

Authority: Section 217-5D of City of Toronto Municipal Code Chapter 217, Records, Corporate (City) and Section 169-5.2 B of City of Toronto Municipal Code Chapter 169, Officials, City

CITY OF TORONTO

BY-LAW 821-2021

To amend City of Toronto Municipal Code Chapter 217, Records, Corporate (City), respecting establishing and amending records retention periods contained within Schedule A, Record Retention Schedule of Chapter 217.

Whereas under section 201 of the City of Toronto Act, 2006 the City may establish retention periods during which the records of the City and local boards of the City must be retained and preserved; and

Whereas Council has delegated to the City Clerk the authority to establish or amend a retention schedule in accordance with Section 217-5D and to authorize the City Solicitor to submit implementation by-laws directly to Council; and

Whereas under Section 169-5.2B of Municipal Code Chapter 169, Officials, City, the City Solicitor, in consultation with the City Clerk, may submit bills directly to Council to make technical amendments to the Municipal Code and other by-laws to correct technical errors; and

Whereas the City Clerk has exercised the authority to establish or amend a retention schedule, to establish and amend various retention schedule affecting the records of the City in accordance with the requirement of Section 217-5D and has sought to the City Solicitor to submit by-laws directly to Council for the implementation; and

Whereas Chapter 217, Records, Corporate (City), is in need of updating to modernize references to statutes and other amendments of a technical nature, and such changes have also been approved by the City Clerk; and

Whereas the City Clerk has approved the establishment or amendment of the attached retention schedules;

The Council of the City of Toronto enacts:

1. Schedule A, Record Retention Schedule, of Chapter 217, Records, Corporate (City), of The City of Toronto Municipal Code is amended by:
 - a. replacing the existing record series listed in Schedule 2 to this by-law by adding the amended record series listed in Schedule 1 attached to this by-law in alphanumerical order to Schedule A by code number, under the functional category as set out in Schedule 1 for reference purposes; and deleting the corresponding and pre-existing record series listed in Schedule 2, to this by-law, so that they are replaced with the record series listed in Schedule 1 to this by-law;

- b. adding the new records series listed in Schedule 3 to this by-law in alphanumerical order to Schedule A by code number, under the functional category as set out in Schedule 3 to this by-law for reference purposes; and
- c. deleting the records series from Schedule A which are listed in Schedule 4 to this by-law by code number, under the functional category as set out in Schedule 4 to this by-law for reference purposes.

Enacted and passed on October 4, 2021.

Frances Nunziata,
Speaker

John D. Elvidge
City Clerk

(Seal of the City)

SCHEDULE 1

**AMENDED ENTRIES TO BE ADDED TO SCHEDULE A, RECORDS RETENTION
SCHEDULE OF MUNICIPAL CODE CHAPTER 217, RECORDS, CORPORATE
(CITY) TO REPLACE EXISTING RECORDS RETENTION SCHEDULES**

C	Functional Category: Community and Social Services						
	Description: Records relating to the management and delivery of social and community programs and services designed to assist the City’s residents in need, including children, youth, families, senior citizens, and homeless persons. Includes records relating to day care, homes for the aged, shelter and affordable housing projects, social assistance, and public counselling.						
C3285	<p>Family Support Case Files – Ontario Works</p> <p>Records relating to Family Support Program. The Family Support Program provides services to ensure applicants and participants of Ontario Works Assistance are supplied with information, referrals and resources to pursue financial support from those who have legal obligations to provide it, according to the Ontario Works and Family Law Acts.</p> <p>Documents may include referrals forms, copy of Ontario Court of Justice Application, answers by responding party, financial statement for both applicant and respondent, correspondence from lawyers, copies of court orders and agreements, cancellations, settlements, payment histories, SDMT/FLOW notes, MECA screens, divorce papers and other legal documents.</p>	Employment & Social Services	T	10	T +10	D	<p>Comments: T = Services are no longer required or case is terminated</p> <p>Legislation/Regulation: <i>Ontario Works Act</i>, S.O. 1997. c. 25, Sched. A. s. 42. - Each delivery agent shall keep information collected under this Act in the form and electronic system required by the Director.</p>

