

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

## CITY OF TORONTO

### BY-LAW 585-2022

**To amend City of Toronto Municipal Code Chapter 217, Records, Corporate (City), to amend a records retention period and establish two further records retention periods contained within Schedule A, Record Retention Schedule, and to implement a technical amendment with respect to an inaccurate reference to a pre-amalgamation municipality.**

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 of Municipal Code Chapter 217, Records, Corporate (City), 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 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 Council at its meeting of on March 9, 2022, enacted and passed By-law 210-2022, to establish and amend various retention schedule affecting the records of the City in accordance with the requirement of Section 217-5D and to modernize references to statutes and other amendments of a technical nature; and

Whereas Chapter 217, Records, Corporate (City), is in need of an amendment of a technical nature, to correct an inadvertent typographical error referencing the former municipality of City of Toronto rather than a board of the former municipality of Metropolitan Toronto, arising from the amendments contained in By-law 210-2022; and this amendment of a technical nature have 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), is amended by:
  - a. deleting the following existing record series listed under the following specified code number: H1260 and replacing this 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.
2. Schedule A, Record Retention Schedule, of Chapter 217, Records, Corporate (City), is further amended as to correct the technical error comprising an inaccurate reference to the pre-amalgamation municipality of the former City of Toronto, by deleting the phrase:

"Records relating to the administration of the pension plan for retired employees of the former City of Toronto, which was amalgamated into the present City of Toronto."

and replacing it with the phrase:

"Records relating to the administration of the pension plan for retired employees of the former Metro Toronto Police."

wherever it appears in the Records Title for the record series "Pension Case Files – Former Metro Toronto Police" with specified code number: F4700 in Schedule A.

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 EXISTING RECORDS RETENTION SCHEDULE BEARING CODE NUMBER H1260**

<b>H</b>	<b>Functional Category:</b> Human Resources						
	<b>Description:</b> Records relating to City employees and personnel services. Includes records relating to training, labour relations, health and safety, staff benefits, salary administration, and professional associations.						
H1260	<p><b>Human Rights Issues</b></p> <p>Records relating to inquiries, complaints and investigations on human rights issues such as discrimination, harassment, and accommodations to all members of the Toronto Public Service, members of Council, and the public. May include information on dealing and addressing issues through early resolution, mediation, and investigation; providing neutral advice and coaching on human rights-related subject matters. Documents may include statements of complaint, documentary evidence, investigation reports and recommendations, witness interview notes, copies of policies, research, and all supporting documentation and correspondence regarding the exploration and resolution of complaints and consultations.</p>	<p>People and Equity</p>	<p>T</p>	<p>21</p>	<p>T+21</p>	<p>D</p>	<p><b>Comments:</b></p> <p>Human Rights Issues records are to be retained for 21 years after resolution of issues or closure of files, where: T = Resolution of investigation or Closure of file.</p> <p><b>Legislation/Regulation:</b> Employment Standards Act, S.O. 2000, c.41, s.15(5)1 – The employer shall retain or arrange for some other person to retain the records of the information required under this section for the following periods: For information referred to in paragraph 1 or 3 of subsection (1), three years after the employee ceased to be employed by the employer</p> <p>Labour Relations Act, 1995, Regulation (General), O. Reg. 94/7, s.1 (2) – A record of all awards filed shall be maintained</p> <p>Limitations Act, 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>

**SCHEDULE 2**  
**NEW ENTRIES TO BE ADDED TO SCHEDULE A, RECORDS RETENTION**  
**SCHEDULE OF MUNICIPAL CODE CHAPTER 217, RECORDS, CORPORATE (CITY)**

<b>C</b>	<p><b>Functional Category:</b> Community and Social Services</p> <p><b>Description:</b> 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.</p>						
C2025	<p>Human Services Integration - Client Records</p> <p>Records relating to individuals who have applied for, or who are currently receiving benefits administered by the Human Services Integration Office (HSIO), of which programs are intended to address immediate needs, create pathways to prosperity, and drive systemic change for those living in poverty in the City. These records relate to the Application &amp; Support Centre (ASC) administration of these programs. This office falls under the Social Development, Finance, and Administration division's Human Services Integration Office. Documents may include records of individuals, including youth, seniors, newcomers, low-income households, undocumented Torontonians and other vulnerable residents who have applied for, and/or who are currently receiving Fair Pass Transit Discount Program, Welcome Policy, and/or other related City programs, such as proof of income information, file updates and other supporting correspondence.</p>	Social Development, Finance & Administration	T	7	T+7	D	<p>Comments:</p> <p>Records are to be retained for 7 years after the client no longer meets the eligibility criteria outlined by each program, where: T= Client no longer meets the eligibility criteria outlined by each program.</p>
<b>E</b>	<p><b>Functional Category:</b> Emergency Services</p> <p><b>Description:</b> Records relating to the creation and provision of City services and programs designed to provide law enforcement and immediate action in response to unforeseen circumstances, such as fires or medical emergencies. These programs are designed to ensure compliance with laws and legal regulations and to help City residents and businesses before, during, and in the aftermath, of emergencies. Includes records relating to disaster prevention; police and law enforcement; fire, paramedic, and ambulance services; and emergency contingency planning.</p>						
E0410	<p>Fire Investigation Files</p> <p>Records relating to investigations of cause, origin and circumstances of any fire or of any explosion or condition that in the opinion of the Fire Marshal might have caused a fire, explosion, loss of life or damage to property. Documents include fire investigation logs, reports, statements, correspondence, exhibits and evidence regardless of form or format (photo, video,</p>	Fire Services	T	30	T+30	AR	<p>Comments:</p> <p>Fire investigations records are to be retained for 30 years after the final resolution of the case, where: T= Final resolution of the case.</p> <p>Legislation/Regulation Fire Protection and Prevention Act, 1997, Regulation (Fire Code) O. Reg. 213/70</p>

	audio files, etc.), and also include post-fire inspection					<p>s.1.1.2.1 (3) - records shall be retained for a period of at least two years after being prepared.</p> <p>City of Toronto Municipal Code Chapter 79, Fire Services</p> <p>§ 79-8. (8) For keeping an accurate record, in convenient form for reference, of all fires, rescues and emergencies responded to by the Fire Department.</p> <p>§ 79-8. (9) For keeping such other records as may be required by the Council.</p>
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