) positions, plans, procedures, criteria or instructions developed for the purpose of contractual or other negotiations by or on behalf of the local authority, or considerations that relate to those negotiations;
 - (d) plans that relate to the management of personnel or the administration of the local authority and that have not yet been implemented; or
 - (e) information, including the proposed plans, policies or projects of the local authority, the disclosure of which could reasonably be expected to result in disclosure of a pending policy or budgetary decision.

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**c. L-27.1 LOCAL AUTHORITY FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY**

Standard of accuracy

26 A local authority shall ensure that personal information being used by the local authority for an administrative purpose is as accurate and complete as is reasonably possible.

1990-91, c.L-27.1, s.26.

Use of personal information

27 No local authority shall use personal information under its control without the consent, given in the prescribed manner, of the individual to whom the information relates, except:

- (a) for the purpose for which the information was obtained or compiled, or for a use that is consistent with that purpose; or
- (b) for a purpose for which the information may be disclosed to the local authority pursuant to subsection 28(2).

1990-91, c.L-27.1, s.27.

Disclosure of personal information

28(1) No local authority shall disclose personal information in its possession or under its control without the consent, given in the prescribed manner, of the individual to whom the information relates except in accordance with this section or section 29.

(2) Subject to any other Act or regulation, personal information in the possession or under the control of a local authority may be disclosed:

- (a) for the purpose for which the information was obtained or compiled by the local authority or for a use that is consistent with that purpose;
- (b) for the purpose of complying with:
 - (i) a subpoena or warrant issued or order made by a court, person or body that has the authority to compel the production of information; or
 - (ii) rules of court that relate to the production of information;
- (c) to the Attorney General for Saskatchewan or to his or her legal counsel for use in providing legal services to the Government of Saskatchewan or a government institution;
- (d) to legal counsel for a local authority for use in providing legal services to the local authority;
- (e) for the purpose of enforcing any legal right that the local authority has against any individual;
- (f) for the purpose of locating an individual in order to collect a debt owing to the local authority by that individual or make a payment owing to that individual by the local authority;