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# THE CITY OF WINDSOR

DEPARTMENT OF COUNCIL SERVICES AND CITY CLERK

THOMAS W. LYND, M.A., M.B.A.  
COMMISSIONER OF COUNCIL SERVICES/CITY CLERK

IN REPLY, PLEASE REFER  
TO OUR FILE NO. \_\_\_\_\_

**MBA/1033**  
**MBA/4764**  
**MBA/3765**

**REGISTERED MAIL**

December 15, 1999

The Ontario Heritage Foundation  
77 Bloor Street West  
Toronto, Ontario M7A 2R9

Dear Sirs:

Council for the Corporation of the City of Windsor, at its meeting held November 8, 1999 passed the following By-laws to designate the noted properties as properties of architectural and/or historical significance under the provisions of the Ontario Heritage Act:

By-law 334-1999 - 101-139 University Avenue West ✓

By-law 335-1999 - 245 Mill Street ✓✓

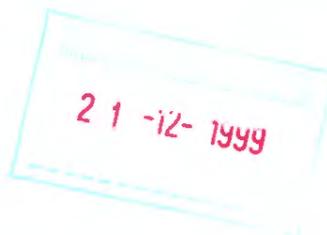
By-law 337-1999 - 353 Freedom Way / 37 University Avenue East ✓

A copy of each By-law outlining the reasons for designation is attached. Notice of the designating By-law will be published in the Windsor Star on Saturday, December 18, 1999.

Yours very truly,

Sharon Amlin, Secretary  
for Commissioner of Council Services  
and City Clerk

SA/bt  
*attachment*



pe ✓

LT0260499

CERTIFICATE OF RECEIPT  
RECEIVED  
ESSEX (12) WINDSOR

39 NOV 18 AM 11 50

LAND REGISTRAR/REGISTRATEUR

New Property Identifiers

Additional:  
See  
Schedule

Executions

Additional:  
See  
Schedule

(1) Registry  Land Titles  (2) Page 1 of 4 pages

(3) Property Identifier(s) Block 01193 Property 0375 (LT) Additional: See Schedule

(4) Nature of Document  
BY-LAW NUMBER 334-1999

(5) Consideration  
n/a Dollars \$

(6) Description  
Lots 6 to 11, both inclusive, west side of Pelissier Street, Plan 81  
City of Windsor, County of Essex

(7) This Document Contains: (a) Redescription New Easement Plan/Sketch  (b) Schedule for: Description  Additional Parties  Other

(8) This Document provides as follows:

By-law Number 334-1999 attached

Continued on Schedule

(9) This Document relates to instrument number(s)

(10) Party(ies) (Set out Status or Interest)

Name(s) Signature(s) Date of Signature Y M D  
THE CORPORATION OF THE CITY OF WINDSOR  
(Applicant) by its solicitor  
GEORGE A. WILKKI

(11) Address for Service City Hall, P.O. Box 1607, Windsor, Ontario, N9A 6S1

(12) Party(ies) (Set out Status or Interest)  
Name(s)

Signature(s) Date of Signature Y M D

(13) Address for Service

(14) Municipal Address of Property

101-139 University Avenue West  
315 Pelissier Street  
Windsor, Ontario

(15) Document Prepared by:

GEORGE A. WILKKI, P. Eng.  
Legal Counsel  
The Corporation of the City of Windsor  
350 City Hall Square West  
Post Office Box 1607  
Windsor, Ontario  
N9A 6S1

FOR OFFICE USE ONLY

Fees and Tax

Registration Fee	50.00
Total	50.00

BY - LAW NUMBER 334-1999

A BY-LAW TO DESIGNATE THE LANDS AND PREMISES SITUATE WITHIN THE CITY OF WINDSOR, KNOWN AS 101-139 UNIVERSITY AVENUE WEST/315 PELISSIER STREET, TO BE OF ARCHITECTURAL AND/OR HISTORIC VALUE OR INTEREST UNDER THE PROVISIONS OF THE ONTARIO HERITAGE ACT, R.S.O. 1990, CHAPTER O.18, AS AMENDED

Passed the 8th day of November, 1999.

