



City of Hamilton Report for Consideration

To: Chair and Members
Hamilton Municipal Heritage Committee

Date: April 25, 2025

Report No: PED25102

Subject/Title: Recommendation to Designate 54 King Street East, Hamilton (Former Bank of Nova Scotia), under Part IV of the *Ontario Heritage Act*

Ward(s) Affected: Ward 2

Recommendations

- 1) That the City Clerk **BE DIRECTED** to give notice of Council's intention to designate 54 King Street East, Hamilton (Former Bank of Nova Scotia), shown in Appendix A attached to Report PED25102, as a property of cultural heritage value pursuant to the provisions of Part IV, Section 29 of the *Ontario Heritage Act*, in accordance with the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix B to Report PED25102, subject to the following:
 - (i) If no objections are received to the notice of intention to designate in accordance with the *Ontario Heritage Act*, City Council directs staff to introduce the necessary by-law to designate the property to be of cultural heritage value or interest to City Council;
 - (ii) If an objection to the notice of intention to designate is received in accordance with the *Ontario Heritage Act*, City Council directs staff to report back to Planning Committee to allow Council to consider the objection and decide whether or not to withdraw the notice of intention to designate the property.

Key Facts

- This Report recommends designation of the significant built heritage resource located at 54 King Street East, Hamilton, known as the Former Bank of Nova Scotia, under Part IV of the *Ontario Heritage Act*.
- The subject property is currently listed on the City's Municipal Heritage Register and is a high priority on the City's list of candidates for designation.
- Staff have completed an evaluation of the subject property using Ontario Regulation 9/06 and determined that it has sufficient cultural heritage value or interest to warrant designation, as per the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes attached as Appendix B to Report PED25102.
- Members of 2SLGBTQ+ Communities have been consulted in the preparation of this Report and recommendation to designate 54 King Street East.

Financial Considerations

Not applicable.

Background

The subject property located at 54 King Street East, Hamilton, shown in Appendix A attached to Report PED25102, is comprised of a three-storey Beaux-Arts commercial building constructed in 1914, known as the Former Bank of Nova Scotia. The property was first surveyed for potential heritage interest in the 1980s by the former Local Architectural Conservation Advisory Committee. In 2013, the property was added to the Municipal Heritage Register as a result of a Council motion to list all Inventoried heritage properties facing Gore Park on the City's Register. A preliminary evaluation of the property was prepared in 2014 as part of the Downtown Hamilton Built Heritage Inventory project, at which time the property was identified as a candidate for designation under the *Ontario Heritage Act* and added to staff's designation workplan.

As a result of the recent Bill 23 changes to the *Ontario Heritage Act*, the former staff workplan for designation was rescinded and replaced with a new public list of Candidates for Designation under Part IV of the *Ontario Heritage Act* (see Report PED22211(a)), at which time 54 King Street East was reprioritized for review for designation by January 1, 2025. In a letter dated July 26, 2023, staff notified the property owner of the changes to the City's heritage designation process and the reprioritization of staff's review of the property for designation.

Analysis

The intent of municipal designation, under Part IV of the *Ontario Heritage Act*, is to enable a process for the management and conservation of significant cultural heritage resources. Once a property is designated, the municipality can manage change to a property through the Heritage Permit process to ensure that the significant features of the property are maintained. Designated properties are also considered to be “protected heritage property” under the Provincial Planning Statement (2024), which shall be conserved through the *Planning Act* development application process.

Section 29(1) of the *Ontario Heritage Act* permits the Council of a municipality to designate property to be of cultural heritage value or interest where property meets two or more of the Criteria for Determining Cultural Heritage Value or Interest prescribed in Ontario Regulation 9/06, as amended by Ontario Regulation 569/22, which identifies nine criteria in three broad categories: Design / Physical Value; Historical / Associative Value; and Contextual Value.

The evaluation of cultural heritage value or interest of the subject property was completed by Cultural Heritage Planning staff based on site visits to the exterior of the property conducted in December of 2024 and on February 14, 2025 (see photographs attached as Appendix C to Report PED25102) and available primary and secondary research sources (attached as Appendix D to Report PED25102). As outlined below, based on staff’s cultural heritage evaluation, it was determined that the subject property meets eight of the nine criteria contained in Ontario Regulation 9/06 in all three categories.

