1980

c 125 The Theatre Passe Muraille Act, 1980

Ontario
CHAPTER 125

An Act to revive Theatre Passe Muraille

Assented to November 14th, 1980

WHEREAS William Paul Thompson, Anne Elizabeth Anglin Thompson and Janet Amos hereby represent that Theatre Passe Muraille, herein called the Corporation, was incorporated by letters patent dated the 26th day of August, 1971; that the Minister of Consumer and Commercial Relations by order dated the 5th day of May, 1976, and made under the authority of subsection 9 of section 347 of The Corporations Act, cancelled the letters patent of the Corporation for default in filing annual returns and declared it to be dissolved on the 9th day of June, 1976; that the applicants were the directors of the Corporation at the time of its dissolution; that the Corporation’s default in filing annual returns was due to inadvertence; that the applicants were not aware of the dissolution of the Corporation until more than three years after the date thereof; that the Corporation was at the time of its dissolution carrying on its functions and its functions have continued to be carried on in the name of the Corporation since its dissolution; that the Corporation owned the land described in the Schedule hereto, which land was required for the Corporation’s actual occupation or for the purpose of the functions authorized by its letters patent; that by virtue of subsection 2 of section 7 of The Mortmain and Charitable Uses Act, title to the said land may have vested in the Public Trustee; that the said land is currently occupied and used by the Corporation for the said functions; that the applicants are desirous that the Corporation be relieved of the effects of the said Act; and whereas the applicants hereby apply for special legislation reviving the Corporation, declaring that the said land had never vested in the Public Trustee, and confirming that the Corporation has, and always has had, the power to acquire, hold, possess, enjoy, sell, mortgage, lease or otherwise dispose of the said land or any interest therein; and whereas it is expedient to grant the application; Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Theatre Passe Muraille is hereby revived, and, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters
patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts, as at the date of its dissolution, in the same manner and to the same extent as if it had not been dissolved.

2. — (1) The land described in the Schedule shall be deemed never to have vested in the Public Trustee.

(2) Notwithstanding The Mortmain and Charitable Uses Act, the Corporation has, and is deemed always to have had, the power to acquire by purchase, lease, gift, devise or bequest and to hold, possess and enjoy, without limitation as to the period of holding, the land described in the Schedule or any estate or interest therein so long as the land is required for the actual use and occupation of the Corporation or for the carrying on of its functions, and to sell, grant, convey, mortgage, lease or otherwise dispose of the same or any part thereof or any interest therein from time to time as occasion may require.

(3) When the land described in the Schedule is no longer required for the actual use and occupation of the Corporation or for purposes authorized by its letters patent, the land shall be disposed of within seven years from the time it ceases to be so required and if the land is not disposed of within the seven year period, it vests forthwith in the Public Trustee and subsection 2 of section 10 of The Mortmain and Charitable Uses Act applies thereto.

3. This Act comes into force on the day it receives Royal Assent.

SCHEDULE

That parcel of land situate in the City of Toronto, in the Municipality of Metropolitan Toronto, being composed of that part of Block A as shown on Plan M-200 filed in the Land Registry Office for the Land Titles Division of Toronto and York South (No. 66) described as follows:

COMMENCING at the intersection of the westerly limit of Ryerson Avenue (formerly Hackney Street) with the northerly limit of Wolseley Street;

THENCA westerly along the northerly limit of Wolseley Street 60 feet;

THENCE northerly parallel to the westerly limit of Ryerson Avenue 100 feet more or less to the southerly limit of the lane shown on the said Plan;

THENCE easterly along the said southerly limit of said lane, 60 feet to the westerly limit of Ryerson Avenue;

THENCE southerly along the said last mentioned limit 100 feet to the place of beginning.

TOGETHER with a right of way over said lane.