

Authority: Section 217-5D of City of Toronto Municipal Code Chapter 217, Records, Corporate (City)  
City Council voted in favour of this by-law on October 10, 2024  
Written approval of this by-law was given by Mayoral Decision 19-2024 dated October 10, 2024

## **CITY OF TORONTO**

### **BY-LAW 1036-2024**

**To amend City of Toronto Municipal Code Chapter 217, Records, Corporate (City), to establish six new records retention periods and amend five existing retention periods contained within Schedule A, Records 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 the City Clerk has exercised the authority to establish or amend a retention schedule, to amend the retention schedules affecting the records of the City, specifically to: establish three retention schedules for records relating to Photo/Video Productions - Incidental Stock Photos; Photo/Video Productions – Raw Footage; and, Portraits of Elected Officials respectively, each originating from the City Division known as City Clerk’s Office; one new retention schedule for records relating to Adapted and Inclusive Recreation Program Registration originating from the City Division known as Parks and Recreation; two new retention schedules for records relating to Legislation Development, and Project Management with respect to City Divisions generally; and to, amend five existing retention schedules relating to various Election related records arising from the operations of the City Division known as City Clerk's Office, 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 of these amendments; 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 adding the new records series bearing specific code numbers: G0007, I0540, I0556, I0557, I0558 and R0033 listed in Schedule 1 to this by-law in alphanumerical order to Schedule A by code number, under the functional category as set out in Schedule 1 to this by-law for reference purposes; and,

2. Schedule A, Record Retention Schedule, of Chapter 217, Records, Corporate (City), of The City of Toronto Municipal Code is amended by deleting the following existing record series listed under the following specified code numbers: G0310, G0340, G0360, G0365 and G0370, and replacing each of these five record series with the entry listed in Schedule 2 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 2 for reference purposes.

Enacted and passed on October 10, 2024.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

**SCHEDULE A**

**NEW ENTRIES TO BE ADDED TO SCHEDULE A, RECORDS RETENTION SCHEDULE  
OF MUNICIPAL CODE CHAPTER 217, RECORDS, CORPORATE (CITY), BEARING  
CODE NUMBERS G0007, I0540, I0556, I0557, I0558 and R0033**

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| <b>G</b> | <p><b>Functional Category: Governance</b></p> <p>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.</p>  |        |   |    |      |   |   |
| G0007    | <p>Legislation Development Records</p> <p>Records relating to requests to amend the Toronto Municipal Code, including addition of new by-laws and amendment or repeal of existing by-laws. Activities may include research, drafting of legal language, review of draft bills and supporting documentation, and submission for authoritative approval and decisions received. Documents may include recommendations, briefing notes, draft bills and supporting materials, report to action and supporting materials, research materials, legal advice, decision making documents, meeting notes and minutes, correspondence and all supporting documents.</p> <p>Note 1: City Council and Committee decision records related to enactment of by-laws must be filed under the governance of retention schedule: G0001 - Council and Committee Proceedings.</p> <p>Note 2: Signed and certified by-laws, as approved by City Council must be filed under the governance of retention schedule: G0002 - Municipal Code &amp; By-laws.</p> <p>Note 3: Official Plan and Zoning By-law Amendments must be filed under the governance of retention schedules to which they relate.</p> | Common | S | 15 | S+15 | D | <p>Comments:</p> <p>S = Division records are superseded when Council decisions are confirmed by enactment of related by-laws, and the records are no longer referenced or in use.</p> |

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| <b>I</b> | <p><b>Functional Category: Information, Communications, and Administration</b></p> <p>Description: Records relating to the management of all City formal communications, including press releases, media releases, promotional advertising, and speeches. Also includes records relating 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.</p>   |        |   |        |      |   |  |
| I0540    | <p><b>Project Management</b></p> <p>Records relating to the management of projects and project management methodologies, including project authorization, initiation, planning, execution, monitoring, and close-out. Documentation may pertain to processes such as project planning; scope, risk, and stakeholder identification; schedule and integration; and communications management. Records may include project charters, business cases, technical and functional requirements, statements of work, change requests, roles and responsibilities, project meeting notes and minutes, status reports, vendor catalogues, copies of presentations, memorandums, supporting correspondence, and other project management tools and artifacts.</p> <p>Note 1: This classification is for formal project management documentation that is not required to be filed under a primary classification related to the relevant line of business.</p> <p>Note 2: This records class excludes records pertaining to design and construction projects for municipal infrastructure, including City facilities, roads, bridges, parks and open spaces. These records must be filed with the primary retention schedule to which they relate.</p> <p>Note 3: The classification excludes records relating to procurement, executed contracts and agreements.</p> | Common | T | 1<br>5 | T+15 | D | <p>Comments:</p> <p>T = File closed upon completion or termination of all phases of the project, and all other projects with a substantive or operational connection to the project to which the records relate.</p> |

