

## **Amendments to Municipal Code Chapter 217, Records, Corporate (City)**

**Date:** April 20, 2022

**To:** General Government and Licensing Committee

**From:** City Clerk

**Wards:** All

### **SUMMARY**

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The purpose of this report is to amend the City's records retention by-law by establishing two new records retention schedules and amending two existing records retention schedules to address divisional business needs.

### **RECOMMENDATIONS**

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The City Clerk recommends that:

1. City Council amend Municipal Code Chapter 217, Records, Corporate (City) by establishing two new records retention schedules for records relating to Adjacent Lands and Heritage Properties and Urban Forestry Operations and Asset Management, as set out in Attachment 1.
2. City Council amend Municipal Code Chapter 217, Records, Corporate (City) by amending two existing records retention schedules relating to Archaeological Resources and Heritage Properties and Districts on the Heritage Register, as set out in Attachment 2.
3. City Council amend Municipal Code Chapter 217, Records, Corporate (City) by deleting two existing records retention schedules relating to Archaeological Sites and City Heritage Properties as set out in Attachment 3, to be replaced with the amendments outlined in Attachment 2.

## **FINANCIAL IMPACT**

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There are no financial implications resulting from the adoption of the recommendations in this report.

## **DECISION HISTORY**

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The City Clerk's Office regularly reviews the Records Retention By-law and submits proposed changes to City Council for approval as needed. City Council adopted recommendations on the Records Retention By-law in April 2022.

## **COMMENTS**

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Under Section 201 of the City of Toronto Act, 2006, a record of the City may be destroyed if a retention period has been established and the retention period has expired or the record is a copy of the original record. Chapter 217, Records, Corporate (City), provides the legislative basis on which the retention periods for City records are authorized and Schedule A indicates the retention period for each records class.

### **Council Authority Needed**

Under the Municipal Code, Chapter 217; § 217-5C(1)(a), approval of these new records series and amendments to existing records series falls outside of the City Clerk's delegated authority and must be approved by City Council.

City Planning Division recommends that:

- Adjacent Lands and Heritage Properties records be retained for 100 years following last recorded action or event specified by the business division.
- Heritage Properties and Districts records title and scope note be amended as proposed, and the retention period be changed from 20 years to 100 years following last date of recorded action or event specified by the business division.
- Archaeological Resources records title and scope note be amended as proposed, and the retention period be changed from permanent to 100 years after completion of archaeological assessment.

Parks, Forestry & Recreation Division recommends that:

- Urban Forestry Planning and Management records be retained for 100 years following last date of recorded action or event specified by the business division.

The proposed records retention schedules were reviewed and approved by the Corporate Records Retention Committee (CRRC) in accordance with the Toronto

Municipal Code Chapter 217, Records, Corporate (City), at its meeting on July 6 and 29, 2021 Based on statutory requirements, the amendments must be approved by City Council.

## **CONTACT**

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## **SIGNATURE**

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John D. Elvidge  
City Clerk

## **ATTACHMENTS**

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Attachment 1 - New Records Class to be added to Schedule A, Records Retention Schedule of Municipal Code Chapter 217, Records, Corporate (City)

Attachment 2 - Amended Records Retention Schedules to be added to Schedule A, Records Retention Schedule of Municipal Code Chapter 217, Records, Corporate (City) to replace Existing Records Retention Schedules

Attachment 3 - Existing Records Retention Schedules to be deleted from Schedule A, Records Retention Schedule of Municipal Code Chapter 217, Records, Corporate (City), and replaced with the Amended Records Retention Schedules contained in Attachment 2 of this report