N	Functional Category: Natural Environment & Sustainable Resources						
Description: Records relating to environmental services, and the assessment, preservation and conservation of the natural environment, natural life forms and natural resources. Natural environmental protection and conservation strategies combat pollution; promote conservation and sustainable management of land, ecosystems, water, horticulture, forestry, natural fish habitats, wildlife, atmosphere, and energy resources; protect natural landscape; and develop efficient uses of both energy and recyclable waste materials.							
N0513	Tree Protection & Plan Review Records relating to the administration of tree protection bylaws and issuance of tree removal permits due to development and/or site alteration or on account of diseased tree. This may include information on development activities such as: the construction of buildings, structures, parks and open spaces, underground infrastructure, grade alteration, fill placement of removal; and, modification of surface drainage and/or watercourses. Documents include: tree removal permit applications; arborist's reports; completed private tree bylaw declaration forms; copies of development applications, plans, drawings, maps, photographs of construction and development sites, tree and vegetation inventories; surveys; studies; reports and related correspondence.	Parks, Forestry & Recreation	T + 2	19	T + 21	D	Comments: T = Termination of the project Legislation/Regulation: <i>Limitations Act</i> , S.O. 2002, c. 24, Sched. B. s. 15. (2) - No proceeding shall be commenced in respect of any claim after the 15th anniversary of the day on which the act or omission on which the claim is based took place.

P	Functional Category: Public Health Description: Records relating to public and community health programs and services that are available to City residents. Includes records on immunization programs, disease prevention awareness, and healthy lifestyles.						
P3652	<p>Program Committees and Workgroup</p> <p>Records relating to project files created by Toronto Public Health workgroups or committees. Information contained in these files demonstrate the history, research, group efforts, marketing strategies and any supportive documentation used for the development of projects used by Toronto Public Health. Documents include copies of work group work plans, meeting minutes, copies of e-mails, reports, research materials, references, correspondence, RFP's, legal opinions, print masters, documentation of program initiated marketing campaigns, etc.</p>	Toronto Public Health	T + 1	9	T + 10	AR	<p>Comments: T = Completion of the project</p>

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P3834	<p>Chronic Reportable Disease</p> <p>Records relating to clients diagnosed with reportable disease that requires ongoing and long term treatment. Documents include disease worksheets, investigation reports, progress notes, contact follow up, laboratory test results, counselling information provided to the client and their contacts, correspondence, etc.</p>	Toronto Public Health	T + 5	5/ 26	T + 10/ 31	D	<p>Comments: T = Date of last recorded action for both adults & minors. Inactive retention in Records Centre for adults additional 5 Years; for minors additional 26 Years (16 Years as semi-active & 10 Years as inactive).</p> <p>Legislation/Regulation: <i>Medicine Act</i>, 1991, Regulation (General) O. Reg. 114/94 s. 19 (1) - A member shall retain the records required by regulation for at least ten years after the date of the last entry in the record, or until ten years after the day on which the patient reached or would have reached the age of eighteen years, or until the member ceases to practise medicine, whichever occurs first, subject to subsection (2).</p> <p><i>Health Protection and Promotion Act</i>, R.R.O. 1990, Reg. 569</p>
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SCHEDULE 2
EXISTING RECORDS RETENTION SCHEDULES TO BE DELETED FROM
SCHEDULE A, MUNICIPAL CODE CHAPTER 217, AND REPLACED WITH THE
AMENDED ENTRIES CONTAINED IN SCHEDULE 1 OF THIS BY-LAW

C	Functional Category: Community and Social Services						
	Description: Records relating to the management and delivery of social and community programs and services designed to assist the City's residents in need, including children, youth, families, senior citizens, and homeless persons. Includes records relating to day care, homes for the aged, shelter and affordable housing projects, social assistance, and public counselling.						
C3285	Family Support Case Files - Ontario Works Records relating to Family Support Program. The Family Support Program provides services to ensure applicants and participants of Ontario Works Assistance are supplied with information, referrals and resources to pursue financial support from those who have legal obligations to provide it, according to the Ontario Works and Family Law Acts. Documents may include referrals forms, copy of Ontario Court of Justice Application, answers by responding party, financial statement for both applicant and respondent, correspondence from lawyers, copies of court orders and agreements, cancellations, settlements, payment histories, SDMT/FLOW notes, MECA screens, divorce papers and other legal documents.	Employment & Social Services	T	7	T + 7	D	Comments: T = Services are no longer required or case is terminated. Legislation/Regulation: Ontario Works Act, S.O. 1997. c. 25, Sched. A. (Last amendment: 2009, c. 33, Sched. 8, s. 5) s. 42. - Each delivery agent shall keep information collected under this Act in the form and electronic system required by the Director.