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| I0556 | <p>Photo/Video Productions - Incidental Stock Photos</p> <p>Records relating to photographs taken by the SPER photo/video team that are not taken or retained as part of a final package delivered to a client, but which retain business value for use in other areas such as marketing and publications. Materials include stock photos and supporting documentation.</p> <p>Note: Series excludes any stock material that was taken and delivered as part of a photo/video work package.</p> | City Clerk's Office | C+2<br>0 | 0 | C+20 | D  |  |
| I0557 | <p>Photo/Video Productions – Raw Footage</p> <p>Records relating to video footage taken by the SPER photo/video team that does not make up part of a final package to a client, but which retains potential business value for the photo/video team. Materials may include film editing libraries, raw footage, and supporting documentation.</p>   | City Clerk's Office | C+4      | 0 | C+4  | D  |  |
| I0558 | <p>Portraits of Elected Officials</p> <p>Records relating to the official portraits of elected officials shot and edited by Strategic Protocol and External Relations photography team. Documents may include photographs, portrait session request forms, and other supporting documents.</p>  | City Clerk's Office | T+6<br>0 | 0 | T+60 | AR | <p>Comments:<br/>T = End of the elected official's term in office.</p> |

| R     | <b>Functional Category: Recreation and Culture</b><br>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.  |                    |   |    |      |   |  |
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| R0033 | Adapted and Inclusive Recreation Program Registrant Records<br><br>Records relating to registrant information collected for the purposes of accessing adapted recreation programs and/or inclusive/integration services provided under the Adapted and Inclusive Recreation Program. This may include information relating to registrant-personal information, assigned personal identification number, emergency contact information, diagnostic and medical information, and the communication and behavior management needs of the registrant. Documents may include first contact forms, participant information package, participant intake form, and participant summary forms. | Parks & Recreation | T | 20 | T+20 | D | Comments:<br>T = File close when membership has been inactive for 3 years or more.<br><br>Legislation/Regulation :<br>Limitations Act, 2002, s. 4 Unless this Act provides otherwise, a proceeding shall not be commenced in respect of a claim after the second anniversary of the day on which the claim was discovered.<br>s. 6 The limitation period established by section 4 does not run during any time in which the person with the claim,<br>a) is a minor; and is not represented by a litigation guardian in relation to the claim.<br><br>s. 7 (1) The limitation period established by section 4 does not run during any time in which the person with the claim,<br>a) is incapable of commencing a proceeding in respect of the claim because of his or her physical, mental or psychological condition; and<br>b) is not represented by a litigation guardian in relation to the claim.<br><br>(2) A person shall be presumed to have been capable of commencing a proceeding in respect of a claim at all times |

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|  |  |  |  |  |  | <p>unless the contrary is proved.</p> <p>(3) If the running of a limitation period is postponed or suspended under this section and the period has less than six months to run when the postponement or suspension ends, the period is extended to include the day that is six months after the day on which the postponement or suspension ends.</p> <p>Municipal Freedom of Information and Protection of Privacy Act<br/>s.30 (1) Personal information that has been used by an institution shall be retained after use by the institution for the period prescribed by regulation in order to ensure that the individual to whom it relates has a reasonable opportunity to obtain access to the personal information.<br/>(2) The head of an institution shall take reasonable steps to ensure that personal information on the records of the institution is not used unless it is accurate and up to date.<br/>(3) Subsection (2) does not apply to personal information collected for law enforcement purposes.<br/>(4) A head shall dispose of personal information under the control of the institution in accordance with the regulations.</p> |
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**SCHEDULE 2**

**ENTRIES TO BE ADDED TO SCHEDULE A, RECORDS RETENTION SCHEDULE OF MUNICIPAL CODE CHAPTER 217, RECORDS, CORPORATE (CITY), TO REPLACE THE FIVE EXISTING RECORDS RETENTION SCHEDULE ENTRIES BEARING CODE NUMBERS G0310, G0340, G0360, G0365 and G0370**