Design / Physical Value

1. The property located at 54 King Street East, Hamilton, known as the former Bank of Nova Scotia, has physical value as a representative example of a commercial bank building designed in the Beaux-Arts Classicism architectural style. Completed in 1914 for the Bank of Nova Scotia, the three-storey high building was constructed with brick, steel, and concrete, and features a symmetrical, and imposing façade faced with Ohio Canyon cut stone with an even-course finish. The property also has physical value for its use of Ohio Canyon sandstone, which was an expensive imported material used in Hamilton as early as the 1870s primarily for detailing and embellishments, with this property being the only known example in the city to use it for a complete façade. Design features typical of the Beaux-Arts Classicism architectural style include the: balustrade; entablature with a dentilated course, a plain frieze, and a moulded cornice; large stone-lined columns with Doric capitals and moulded bases; presence of tall metal-framed windows with decorative grillwork in the upper square panes which span the second and third storeys; and, recessed central entrance with a stone surround, and the presence of a double-leaf door.

Sometime after the 1980s, two stone lions were added as decoration in front of the first storey window bays flanking either side of the front entrance, which have become notable of features the building. While much of the building's exterior features are intact, over time some small modifications and upgrades were completed, including the replacement of the tall second and third storey metal-framed windows with new windows and window casings which replicate the style of the original windows. The first storey windows were also modified and replaced, possibly more than once, elongating them and removing the original carved stone sill. This means that the current windows which are sympathetic to the original design of the façade, mirroring the original tripartite design of the second and third storey windows, are not original to the façade. The current recessed, double leaf door is similarly a replacement, but it is significant that the original recessed double leaf design has been preserved.

In the year 2000, renovations were completed to add a rear first-storey extension to the building, atop which sits a second-storey patio. The extension is not considered to be of heritage value.

2. The property displays a high degree of artistic merit. The grand, symmetrical, and detailed design of the façade represents a high degree of design and artistic ability, represented through the: balustrade with four columns topped with metal flashing; the entablature with a dentilated course, a plain frieze, and a moulded cornice; large stone-lined columns with Doric capitals and moulded bases; presence of tall metal-framed windows with decorative grillwork in the upper square panes which span the second and third storeys; and, recessed central entrance with stone surround.
3. The property does not demonstrate a high degree of technical or scientific achievement.

Historical / Associative Value

4. The property has historical and associative value due to its connections with the banking industry and 2SLGBTQ+ communities in Hamilton. The Bank of Nova Scotia (now Scotiabank) was incorporated in 1832 as a public bank. The first Bank of Nova Scotia branch opened in Hamilton in 1902 on the corner of King and John Streets. The continued growth of the bank eventually led to the purchase of the lot at 54 King Street East, on which the extant building would be constructed. First opened in 1914, the Bank of Nova Scotia building was centrally located in what was the city's growing financial centre until 1954 when the branch was consolidated into a new building at 12 King Street East. Throughout the first half of the twentieth century, Gore Park continued to serve as an important economic and social centre for both the wealthy and average Hamiltonian, with manicured gardens and monuments to Canadian nationalist figures symbolizing the city's identity and status. By the 1950s, however, trends in urban renewal

began to change the face of Gore Park as proposals for increased car-centric designs and accommodations, alongside the rise of suburbs, changed the demography of this important area. The subject property was no doubt influenced by these trends, and in 1956 the property was converted into offices for the Royal Trust Company (1956-1964), followed by a real estate office. As Gore Park's demography continued to change, so did that of 54 King Street East. By the mid-1970s, the property transitioned from an office into a restaurant, eventually being converted into an adult entertainment business called Billy Rose Palace in 1980, and in 1983 a trendy nightclub called Club 54 (or The 54). From the 1970s to the early 1990s, these businesses played a role in transforming the reputation from its previous life in white-collar business into one of gathering and nightlife, and more specifically alternative nightlife scenes.

