

Authority: Corporate Services Report 17, Clause 23, as adopted by City of Toronto Council on November 25, 26 and 27, 1998, Administration Committee Report 4, Clause 13, as adopted by City of Toronto Council on June 22, 23 and 24, 2004, 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. 398-2007

To amend further By-law Nos. 380-74 and 377-85 of the former City of Toronto respecting civic employees' pensions and other benefits.

WHEREAS By-law No. 380-74 of the former Corporation of the City of Toronto, a by-law "To establish a pension plan to be known as the '1974 Improved Plan' ", as heretofore amended, governs the Toronto Civic Employees Pension and Benefit Fund; and

WHEREAS section 2 of By-law No. 377-85 of that Corporation, a by-law "To provide for an increase in certain spouse's pensions payable under certain By-laws respecting the Toronto Civic Employees Pension and Benefit Fund", as re-enacted by By-law No. 915-88 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 Plan from 60 percent of the former member's pension at the time of death to 66 2/3 percent; and

WHEREAS By-law No. 164-2007 of the City of Toronto provided for such increase, but only in part, and it is desired to repeal same, provide for the full authorized increase and correct certain clerical errors in said By-law No. 380-74;

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

1. In this by-law, all by-laws referred to by number in sections 2 to 5 are those of the former Corporation of the City of Toronto.
2. Section 2 of By-law No. 377-85 as re-enacted by By-law No. 915-88 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. 380-74 as heretofore amended is further amended by striking out the text
 - (a) "sixty (60) per centum," wherever it appears in the following provisions thereof:
 - (i) the introductory words of subsection 5C(9);
 - (ii) subsections 5C(12) and (13);
 - (iii) clause 5C(17)(a);

- (iv) the introductory words of clause 9(1)(a)(B);
 - (v) paragraphs 9(1)(d) and (e);
 - (b) “60%” in the first line of subsection 9A(2) thereof,
- and substituting therefor in each case the text “Sixty-Six and Two-Thirds per centum (66 2/3%)”.
4. By-law No. 377-85 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. Subsection (1) under heading “C” of Section 5 of By-law No. 380-74, as amended to date, is further amended by inserting
- (a) in the fourth line of item (a)(iv)(I) thereof the text “(1)” immediately preceding the text “(a.1)” ; and
 - (b) in the second line of paragraph (a.1) thereof the text “(1)(a)” immediately preceding the text “(iv)(I)”.
6. By-law No. 164-2007 is repealed.
7. (1) Except as provided in subsections (2) to (6), 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 1st day of January, 2000.

(6) Section 6 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)