N	Functional Category: Natural Environment & Sustainable Resources						
Description: Records relating to environmental services, and the assessment, preservation and conservation of the natural environment, natural life forms and natural resources. Natural environmental protection and conservation strategies combat pollution; promote conservation and sustainable management of land, ecosystems, water, horticulture, forestry, natural fish habitats, wildlife, atmosphere, and energy resources; protect natural landscape; and develop efficient uses of both energy and recyclable waste materials.							
N0513	Urban Forestry Planning and Management Records relating to the management and preservation of trees and forests located in City of Toronto parks and streets. This includes information relating to the planting, maintenance, protection, and removal of trees. May also include information on mineral deposits, tree diseases, soil analysis, pesticide spraying, pruning, and planting regimens. Documents may include tree canopy reports, tree health reports, trees species inventories, and news clippings.	Parks, Forestry & Recreation	T+2	18	T+20	D	Comments: T = Completion of project Legislation/Regulation: Limitations Act, S.O. 2002, c. 24, Sched. B. (Last amendment: 2016, c. 2, Sched. 2) s. 15. (2) - No proceeding shall be commenced in respect of any claim after the 15th anniversary of the day on which the act or omission on which the claim is based took place.

P	Functional Category: Public Health Description: Records relating to public and community health programs and services that are available to City residents. Includes records on immunization programs, disease prevention awareness, and healthy lifestyles.						
P3652	Program Committee and Workgroup Files Records relating to project files created by Toronto Public Health workgroups or committees. Information contained in these files demonstrate the history, research, group efforts, marketing strategies and any supportive documentation used for the development of projects used by Toronto Public Health. Documents include copies of work group work plans, meeting minutes, copies of e-mails, reports, research materials, references, correspondence, RFP's, legal opinions, print masters, documentation of program initiated marketing campaigns, etc.	Toronto Public Health	T+2	9	T +11	AR	Comment: T = Project no longer active.

P3834	<p>Chronic Reportable Diseases</p> <p>Records relating to clients diagnosed with reportable disease that requires ongoing and long term treatment. Documents include disease worksheets, investigation reports, progress notes, contact follow up, laboratory test results, counselling information provided to the client and their contacts, correspondence, etc.</p>	Toronto Public Health	T + 5	5 / 26	T + 10 / 28	D	<p>Comments:</p> <p>T = Date of last recorded action for both adults & minors. Inactive retention in Records Centre for adults additional 8 Years; for minors additional 26 Years (16 Years as semi-active & 10 Years as inactive).</p> <p>Legislation/Regulation: Medicine Act, 1991, Regulation (General) O. Reg. 114/94 (Last amendment: O. Reg. 192/14) s. 19 (1) - Retain records for at least ten years after the date of the last entry in the record, or until ten years after the day on which the patient reached or would have reached the age of eighteen years.</p> <p>Health Protection and Promotion Act Regulation (Reports), R.R.O. 1990, Reg.</p>
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**SCHEDULE 3
NEW ENTRIES TO BE ADDED TO SCHEDULE A, RECORDS RETENTION
SCHEDULE OF MUNICIPAL CODE CHAPTER 217, RECORDS, CORPORATE
(CITY)**

A	Functional Category: Assets and Property Management						
	Description: Records relating to the construction, operation, and maintenance of the City's physical assets and property, which it owns or leases. This may include buildings, facilities, lands, vehicles, office and computer equipment, trees, uniforms, artifacts and heritage sites, and office supplies.						
A0049	<p>Accident & Incident Reports</p> <p>Records relating to the City's reporting of accidents or incidents that have occurred on City properties, including parks and recreational facilities, and that may involve members of the public, City staff, and buildings and structures. Accident reporting concerns events such as vandalism, arson, vehicle accidents, and personal injuries that have occurred. Incident reporting concerns events that had the potential to be accidents, but were not accidents, and are used for tracking hazardous trends. May also include detailed investigative reports for individual accidents or incidents, which document synopses of events, probable causes, and recommendations for improvement. Documents may include completed accident and incident report forms, detailed investigative full and summary reports, and all supporting correspondence.</p> <p>Note (1): In case of insurance claim or litigation a copy of the report will be forwarded to the appropriate division to become part of the case file under this division. Note (2): Accident and</p>	Parks, Forestry & Recreation	T + 2	2/18	T + 4/20	D	<p>Comments: T = date of last recorded action</p> <p>Inactive retention in Records Centre for adults additional 2 Years; for minors additional 18 Years</p> <p>Legislation/Regulation: <i>Limitations Act</i>, S.O. 2002, c. 24, Sched. B, s.4, s.6.</p>

