

Authority: General Government and Licensing Committee
Item GL30.13, as adopted by City of Toronto Council on
May 11 and 12, 2022

CITY OF TORONTO

BY-LAW 584-2022

To amend City of Toronto Municipal Code Chapter 217, Records, Corporate (City), to establish two retention periods and to amend to existing retention periods contained within Schedule A, Record Retention Schedule, with respect to certain records relating to Heritage Properties and Districts, Archaeological Resources, and Urban Forestry Operations and Asset Management.

Whereas under Section 200 of the City of Toronto Act, 2006 (the "Act") the City shall retain and preserve the records of the City and its local boards in a secure and accessible manner; and

Whereas under Section 201 of the Act the City may destroy a record of the City or a local board if an established retention period has expired or where the record is a copy of the original record; and

Whereas City Council wishes to establish and amend retention periods for records related to the operation of Heritage Properties and Districts; Archaeological Resources; and Urban Forestry Operations and Asset Management for various divisional operations to establish consistent retention periods; and

Whereas the some of the existing retention periods for records previously established by the City are set at permanent retention; and

Whereas Council is required to exercise the authority to establish or amend a retention schedule in accordance with Section 217-5C(1)(a) of Municipal Code Chapter 217, Records, Corporate (City), where the decision with respect to the establishment or amendment of a retention schedule is with respect to a retention period which is permanent; and

Whereas City Council wishes to amend City of Toronto Municipal Code Chapter 217, Records, Corporate (City), to establish consistent retention period for Heritage Properties and Districts; Archaeological Resources; and Urban Forestry Operations and Asset Management for various divisional operations;

The Council of the City of Toronto enacts:

1. Schedule A, Record Retention Schedule, of Chapter 217, Records, Corporate (City), is amended by:
 - a. deleting the following existing record series listed under the following specified code numbers: A1415 and N0514 and replacing each of these two record series with the entry listed in Schedule 1 attached to this by-law with the corresponding code number in alphanumerical order to Schedule A by code number, under the functional category as set out in Schedule 1 for reference purposes; and

- b. adding the new records series listed in Schedule 2 to this by-law in alphanumerical order to Schedule A by code number, under the functional categories as set out in Schedule 2 to this by-law for reference purposes.

Enacted and passed on June 16, 2022.

Frances Nunziata,
Speaker

John D. Elvidge
City Clerk

(Seal of the City)

SCHEDULE 1

ENTRIES TO BE ADDED TO SCHEDULE A, RECORDS RETENTION SCHEDULE OF MUNICIPAL CODE CHAPTER 217, RECORDS, CORPORATE (CITY) TO REPLACE THE TWO EXISTING RECORDS RETENTION SCHEDULE ENTRIES BEARING CODE NUMBERS A1415 AND N0514

A	<p>Functional Category: Assets and Property Management</p> <p>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.</p>						
A1415	<p>Adjacent Lands and Heritage Properties Records relating to lands adjoining a property on the Toronto Heritage Register or lands that are directly across from and near a heritage property and surrounding buffer areas, whose location has the potential to have an impact on a heritage property in accordance, or as otherwise defined in a Heritage Conservation District Plan adopted by City of Toronto by-law, the Planning Act, the Provincial Policy Statement, and the Heritage Resources of the City of Toronto's Official Plan. This may include information relating to development and site alteration studies, and/or assessment and mitigated measures to conserve protected heritage properties. Documents include plans, drawings, maps, photographs, staff recommendations and all other supporting documents.</p>	City Planning	T	100	T+100	AR	<p>Comments: Records are retained for 100 following date of last recorded action or event specified by the business division, where: T = date of last recorded action or event specified by the business division.</p>
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>						

City of Toronto By-law 584-2022

N0514	<p>Urban Forestry Operations and Asset Management Records relating to forestry operations and tree planting including detailed information of individual trees, such as species, age, size, date planted, health and location. Includes information relating to requests made for service, and work performed by the City, on City-owned trees and private trees as captured in the enterprise work management system. Documents may include: Tree inventory data, requests for service, work orders, daily activity reports; work performed on trees and agreements to work on trees, Forestry Performance Inspection reports and other related documents. In addition, raw data and analysis used in the preparation of canopy studies and tree assessments are included; these types of studies are carried out on five or ten year schedules.</p>	Parks, Forestry & Recreation	T	99	T+99	AR	<p>Comments: Records are retained for 99 years following date of last recorded action or event specified by the business division, where: T = date of last recorded action or event specified by the business division.</p>
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SCHEDULE 2

**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.						
A0047	Archaeological Resources Records relating to the protection of archaeological resources on lands which have been assessed for the presence of archaeological resources, including human settlement history, and Indigenous and Euro-Canadian archaeological sites within the City's boundaries. Assessments are conducted on areas and lands with archaeological resource potential prior to development in accordance with City of Toronto Official Plan, the Planning Act and the Ontario Heritage Act. Records include project mapping; archaeological resource management plan(s); archaeological assessment reports; applications and copies of archaeological licenses issued by the Ministry; budgetary submissions; letter of occurrence; newspaper clippings and all other supporting documents. Note: The owner of the respective property is responsible for contracting excavation work out to licensed archaeologists as per the recommendations of the City and the Ontario Government.	City Planning	T	100	T+100	AR	Comments: Records are retained for 100 years after completion of archaeological assessment, where: T= Completion of archaeological assessment.
A1401	Heritage Properties and Districts on the Heritage Register Records relating to properties and districts on the Toronto Heritage Register, including buildings and lands that are listed for their cultural heritage value or interest, or designated under either Part IV or V of the Ontario Heritage Act. Records may include, but are not limited to: information about the property's historical background and significance; building architectural	City Planning	T	100	T+100	AR	Comments: Records are retained for 100 years following last recorded action or event specified by the business division, where: T = date of last recorded action or event specified by the business division Legislation/Regulation: Ontario Heritage Act, R.S.O. 1990, c. O.18 s.

	<p>contexts; property descriptions and its surrounding buildings; and neighbourhood profiles.</p> <p>Documents may include land records; copies of minutes and reports of the decision bodies; designation by-laws; legal descriptions and property descriptions; plans, drawings and photographs; easement agreements; statement of significance and their heritage attributes; heritage grants; heritage property tax rebates and all supporting documents.</p>				<p>27 (1) The Clerk of a municipality shall keep a register of property situated in the municipality that is of cultural heritage value or interest. (2) The register kept by the Clerk shall list all property situated in the municipality that has been designated by the municipality or by the Minister under this Part and shall contain, with respect to each property, (a) a legal description of the property (b) the name and address of the owner; and (c) a statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property.</p>
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