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February 17, 2022

File: 12-04-0449-2020

Jeff Davis  
Director of Communications  
Biltmore Theatre Corp  
39 King Street East  
Oshawa, ON L1H 1B2

ONTARIO HERITAGE TRUST  
FEB 17 2022  
RECEIVED

**Re: Notice of Intention to Designate  
39 King Street East  
Biltmore Theatre**

Pursuant to Part IV of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18, please be advised that the Council of the Corporation of the City of Oshawa intends to designate the following property as a property of cultural heritage value or interest:

39 King Street East, described as: PIN 16352-0031 (LT); PT LT C6 SHEET 19 PL 335; PT LT C7 SHEET 19 PL 335 AS IN D282637; T/W D282637; CITY OF OSHAWA; REGIONAL MUNICIPALITY OF DURHAM.

**1. Location and Description of Property:**

The property municipally known as 39 King Street East is 0.05 hectares (0.13 ac.) in size, containing a commercial building operating as a live music and entertainment venue known as the Biltmore Theatre. The property is situated on the south side of King Street East between Celina Street and Albert Street. The property at 39 King Street East is bounded to the north by King Street East, beyond which are commercial and mixed-use properties fronting onto King Street East, to the east by a commercial building at 45 King Street East, to the south by an apartment building at 28 Albert Street, and to the west by a mixed-use building at 35 King Street East.

**2. Legal Description:**

The property at 39 King Street East to be designated under Part IV of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O. 18 is legally described as:

PIN 16352-0031 (LT); PT LT C6 SHEET 19 PL 335; PT LT C7 SHEET 19 PL 335 AS IN D282637; T/W D282637; CITY OF OSHAWA; REGIONAL MUNICIPALITY OF DURHAM.

### **3. Statement of Cultural Heritage Value or Interest:**

The property at 39 King Street East has design/physical value as the commercial building thereon, the Biltmore Theatre, is representative of the Art Deco style, including a street-facing façade featuring a smooth cut stone finish. Within the upper portion of the front façade are narrow recessed window openings, two circular recessed markings adjacent to the center and right window openings, and an original octagonal thermometer on the column between the centre and left window openings. The front dual entranceway is in its original location at the west-most point of the street-facing façade.

The property at 39 King Street East has a direct association with the affluent Okun Brothers, who owned the Biltmore Chain Theatres in Ontario. Oshawa's Biltmore Theatre was the first of five theatres constructed in Ontario by the Okun Brothers.

The property at 39 King Street East is a landmark in Downtown Oshawa. 39 King Street East is and was the Biltmore Theatre, one of four entertainment venues located along King Street East in Downtown Oshawa in the mid-20<sup>th</sup> century. The other theatres consisted of the Marks, Regent and the Plaza (also known as the Hyland). Only the Regent Theatre and the Biltmore Theatre remain, and the Regent Theatre was designated under Part IV of the Ontario Heritage Act in 2001. The commercial building at 39 King Street East has served as a theatre or an entertainment venue for over 70 years in Downtown Oshawa.

On the basis of the cultural heritage value or interest outlined above, the property at 39 King Street East meets the criteria for designation under Part IV of the Ontario Heritage Act, R.S.O. 1990, Chapter O. 18, in accordance with Ontario Regulation 9/06, specifically criteria 1(i), 2(ii), and 3(i).

### **4. Heritage Attributes:**

#### Design/Physical Value

The following design/physical heritage attributes of the commercial building at 39 King Street East are representative of the Art Deco style:

- The street-facing façade features a smooth cut stone finish, with brick on the three other facades.
- Within the upper portion of the street-facing façade are:
  - Narrow recessed window openings;
  - Two circular recessed markings adjacent to the center and right window openings; and,
  - An original octagonal thermometer on the column between the centre and left window openings.
- The front dual entranceway, in its original location at the west-most point of the King Street East facing façade.

### Contextual Value

The following contextual heritage attributes at 39 King Street East contribute to the commercial building being a landmark in Downtown Oshawa:

- 39 King Street East is and was the Biltmore Theatre, one of four entertainment venues located along King Street East in Downtown Oshawa in the middle of the 20<sup>th</sup> century. The other theatres included the Marks, Regent and the Plaza (also known as the Hyland).
- Only the Regent Theatre and the Biltmore Theatre remain, and the Regent Theatre was designated under Part IV of the Ontario Heritage Act in 2001.
- The commercial building at 39 King Street East has served as a theatre or an entertainment venue for over 70 years in Downtown Oshawa.

While the full particulars for the subject property are normally available for inspection in Planning Services, 8<sup>th</sup> Floor, City Hall, 50 Centre Street South, between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday, access to City Hall is subject to COVID-19 protocols. Accordingly, please call or email the City Contact identified below as our business operations are subject to change as the Province of Ontario reopens.

Any person may, on or before the 21<sup>st</sup> day of March, 2022, send by registered mail or deliver to the City Clerk, Notice of Objection to the proposed designation, together with a statement of their reasons for the objection and all relevant facts. If a Notice of Objection is received, the Council of the City of Oshawa will consider the objection on or before June 17, 2022.

If you require further information or clarification, please contact me at the address shown or by telephone at (905) 436-3311, extension 2402.



Connor Leherbauer, Planner B  
Development Services Department

CL/k

- c. **Ontario Heritage Trust**  
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Toronto, ON M5C 1J3