

Authority: Corporate Services Report 17, Clause 23, as adopted by City of Toronto Council on November 25, 26 and 27, 1998, and § 169-26A of the City of Toronto Municipal Code Chapter 169, Officials, City  
Enacted by Council: April 24, 2007

## **CITY OF TORONTO**

### **BY-LAW No. 397-2007**

#### **To amend further By-law Nos. 10649 and 375-85 of the former City of Toronto respecting firefighters' pensions and other benefits.**

WHEREAS By-law No. 10649 of the former Corporation of the City of Toronto, a by-law "Respecting the Toronto Fire Department Superannuation and Benefit Fund", as heretofore amended, governs the Toronto Fire Department Superannuation and Benefit Fund; and

WHEREAS section 2 of By-law No. 375-85 of that Corporation, a by-law "To provide for an increase in certain widows' pensions payable under certain By-laws respecting the Toronto Fire Department Superannuation and Benefit Fund", as re-enacted by By-law No. 910-88 of that Corporation, contained a clerical error; and

WHEREAS Council by adoption on the first day of its meeting held on November 25, 26 and 27, 1998, of Clause 23 of Report 17 of its Corporate Services Committee authorized, among other actions, an increase in the pension benefit payable to eligible survivors of former members of the Fund from 60 percent of the former member's pension at the time of death to 66 2/3 percent; and

WHEREAS By-law No. 165-2007 of the City of Toronto provided for such increase, but only in part, and it is desired to repeal same and provide for the full authorized increase;

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

1. In sections 2 to 4 of this by-law, all by-laws referred to by number are those of the former Corporation of the City of Toronto.
2. Section 2 of By-law No. 375-85 as re-enacted by By-law No. 910-88 is amended by striking out the text "such spouse" in the third line thereof and substituting therefor the text "such pension".
3. By-law No. 10649 as heretofore amended is further amended by striking out the text
  - (a) "60 per centum," wherever it appears in paragraphs XXIIIA(8)(a) and (b) and clauses XXIIIA (8)(c)(i) to (iv) thereof; and
  - (b) "60%" in the first line of subsection XXIIIC(2) thereof,and substituting therefor in each case the text "Sixty-Six and Two-Thirds per centum (66 2/3%)".

4. By-law No. 375-85 as heretofore amended is further amended by adding the following section thereto:
- “3. Any spousal survivor pension increased under any of the By-laws cited in section 1 or 2 of this by-law as amended as of the 25th day of November, 1998, shall, if in pay on that date, be further increased by One-Ninth (1/9) as of
- (a) the 1st day of January, 1998; or
- (b) the date as of which payment of such pension began,
- whichever is the later.”
5. By-law No. 165-2007 is repealed.
6. (1) Except as provided in subsections (2) to (5), 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 17th day of October, 1988.
- (3) Section 3 shall be deemed to have come into force on the 1st day of January, 1998.
- (4) Section 4 shall be deemed to have come into force on the 25th day of November, 1998.
- (5) Section 5 shall be deemed to have come into force on the 6th day of March, 2007.

ENACTED AND PASSED this 24th day of April, A.D. 2007.

GLORIA LINDSAY LUBY,  
Deputy Speaker

ULLI S. WATKISS  
City Clerk

(Corporate Seal)