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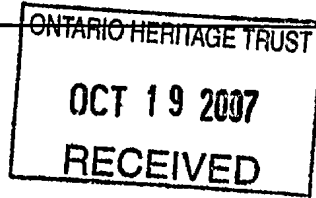
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City Clerk's Office



**Secretariat**  
Christine Archibald  
Toronto and East York Community Council  
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100 Queen Street West  
Toronto, Ontario M5H 2N2

Ulli S. Watkiss  
City Clerk

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Web: www.toronto.ca

**IN THE MATTER OF THE ONTARIO HERITAGE ACT  
R.S.O. 1990 CHAPTER 0.18 AND  
40 KING STREET WEST (JOHN MACKAY STORE)  
CITY OF TORONTO, PROVINCE OF ONTARIO**

**NOTICE OF PASSING OF BY-LAW**

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

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

Citicom Inc.  
Scotia Realty Limited  
P. O. Box 20, Station 2  
First Canadian Place  
Toronto, Ontario  
M5X 1B5

Take notice that the Council of the City of Toronto has passed By-law No. 1035-2007 to designate 40 King Street West (John Mackay Store) as being of cultural heritage value or interest.

Dated at Toronto this 16<sup>th</sup> 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. 1016**

**BY-LAW No. 1035-2007**

**To designate the property at 40 King Street West (John Mackay Store) as being of cultural heritage value or interest.**

WHEREAS authority was granted by Council to designate the property at 40 King Street West (John Mackay Store) 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 40 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 40 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 40 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.

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Speaker

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City Clerk

**SCHEDULE "A"****REASONS FOR DESIGNATION****40 King Street West (formerly located at 36 King Street West and now located at 11 Adelaide Street West): John McKay Store**Description

On the property with the confirmed municipal address of 40 King Street West, the portion containing the John McKay Store 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. The John McKay Store was constructed in 1898 at 36 King Street West, with alterations to the street-level façade completed in 1926 for Wood Gundy. The principal five-storey façade of the building was relocated to 11 Adelaide Street West as part of the development of Scotia Plaza during the 1980s. The property was listed on the City of Toronto Inventory of Heritage Properties in 1976, and a Heritage Easement Agreement covering the John McKay Store façade in its new location was registered in 1984. The remainder of the property at 40 King Street is not included in the Reasons for Designation.

Statement of Cultural Heritage Value

The John McKay Store has design value as an excellent example of the Renaissance Revival style with decorative terra cotta detailing applied to a late 19th century commercial building. Among the signature elements of the style are the placement of different window types in the stories and the Classical embellishments. The heritage easement agreement for the John McKay Store describes its architectural features as "an example of rare craftsmanship that enhances the streetscape of the City's downtown core."

Historically, the John McKay Store is associated with the practice of Toronto architect S. G. Curry. During a career exceeding thirty years, Curry formed partnerships of various durations with many of Toronto's leading architects, among them Frank Darling, Henry Sproatt, John Pearson, Francis S. Baker, Ernest Rolph and W. F. Sparling. Curry received the commission for the John McKay Store while he was practicing alone. The alterations to the property, commissioned by Wood Gundy and undertaken by the Toronto firm of Marani, Lawson and Paisley in 1926, received an award from the Ontario Association of Architects.

The John McKay Store is one of the few surviving 19th century edifices in the core of Toronto's financial district. As part of the development of Scotia Plaza in the 1980s, the John McKay Store was relocated from King Street West to the north side of the complex on Adelaide Street West. Within the block bounded by Yonge Street, King Street West, Bay Street and Adelaide Street West, the Bank of Nova Scotia Building at 44 King Street West, the National Club at 303 Bay Street, and the facades of the Robert Fairweather Building and the Upper Canada Bible and Tract Societies Building on Yonge Street were also preserved. All of the above-noted properties are recognized on the City's heritage inventory.

### Heritage Attributes

The heritage attributes of the John McKay Store related to its design value as an excellent example of Renaissance Revival styling with decorative terra cotta applied to a late 19th century commercial building are found on the façade, now facing north onto Adelaide Street West, consisting of:

- The first storey (altered in 1926) with its Indiana limestone cladding, the Doric entablature with triglyphs and, at either end, the entrances with bracketed entablatures, marble trim and fluted pilasters.
- Above the first floor, the cladding of the upper stories with decorative terra cotta.
- The window surrounds on the flat-headed openings in the second and third floors.
- The round-arched openings in the fourth storey that are placed in pairs and trios.
- The two-storey pilasters in the Ionic order that organize the openings in the third and fourth floors.
- At the fourth storey, the textured Ionic columns between the window openings that support linked arches with keystones and concave shell inserts.
- In the attic level (fifth floor) beneath the cornice, the cartouches inscribed "1848", "1898" and "JKB".

The remainder of the property identified as 40 King Street West is not included in the Reasons for Designation.