**WHEREAS** by virtue of the provisions of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18, as amended, the Council of a municipality may, by by-law, designate a property within the municipality to be of historic or architectural value or interest;

**AND WHEREAS** upon consideration of the recommendation of the Windsor Architectural Conservation Advisory Committee, it is deemed desirable and expedient to designate the property described in Schedule "A" annexed hereto and forming part of this by-law, locally known as the "Capitol Theatre & Arts Centre" and municipally known as 101-139 University Avenue West/315 Pelissier Street, in the City of Windsor (the "subject property"), to be of historic and/or architectural value or interest, for the reasons stated in Schedule "B" annexed hereto and forming part of this by-law;

**AND WHEREAS** notice of intention to so designate the subject property was served on the owner(s) of the subject property and upon the Ontario Heritage Foundation, and such notice was published in a newspaper having general circulation in the municipality;

**AND WHEREAS** no notice of objection was served on the Clerk of the municipality within 30 days of such publication.

**THEREFORE** the Council of The Corporation of the City of Windsor enacts as follows:

1. That the above defined subject property be and the same is hereby designated to be of historic and/or architectural value or interest.
2. That this by-law shall come into force and effect after the final passing thereof on the day upon which it is registered in the Land Registry Office for Essex (No. 12).



MICHAEL HURST, MAYOR



THOMAS LYND, CITY CLERK

First Reading - November 8, 1999  
Second Reading - November 8, 1999  
Third Reading - November 8, 1999

**This is Schedule "A" to By-law 334-1999 of The Corporation of  
the City of Windsor**

Lot 6 West Side PELISSIER Street, Plan 81 WINDSOR,

Lot 7 West Side PELISSIER Street, Plan 81 WINDSOR,

Lot 8 West Side PELISSIER Street, Plan 81 WINDSOR,

Lot 9 West Side PELISSIER Street, Plan 81 WINDSOR,

Lot 10 West Side PELISSIER Street, Plan 81 WINDSOR,

Lot 11 West Side PELISSIER Street, Plan 81 WINDSOR,

Street Plan 81 WINDSOR;

WINDSOR,

being the whole of PIN 01193-0375 (LT)

# **This is Schedule "B" to By-law 334-1999 of The Corporation of the City of Windsor**

## *REASONS FOR DESIGNATION:*

### **HISTORICAL**

Built by Marcus A. Loew in 1920 for about \$600,000. Original public shares in the theatre were \$100 each.

Purchased in 1922 by Simon Meretsky of the Windsor Theatre, Edward Glasco of the Empire Theatre and Dr. J. O. Reaume and renamed the Capitol Theatre.

In 1923 the Capitol Theatre joined the prestigious B. F. Keith vaudeville circuit, thus bringing some of the biggest acts from New York City to Windsor. There was an orchestra pit and a theatre pipe organ.

Famous Players buys the Capitol in 1929.

During the 1940-60s live theatre was phased out, while movies continued to show.

In 1975-6 the Capitol was divided into a movie triplex.

In 1989 a group of community theatre activists united to try to rejuvenate the Capitol, but the owner, a local developer, was intent on demolishing it and using the site for a parking lot.

A community effort to save the theatre was organized and in 1993 the Capitol Theatre & Arts Centre became a registered charitable organization and purchased the building.

In 1994-95 the theatre underwent an extensive interior restoration funded by all three levels of government and the local community.

On September 8, 1995 the Capitol Theatre reopened, launching a new era of live theatre.

### **ARCHITECTURAL**

It was designed by Thomas White Lamb, one of North America's most renowned theatre architects.

Designed for 1,995 seats with standing room at the rear, the Capitol Theatre was once the biggest single-floor theatre in Canada. Instead of having a balcony it had a single floor racked upwards towards the rear. There were four boxes mid way up the theatre and box seats on both sides of the proscenium where free standing chairs were located.

It has an interior decoration scheme in the Adamesque revival style, featuring molded plaster ornamentation.

It boasts a domed recess illuminating the ornate curved ceiling which spans the entire auditorium, with Art Deco chandeliers, arched niches and plaster Ionic columns in pairs.

The original exterior boasted an ornamental marquee, vertical sign and free-standing ticket kiosk as well as limestone columns, brick, wood, plaster and glass panels that were topped by a custom wood and metal cornice.

Original plans by Thomas Lamb are available to guide restoration.