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| <b>G</b> | <p><b>Functional Category: Governance</b></p> <p>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.</p> |                     |     |   |     |   |  |
| G0310    | <p><b>Election Event Staff</b></p> <p>Records relating to election event staff appointed to work in a City of Toronto municipal election, and by-election. This may include employment application, notices of appointment, payment details, and required declaration.</p>   | City Clerk's Office | T+9 | 0 | T+9 | D | <p>Comments:</p> <p>T = File closed on termination date of employee, or upon resolution of outstanding issues, whichever is longer.</p> <p>Legislation/Regulation:<br/>Employment Standards Act, 2000<br/>s.15 (5) 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:</p> <ol style="list-style-type: none"> <li>1. For information referred to in paragraph 1 or 3 of subsection (1), three years after the employee ceased to be employed by the employer.</li> <li>2. For information referred to in paragraph 2 of subsection (1), the earlier of,             <ol style="list-style-type: none"> <li>i. three years after the employee's 18th birthday, or</li> <li>ii. three years after the employee ceased to be employed by the employer.</li> </ol> </li> <li>3. For information referred to in paragraph 3.1, 3.2 or 4 of subsection (1) or in subsection (3), three years after the day or week to which the information relates.</li> </ol> |



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|       |  |                     |     |   |     |        | 4. For information referred to in paragraph 5 of subsection (1), three years after the information was given to the employee.   |
| G0340 | <p>Election Recount</p> <p>Records relating to the administration of election recounts. Information may include recount requests, affidavits and certifications, recount procedures and court submissions and decisions, copies of recount results, and other supporting documents involved in the conduct of election recounts.</p> <p>Note: Where election recounts are requested, the relevant records are kept until recounts are completed and official results are declared.</p> | City Clerk's Office | T+9 | 0 | T+9 | D      | <p>Comments:</p> <p>T = The conclusion of the recount, and/or the delivery of the court decision.</p> <p>Legislation/Regulation: Municipal Elections Act, 1996</p> <p>s. 88. (3) - (Exception, recount) - the clerk shall not destroy the ballots, documents or materials if, (a) a court orders that they be retained; or (b) a recount has been commenced and not finally disposed of.</p>  |
| G0360 | <p>Election Results</p> <p>Records relating to official results for all elections conducted by the City, including the City Clerk's official declaration of results and all supporting documentation.</p>  | City Clerk's Office | 9   | 0 | 9   | A<br>R | <p>Legislation/Regulation: Municipal Elections Act, 1996,</p> <p>s. 88. (3) - (Exception, recount) - the clerk shall not destroy the ballots, documents or materials if, (a) a court orders that they be retained; or (b) a recount has been commenced and not finally disposed of.</p>   |
| G0365 | <p>Campaign Contribution Rebate Application</p> <p>Records relating to contribution rebate applications for individuals who made contributions to candidates seeking mayoral or council office in a City of Toronto municipal election or municipal by-election. Records include a completed rebate application form, contribution rebate attestation form, batch reports (produced by the Rebate database), SAP reports, rebate statistics, and related correspondence.</p>           | City Clerk's Office | 9   | 0 | 9   | D      | <p>Legislation/Regulation: Municipal Elections Act, 1996,</p> <p>s. 88. (4) (Exception, election campaign finance documents) Subsection (2) does not apply to documents filed undersections 88.25, 88.29 and 88.32, which the clerk shall retain until the members of the council or local board elected at the next regular election have taken office. The clerk shall retain until the members of the council or local board elected at the next regular election have taken office.</p> |

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| <p>G0370</p> | <p>Election Financial Filing Data<br/>                 Records relating to election financial filing information. Information includes name of candidate and office or third-party advertiser; a summary of campaign income and expenses; fundraising events and activities; surplus or deficit and disposition of surplus records.</p> <p>Note: This information is published online in the Election Finance Disclosure System, allowing members of the public access to information regarding financial contributions to, and expenditures of, candidates and third-party advertisers in the respective election.</p> | <p>City Clerk's Office</p> | <p>9</p> | <p>0</p> | <p>9</p> | <p>D</p> | <p>Legislation/Regulation: Municipal Elections Act, 1996,<br/>                 s. 88. (4) (Exception, election campaign finance documents) Subsection (2) does not apply to documents filed undersections 88.25, 88.29 and 88.32, which the clerk shall retain until the members of the council or local board elected at the next regular election have taken office. The clerk shall retain until the members of the council or local board elected at the next regular election have taken office.</p> |
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