

Authority: Management Committee Report No. 2, Clause No. 35, as adopted by the Council of the former Municipality of Metropolitan Toronto on January 15, 1992; Corporate Administration Committee Report No. 15, Clause No. 13, as adopted by the Council of the former Municipality of Metropolitan Toronto on June 18, 1997; Corporate Administration Committee Report No. 23, Clause No. 11, as adopted by the Council of the former Municipality of Metropolitan Toronto on October 9, 1997; Corporate Services Committee Report No. 7, Clause No. 19, as adopted by City of Toronto Council on June 3, 4 and 5, 1998; Corporate Services Committee Report No. 6, Clause No. 28, as adopted by City of Toronto Council on June 9, 10 and 11, 1999; Administration Committee Report No. 6, Clause No. 13, as adopted by City of Toronto Council on October 26 and 27, 1999; Administration Committee Report No. 14, Clause No. 19, as adopted by City of Toronto Council on July 4, 5 and 6, 2000; Administration Committee Report No. 7, Clause No. 17, as adopted by City of Toronto Council on May 30, 31 and June 1, 2001; Administration Committee Report No. 8, Clause No. 4, as adopted by City of Toronto Council on June 18, 19 and 20, 2002

Enacted by Council: June 20, 2002

CITY OF TORONTO

BY-LAW No. 578-2002

To amend further By-law No. 15-92 of the former Municipality of Metropolitan Toronto respecting pensions and other benefits.

WHEREAS By-law No. 15-92 of the former Municipality of Metropolitan Toronto, a by-law “To provide pensions for employees, their spouses and children of the Metropolitan Corporation and other participating employers”, as heretofore amended, governs the Metropolitan Toronto Pension Plan; and

WHEREAS it is desired to correct certain clerical errors appearing in that by-law and in amending By-law No. 148-97 of that former Municipality of Metropolitan Toronto and By-law No. 670-1999, and to delete unnecessary wording from the provisions for pensioner increases for the years 1997 to 2001; and

WHEREAS it is desired to provide for cost-of-living increases for certain pensioners as of January 1, 2002, and to extend the existing contribution holiday to include the year 2003;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. In this by-law,
 - (a) “By-law No. 15-92” means By-law No. 15-92 of the former Municipality as heretofore amended;
 - (b) “former Municipality” means The Municipality of Metropolitan Toronto.

2. Subsection 3(27) of By-law No. 148-97 of the former Municipality of Metropolitan Toronto, a by-law “To amend further By-law No. 15-92 respecting pensions and other benefits”, which amended, *inter alia*, subsection 42(1) of By-law No. 15-92, is amended by striking out the text “paragraph 8502(f)” in the second line and substituting therefor “subsection 8504(6)”.
3.
 - (1) Subclause 31(3)(a)(ii) of By-law No. 15-92 as such subclause was re-enacted by By-law No. 670-1999 is amended by adding at the end thereof the text “provided that payment with respect to any such child be shall made to the person having custody of the child”.
 - (2) Said subclause 31(3)(a)(ii) as it stood prior to its repeal and substitution effected by said By-law No. 670-1999, and the equivalent provision in predecessor By-law No. 64-83 of the former Municipality of Metropolitan Toronto, shall be deemed always to have contained the proviso added by subsection (1).
 - (3) Subsection 31(6) of By-law No. 15-92 is amended b:
 - (a) striking out the text “and subsection (3)” in the sixth line and substituting there-for “, subject always to the proviso as to payment at the end of subclause (3)(a)(ii), and clause (3)(a)”;
 - (b) striking out the text “subsection (3)” in clause (a) thereof and substituting therefor “subclause 3(a)(i)”.
 - (4) By-law No. 15-92 is further amended by striking out the opening text, “Save and except for those pensions increased pursuant to subsection (2), the” in each of
 - (a) subsection 42.6(1) as enacted by By-law No. 74-97 of the former Municipality, which was amended by By-law No. 376-1999;
 - (b) subsection 42.7(1) as enacted by By-law No. 279-1998, which was amended by By-law No. 376-1999;
 - (c) subsection 42.8(1) as enacted by By-law No. 376-1999;
 - (d) subsection 42.9(1) as enacted by By-law No. 403-2000; and
 - (e) subsection 42.10(1) as enacted by By-law No. 433-2001,and substituting therefor in each case “The”.