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	incident reports about City staff are created and kept electronically in the City's incident, health and safety management system.						
A0530	<p>Automated Shuttle Trial Camera Recordings</p> <p>Video surveillance records relating to the interior and exterior monitoring of automated shuttle vehicles for an Automated Shuttle Trial. These video-only records are used to review vehicle performance, operational issues encountered and in-cabin security. Video includes recordings of the environment surrounding the vehicle in all directions, as well as the interior cabin.</p> <p>Note: Recordings are retained under "General Operations". If the recording is required to document a particular incident for law enforcement purposes, it is then retained under "Investigations".</p>	Transportation Services	<p>3 DY</p> <p>T + 3</p>	<p>0</p> <p>0</p>	<p>3 DY</p> <p>T + 3</p>	<p>D</p> <p>D</p>	<p>Comments:</p> <p>3 DY = General Operations</p> <p>T+ 3 = Investigations, where T=File close upon resolution, then destroyed</p> <ol style="list-style-type: none"> 1. The active retention period is interrupted when there is an investigation by the City or Toronto Police Services. Once the video recordings have been obtained by Toronto Police in particular, they become part of a different record (police evidence file) independent of the City's records. 2. The securement of the video recordings are recorded in A0526 - Video Surveillance Logs with a retention of 3 years. 3. Recordings required for research purposes are retained under W0065 Travel Surveys and Transportation Monitoring Programs.

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F	Functional Category: Financial Management						
	Description: Records relating to the City's finances and accounting processes, including the receipt, control, and expenditure of funds. Includes records relating to liability, risk management, payroll, taxation, treasury, insurance and purchasing.						
F3256	Canada Revenue Agency Automated Income Verification Records of taxpayer information for the purposes of automated income verification from the Canada Revenue Agency in order to determine eligibility under the following programs: Property Tax Cancellation Program, Property Tax Deferral Program, Water Rebate Program and Solid Waste Relief Program.	Revenue Services	T + 30 DY	0	T + 30 DY	D	Comments: T = processing of relief applications

G	Functional Category: Governance Description: Records relating to the ways in which the City is governed and regulated to ensure efficiency, effectiveness, and compliance with statutory requirements. Includes records of the City's legislative process, such as the agendas and minutes of Council, its standing committees and community councils; City bylaws and the Municipal Code; formal policies and procedures; and annual reports of departments and special purpose bodies. Also includes all legislation and other municipal by-laws that might affect the City; records relating to non-municipal government bodies; election records; and records relating to provincially-mandated services that the City provides, such as birth and death registrations.						
G0051	History of Committees of Council, City Agencies & Corporations Records relating to the history of City committees, agencies, corporations and other special purpose bodies established and members appointed by City Council. The bodies may range from large corporations to small community-based agencies and boards with varying responsibilities. Documents include historical accounts of the establishment of the bodies; copies of council and committee decisions establishing the bodies; reports; letters; appointment documents and all supporting correspondence. Records may exist in both paper and electronic format. Records are organized by the name of the body and the establishment date.	City Clerk's Office	T	3	T + 3	AR	Comments: T = 3 years after dissolution of the decision body, subject to archival review

G0055	<p>Public Appointments to City Boards, Committees, Tribunals & Other Bodies</p> <p>Records relating to the process of appointment of public members to City Boards, Committees, Tribunals and Other Bodies including ward appointments to City Council. All public appointments are guided by the principles of the City of Toronto Public Appointment Policy. This will include information about the conflict of interest, eligibility requirements and restrictions; terms of office; and the recruitment, application & selection process. Records may include: applicant information; letter to the applicant; onboarding of appointed members; application package for the nominating panels; eligibility disclosure documentation; interview schedule and skills matrix; member resignation letter; correspondence with agencies and other bodies; outreach activities; recruitment advertisements and other public appointment materials as required. Records are organized by decision body name.</p> <p>Note: Appointed members' records will be filed in their respective decision body meeting files, governed by schedule G0001- Council and Committee Proceedings and, or schedule G0006-Local Board Proceedings.</p>	City Clerk's Office	T + 8	4	T + 12	D	<p>Comments: T = date of last recorded action or event specified by the business division</p>
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I	Functional Category: Information, Communications, and Administration						
	Description: Records relating to the management of all City formal communications, including press releases, media releases, promotional advertising, and speeches. Also includes records to the production and/or management of information-related resources and initiatives, both by the City and by external parties, including libraries, films and movies, online web site data, corporate records management, and archival collections. Finally, includes records relating to a wide variety of general administrative matters, such as committees not related to City governance activities, office administration, audits, travel arrangements, trade shows, and operational and strategic planning.						
I5012	311 Service Requests Records relating to the provision of City services via the 311 Contact Centre. A Service Request is an electronic record of a customer request for a 311 service, be it a 311 fulfilled request or a divisional work order request, via any channel. In the case of a request handled by a 311 Customer Service Representative (CSR) agent [via telephone, fax, email, mail or at a counter] the record will include the event dataset (e.g., date and time of request), agent dataset (e.g., agent user id), description of service requested, and transaction number, a unique ticket number for 311 service tracking, generated by the Customer Relationship Management (CRM) system when a request is made.	311 Toronto	T	7	T + 7	D	Comments: T = completion of service request