**SCHEDULE "B"****LEGAL DESCRIPTION**

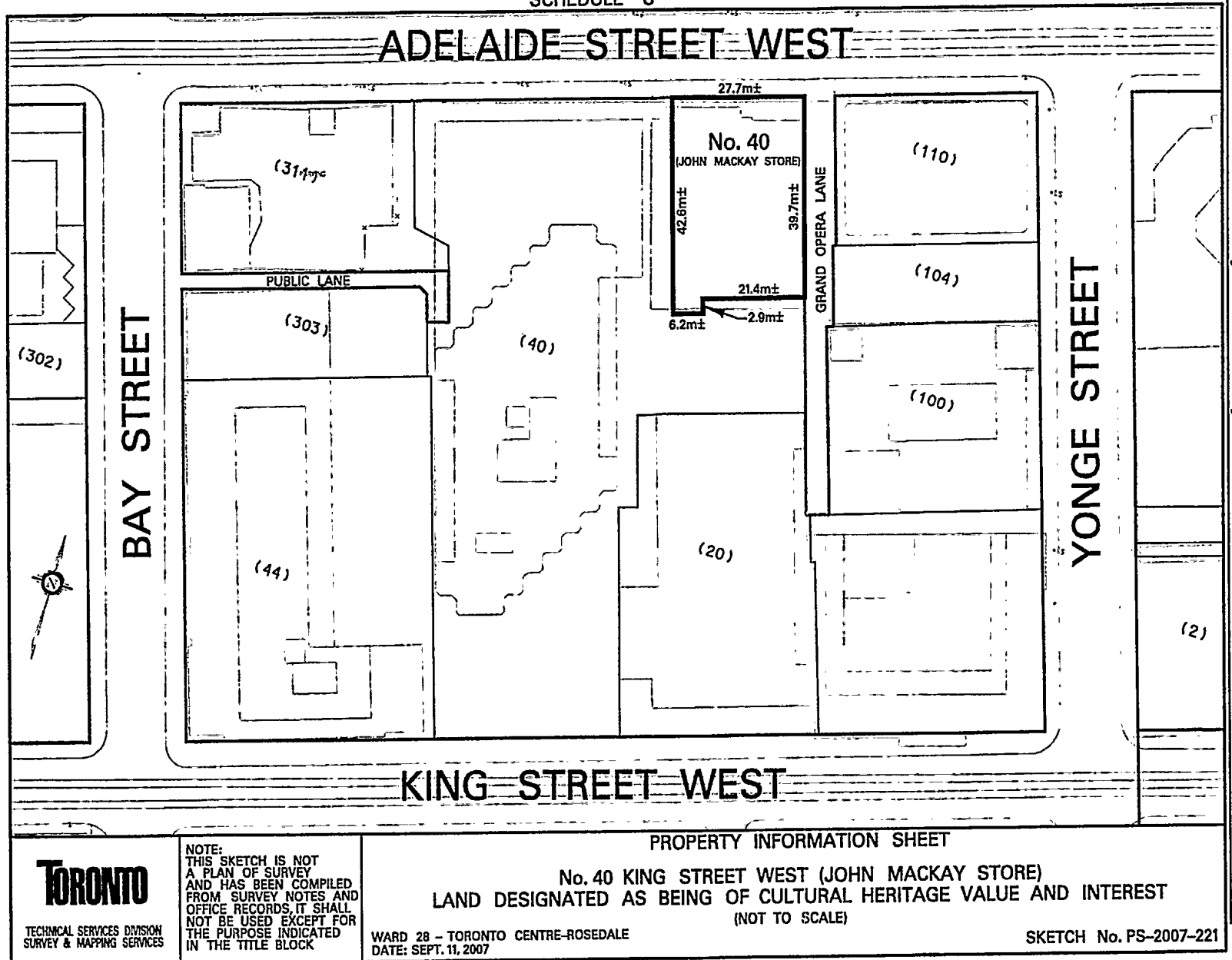
PIN 21404-0007 (LT)

PCL 3-6 SUB-LEASEHOLD SEC Y1;  
PT TOWNLT 3 S/S ADELAIDE ST WEST PL TOWN OF YORK TORONTO PT 10, 66R14003;  
THE SLY LIMIT OF ADELAIDE ST W CONFIRMED BY BA1120 AS IN PL D463  
SEE CT273365 (C35374, A677933)

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-2007-221 dated September 11, 2007, as set out in Schedule "C".

SCHEDULE "C"



City of Toronto By-law No. 1035-2007

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**TORONTO**

TECHNICAL SERVICES DIVISION  
SURVEY & MAPPING SERVICES

NOTE:  
THIS SKETCH IS NOT  
A PLAN OF SURVEY  
AND HAS BEEN COMPILED  
FROM SURVEY NOTES AND  
OFFICE RECORDS. IT SHALL  
NOT BE USED EXCEPT FOR  
THE PURPOSE INDICATED  
IN THE TITLE BLOCK

PROPERTY INFORMATION SHEET

No. 40 KING STREET WEST (JOHN MACKAY STORE)  
LAND DESIGNATED AS BEING OF CULTURAL HERITAGE VALUE AND INTEREST  
(NOT TO SCALE)

WARD 28 - TORONTO CENTRE-ROSEDALE  
DATE: SEPT. 11, 2007

SKETCH No. PS-2007-221