4. Subsection 13(1.2) of By-law No. 15-92, as such subsection was re-enacted by By-law No. 376-1999 and amended by By-laws Nos. 670-1999, 403-2000 and 433-2001 (which was amended by By-law No. 463-2002), is further amended by:

- (a) striking out the text “2002” in the last line of the marginal note thereof and substituting therefor “2003”;
- (b) striking out the text “and 2002” in the first line thereof and substituting therefor “, 2002 and 2003”.

5. By-law No. 15-92 is further amended by adding thereto the following section:

“General Pensioner Increase (2002) **42.11** (1) The amount of pension payable under this By-law is hereby increased by 2.5 per cent. effective the 1st day of January, 2002, in respect of

- (a) each pensioner in receipt of a pension; and
- (b) each employee member entitled to a deferred pension under clause 28(1)(a) and, if applicable, clause 28(4)(b), or predecessors thereof,

on or before the 31st day of December, 2000.

Adjusted Pensioner Increases (2002) (2) Effective the 1st day of January, 2002, the amount of pension

- (a) payable
 - (i) to each employee pensioner in receipt of a pension; and
 - (ii) to each pensioner under section 29 or a predecessor thereof in respect of a deceased employee member who died prior to retirement; and

which commenced on a date shown in Column I;

- (b) payable to each pensioner under section 31 or any predecessor thereof in respect of a deceased employee pensioner whose retirement commenced on a date shown in Column I;

- (c) payable to each employee member entitled to a deferred pension under clause 28(1)(a) and, if applicable, clause 28(4)(b), as a result of termination of employment which took place after December 1, 1999, on a date shown in Column I, treating any such termination which occurred on any day of a month other than the first as if it had occurred on the first day of the next following month,

is hereby increased by the percentage set out opposite such date in Column II:

| Column I | Column II |
|-------------------|------------------|
| January 1, 2001 | 2.500 per cent. |
| February 1, 2001 | 2.292 per cent. |
| March 1, 2001 | 2.083 per cent. |
| April 1, 2001 | 1.875 per cent. |
| May 1, 2001 | 1.667 per cent. |
| June 1, 2001 | 1.458 per cent. |
| July 1, 2001 | 1.250 per cent. |
| August 1, 2001 | 1.042 per cent. |
| September 1, 2001 | 0.833 per cent. |
| October 1, 2001 | 0.625 per cent. |
| November 1, 2001 | 0.417 per cent. |
| December 1, 2001 | 0.208 per cent.” |

6. (1) Except as provided in subsection (2), this by-law shall come into force on the date of its enactment and passing.
- (2) Section 2 shall be deemed to have come into force on the 9th day of October, 1997.
- (3) Subsections 3(1) and (2) shall be deemed to have come into force on the 27th day of October, 1999.
- (4) Subsection 3(3) shall be deemed to have come into force on the 1st day of January, 1992.
- (5) Clause 3(4)(a) shall be deemed to have come into force on the 18th day of June, 1997.
- (6) Clause 3(4)(b) shall be deemed to have come into force on the 5th day of June, 1998.
- (7) Clause 3(4)(c) shall be deemed to have come into force on the 11th day of June, 1999.

- (8) Clause 3(4)(d) shall be deemed to have come into force on the 6th day of July, 2000.
- (9) Clause 3(4)(e) shall be deemed to have come into force on the 1st day of June, 2001.

ENACTED AND PASSED by an affirmative vote of at least two-thirds of the Members of Council present and voting this 20th day of June, A.D. 2002.

CASE OOTES,
Deputy Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)