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**IN THE MATTER OF THE ONTARIO HERITAGE ACT
R.S.O. 1990 CHAPTER 0.18 AND
44 KING STREET WEST (BANK OF NOVA SCOTIA BUILDING)
CITY OF TORONTO, PROVINCE OF ONTARIO**

NOTICE OF PASSING OF BY-LAW

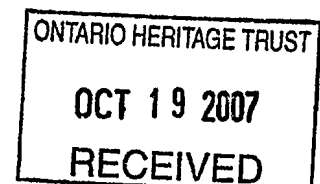
Scotia Realty Limited
31 Adelaide Street East
Toronto, Ontario
M5C 2K3

Ontario Heritage Trust
10 Adelaide Street East
Toronto, Ontario
M5C 1J3

Take notice that the Council of the City of Toronto has passed By-law No. 1036-2007 to designate 44 King Street West (Bank of Nova Scotia Building) as being of cultural heritage value or interest.

Dated at Toronto this 16th day of October, 2007.

Ulli S. Watkiss
City Clerk



Authority: Toronto and East York Community Council Item 7.14,
as adopted by City of Toronto Council on July 16, 17, 18 and 19, 2007
Enacted by Council: September 27, 2007

CITY OF TORONTO

Bill No. 1017

BY-LAW No. 1036-2007

To designate the property at 44 King Street West (Bank of Nova Scotia Building) as being of cultural heritage value or interest.

WHEREAS authority was granted by Council to designate the property at 44 King Street West (Bank of Nova Scotia Building) as being of cultural heritage value or interest; and

WHEREAS the *Ontario Heritage Act* authorizes the Council of a municipality to enact by-laws to designate real property, including all the buildings and structures thereon, to be of cultural heritage value or interest; and

WHEREAS the Council of the City of Toronto has caused to be served upon the owners of the land and premises known as 44 King Street West and upon the Ontario Heritage Trust, Notice of Intention to designate the property and has caused notice of this by-law to be posted on the City's web site for a period of 30 days in accordance with Municipal Code Chapter 162, Notice, Public, Article II, § 162-4, Notice requirements under the *Ontario Heritage Act*; and

WHEREAS the reasons for designation are set out in Schedule "A" to this by-law; and

WHEREAS no notice of objection was served upon the Clerk of the municipality;

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

1. The property at 44 King Street West, more particularly described in Schedule "B" and shown on Schedule "C" attached to this by-law, is designated as being of cultural heritage value or interest.
2. The City Solicitor is authorized to cause a copy of this by-law to be registered against the property described in Schedule "B" to this by-law in the proper Land Registry Office.
3. The City Clerk is authorized to cause a copy of this by-law to be served upon the owners of the property at 44 King Street West and upon the Ontario Heritage Trust and to cause notice of this by-law to be posted on the City's web site for a period of 30 days in accordance with Municipal Code Chapter 162, Notice, Public, Article II, § 162-4, Notice requirements under the *Ontario Heritage Act*.

ENACTED AND PASSED this 27th day of September, A.D. 2007.

Speaker

City Clerk

SCHEDULE "A"**REASONS FOR DESIGNATION**Description

The property at 44 King Street West is worthy of designation under Part IV of the *Ontario Heritage Act* for its cultural heritage value or interest, and meets the criteria for municipal designation prescribed by the Province of Ontario under the three categories of design, historical and contextual value. Located on the northeast corner of King Street West and Bay Street, the 24-storey office building was completed in 1951 after a long construction period and a planning phase that began twenty years earlier. The property was listed on the City of Toronto Inventory of Heritage Properties in 1975, and a Heritage Easement Agreement was registered in 1984.

Statement of Cultural Heritage Value

The Bank of Nova Scotia has design value as an excellent example of a skyscraper with features of Modern Classicism that is noted for its sculpted detailing inside and out. The original plans for the structure, dating to 1930, involved a series of setbacks above a podium, the organization of the shaft with piers, and an ambitious sculptural program, incorporating Canadian iconography and influenced by Art Deco motifs. When the project was revived at the close of World War II, the essential elements of the earlier design remained, but the Classical decoration and sculptural detailing were scaled back and simplified.