N	<p>Functional Category: Natural Environment & Sustainable Resources</p> <p>Description: Records relating to environmental services, and the assessment, preservation and conservation of the natural environment, natural life forms and natural resources. Natural environmental protection and conservation strategies combat pollution; promote conservation and sustainable management of land, ecosystems, water, horticulture, forestry, natural fish habitats, wildlife, atmosphere, and energy resources; protect natural landscape; and develop efficient uses of both energy and recyclable waste materials.</p>						
N0034	<p>Animal Care and Control</p> <p>Records relating to animal care and control services that the City of Toronto provides to City residents. This includes, but is not limited to, actions relating to the enforcement of the Animal Control By-law; animal licensing; veterinary care; picking up animals; adoption; impounding; etc. Documents may include: license applications and fees; animal care and control records; veterinary medical records; dispatch log; by-law enforcement notes; complaints; adoption information; and all supporting correspondence.</p>	<p>Municipal Licensing & Standards</p>	T	6	T + 6	D	<p>Comments: T = date of last recorded action</p> <p>Legislation/Regulation: Chapter 349, Animals, The City of Toronto Municipal Code</p>

SCHEDULE 4
ENTRIES TO BE DELETED FROM SCHEDULE A, RECORDS RETENTION
SCHEDULE OF MUNICIPAL CODE CHAPTER 217, RECORDS, CORPORATE
(CITY)

A	Functional Category: Assets and Property Management						
	Description: Records relating to the construction, operation, and maintenance of the City's physical assets and property, which it owns or leases. This may include buildings, facilities, lands, vehicles, office and computer equipment, trees, uniforms, artifacts and heritage sites, and office supplies.						
A1412	<p>Rejected Heritage Properties</p> <p>Records relating to City properties, including buildings and land, that have not been listed or designated as heritage properties as they do not meet the necessary criteria concerning historical significance. May include information on rejected property profiles. Documents may include copies of requests and recommendations for inclusion on the City's inventory of heritage properties, building evaluation sheets, copies of building demolition applications and City by-laws, copies of council reports, copies of committee reports, photographs and slides, and correspondence.</p>	City Planning	P	0	P	P/A R	<p>Comments: File to remain active until further notice from the Division</p> <p>Legislation/Regulation: Ontario Heritage Act, R.S.O. 1990, c. O.18 (Last amendment: 2009, c. 33, Sched. 11, s. 6) s. 27. - Register of all designated properties</p>

R	Functional Category: Recreation and Culture Description: Records relating to the recreational and cultural programs and services offered to City residents and visitors. Includes record relating to special events such as parades and festivals, tourism, and fitness activities. Also includes information on the control of City wildlife.						
R0190	Electronic Postcards Records relating to the indirect collection of personal information of the sender and recipient of an electronic postcard promoting tourism and other events in the City of Toronto. These postcards support the Toronto: You Belong Here campaign and are targeted to the following events which include but are not limited to: Calvacade of Light, Designs in Ice, WinterCity Festival, Celebrate Toronto Street Festival, Canada Day, Summerlicious, Winterlicious, Tasty Thursday's, and Fresh Wednesday.	Economic Development & Culture	10 Days	0	10 Days	D	Comments: 10 Day retention applies only to Electronic Records Legislation/Regulation: City of Toronto Municipal Code Chapter.217, Records, Corporate (City) § 217-12. Transitory and duplicate Records (By-law 635-2000). IPC Authorization for Indirection Collection of Personal Information Relating to Electronic Postcards, October 7, 2004, pg 4. Par 6. The City will dispose of any personal information collected after a period of ten days, as stated in its application for Authorization to Indirectly Collect Personal Information. Municipal Freedom of Information and Protection of Privacy Act (General) R.R.O. 1990, Reg. 823 (Last amendment: O. Reg. 172/16) s. 5. - Personal information that has been used by an institution shall be retained by the institution for the shorter of one year after use or the period set out in a by-law or resolution made by the institution or made by another institution affecting the institution, unless the individual to whom the information relates consents to its earlier disposal.