

City Council

Motion without Notice

MM32.39	ACTION			Ward: 14
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Removal of Section 118 Notice of Restrictions from Title to 429 Pape Avenue - by Councillor Paula Fletcher, seconded by Councillor Frances Nunziata

** This Motion has been deemed urgent by the Chair.*

** This Motion is not subject to a vote to waive referral. This Motion has been added to the agenda and is before Council for debate.*

Recommendations

Councillor Paula Fletcher, seconded by Councillor Frances Nunziata, recommends that:

1. The City discharge the registration of a Notice made under Section 118 of the Land Titles Act registered as Instrument AT2564551.

Summary

Metrolinx, as an approving authority, can expropriate land for public transit projects by obtaining a Certificate of Approval from the Ministry of Transportation. This certificate authorizes the taking of land for a public purpose. Metrolinx has registered a Certificate of Approval against title to 429 Pape Avenue.

Metrolinx has made an offer to Wigwamen to purchase 429 Pape which is required for construction of the Ontario Line. To facilitate this transfer, maximize sale proceeds and avoid the formal expropriation process the City must delete the registration of a Section 118 notice with respect to this address which states:

There is to be no transfer of any of the herein lands for a period of 25 years from the date of the transfer to Wigwamen Incorporated and thereafter, only with written consent of the City of Toronto

The sale is slated to be completed by the end of July 2025.

429 Pape Avenue was approved for transfer to Wigwamen along with 19 other houses on May 11 and 12, 2010 through the adoption of [Sale of 20 Toronto Community Housing Corporation Houses to Wigwamen Incorporated.](#)

It has been occupied as an affordable single-family home. Wigwamen has agreed to use the proceeds of this sale towards affordable housing development.

Reason for urgency: Metrolinx and Wigwamen wish to complete this sale prior to the end of July.

Background Information (City Council)

Member Motion MM32.39