Historically, the building is associated with the practice of Toronto architect John M. Lyle, who prepared the original plans for the complex. After studies at Yale University and the Ecole-des-beaux-arts in Paris, and stints working for highly regarded New York City architectural firms, Lyle established his architectural firm in Toronto in 1906. He is responsible for many landmark buildings across Canada including, in Toronto, the Royal Alexandra Theatre, the Runnymede Library, and (in association with other architects) Union Station. Lyle entered a 1922 competition to design the Tribute Tower, a Chicago skyscraper. While he did not win, he applied the lessons he learned in designing 'tall buildings' in a commission his firm received for the head offices of the Bank of Nova Scotia in Halifax. Completed in 1929, the design incorporated elaborate sculptural motifs with Canadian symbolism, which he reworked for the Bank of Nova Scotia's Toronto offices. The latter project was delayed by the Great Depression of the 1930s, followed by World War II when Lyle retired from practice. The building was completed by the Toronto architectural partnership of Mathers and Haldenby, working in association with John J. Beck and Arthur H. Eadie, former members of Lyle's firm.

The Bank of Nova Scotia Building is noted for its craftsmanship, particularly for its sculptural program. The exterior bas-relief panels of mythological figures on the west elevation facing Bay Street were designed by German artist Frederick Winkler. In Toronto, another example of Winkler's work is found on Postal Station K (1936) at 2388 Yonge Street. English artisan Jacobine Jones devised the marble bas relief in the banking hall that illustrates workers engaged in the different industries associated with the Bank of Nova Scotia, including fishing, logging, farming and mining.

Now anchoring the southwest corner of Scotia Plaza, the Bank of Nova Scotia is a landmark in Toronto's Financial District. It is one of a number of tall buildings from the pre- and post-World War II era that are recognized heritage structures, among them the former Canadian Bank of Commerce Building (completed in 1931 and now known as Commerce Court North) on King Street West, opposite.

Heritage Attributes

The heritage attributes of the Bank of Nova Scotia Building related to its design value as an excellent example of a skyscraper with features of Modern Classicism are found on the exterior walls (south and west), the flat roofline, and the interior as described below, consisting of:

Exterior

- The 24-storey ell-shaped plan, with a six-storey base supporting a tower that rises in a series of setbacks to the flat roof parapet.
- Above a granite base, the limestone cladding with limestone, granite, and marble detailing.
- The organization of the principal (south) façade, where the base features a trio of monumental three-storey flat-headed window openings with decorative metalwork surrounds.
- In the first floor of the south façade, the entrances placed at the base of the outer monumental window openings with metal surrounds, doors, decorative grilles, and a name band reading "THE BANK OF NOVA SCOTIA".
- The carved nameplate on the base of the south façade marked "THE BANK OF NOVA SCOTIA".
- The smaller flat-headed window openings in the outer ends of the south façade and on the west elevation.
- Above the base, the fenestration on the south façade and the west and north elevations where cut stone piers organize the flat-headed window openings with metal detailing and the spandrels.
- On the west elevation facing Bay Street, the base with the sculpted bas-relief panels, the carved reliefs with Ionic capitals, the marble spandrels, the metal railings, and the incised lettering.
- On the upper part of the west elevation, the carved rosettes marking three of the setback levels in the upper stories, and the cut stone louvered vents at the top service level.

Interior

- In the interior on the main floor, the south entrance lobby, the elevator lobby, and the banking hall, with the marble flooring and walls, and the decorated ceilings.
- Inside the main (south) entrance, the entrance lobby with the sculpted wall panels, the decorative metal doors and wall grilles, the marble lighting sconce, the display cases and, in the south window recess, the marble planter and bench.
- In the entrance lobby, the sculpted detailing with a bank crest, medallions and inscriptions on the north wall, and figurative wall sculptures on the east and west walls.
- North of the entrance lobby, the elevator lobby, with the louvered ceiling lighting, the elevator entrances, the doors to the banking hall, and the building directory set in a metal surround with a crested mail drop.
- The banking hall, along the west side of the first floor, with the marble columns and counters, the coffered decorated ceiling, the bas-relief marble mural on the north wall, and the glazed screen with polished bronze decoration along the east side.
- The south stairway leading from the banking hall to the lower safety deposit vault with its metal railing and inset etched glass panels.

SCHEDULE "B"**LEGAL DESCRIPTION**

PIN 21404-0003 (LT)

PCL 2-11 FREEHOLD SEC Y1;
PT TOWNLT 4 S/S ADELAIDE ST WEST PL TOWN OF YORK TORONTO; PT TOWNLT 4
N/S KING ST WEST PL TOWN OF YORK TORONTO PARTS 1, 3, 5, 7, 9 AND 10, 66R14388;

City of Toronto, Province of Ontario
Land Titles Division of the Toronto Registry Office (No. 66)

The hereinbefore described land being delineated by heavy outline on Sketch No. PS-2007-220 dated September 11, 2007, as set out in Schedule "C".