By the 1990s, advocacy and community organizing on national and local scales had transformed Canadian society increasing widespread acceptance of 2SLGBTQ+ people. To this end, some businesspeople began looking towards catering to 2SLGBTQ+ audiences and markets, as was the case of 54 King Street East when, in 1993, the owner of the property opened The Embassy nightclub. As one of very few openly 2SLGBTQ+ friendly spaces at this time, The Embassy would go on to become a cornerstone of the 2SLGBTQ+ landscape in Hamilton until its closure in 2018. Over two decades, The Embassy persisted in a fluctuating landscape that saw many other 2SLGBTQ+ places of gathering and community open and close, and its persistence helped it build a reputation as a central feature of Hamilton's 2SLGBTQ+ landscape. Consequently, The Embassy became the site of important community events coloured by local politics surrounding the 2SLGBTQ+ communities. In the late 1990s, for example, 2SLGBTQ+ Hamiltonians criticized the business for exploiting the community members' money without adopting political risks that come along with open and financial support of 2SLGBTQ+ events. This led to the business attempting to abandon its 2SLGBTQ+ label in the year 2000, reportedly even trying to bar 2SLGBTQ+ patrons from accessing the building. This decision had a negative impact on 2SLGBTQ+ people in the city, who lacked spaces for community building and gathering. While some people chose to boycott the Embassy at this time, the absence of alternative spaces in Hamilton meant that many continued to frequent it, eventually resulting in the business returning to its prior explicitly 2SLGBTQ+ state. By 2003, The Embassy had become more involved in community events - with the very first 'Ms. Pride' drag competition being hosted in the building.

Although it was a well-known 2SLGBTQ+ site, patrons of The Embassy accessed it through the rear entrance rather than the front. This reflects the underground nature of 2SLGBTQ+ communities even as recently as the 2000s and 2010s. This also offered some protection to patrons of this highly visible landmark who were a target for homophobia. One example of the type of homophobic attacks to 2SLGBTQ+ people include a high-profile assault and hate

crime in 2007 where three gay men were attacked after leaving the club, which sparked protest in the community, resulting in a march to 54 King Street East in solidarity. The closure of The Embassy in 2018 had a major impact on Hamilton's 2SLGBTQ+ communities, which has historically had very few longstanding 2SLGBTQ+ spaces. In 2023, the building re-opened as a nightclub but is no longer a 2SLGBTQ+ institution.

5. The property yields information that contributes to an understanding of Hamilton's early twentieth-century downtown communities, as well 2SLGBTQ+ communities. The property's transition through history, from a financial institution to nightlife and recreation businesses, provides insight into changes in use and demography in both Gore Park and downtown Hamilton. The property's involvement in important 2SLGBTQ+ events, and as a major 2SLGBTQ+ landmark in Hamilton's downtown core, is a continued tangible reminder of the city's 2SLGBTQ+ urban heritage.
6. The property demonstrates and reflects the work and ideas of the nationally prominent firm Bond & Smith architects, which was formed by a partnership between Charles Herbert Acton Bond (1869-1924) and Sanford Fleming Smith (1874-1943). During their 17-year partnership, based in Toronto, Bond & Smith designed many notable buildings across Southern Ontario and the maritime provinces. Among these works were at least three additional buildings for the Bank of Nova Scotia. 54 King Street East is one of only two known examples in Hamilton of the work of architects Bond & Smith, with the only other building in Hamilton being the MacKay Building. The MacKay Building is also located in Gore Park at 66 King Street East, and it bears a clear resemblance to the Hermant Building at 19 Dundas Square in Toronto.

Contextual Value

7. The property is important in defining the historic character of the area around Gore Park in downtown Hamilton. Located on the south side of King Street East between Hughson and John Streets opposite Gore Park, fronting directly onto the public right-of-way, 54 King Street East also has access via a rear alley running east-west from Hughson Street South. 54 King Street East is part of the remaining commercial streetscape on the south side of King Street East with a consistent street wall spanning between James and Wellington Streets.
8. The property is visually, physically, and historically linked to its surroundings. As one of the remaining historic buildings in the King Street East block between Hughson and John Streets, the property is part of a landmark block facing Gore Park which includes other architecturally significant properties including the Victoria Building (68 King Street East), MacKay Building (66 King Street East), John Sopinka Courthouse (45 Main Street East), and additional early Victorian row buildings (58-64 King Street East), and is also located in the same Gore Park

landscape and viewshed as several other architectural landmarks like the Right House (35-41 King Street East) and Treble Hall (6-12 John Street North).

The property is additionally connected to a landscape of banking and financial buildings in Hamilton's downtown core as one of only two remaining historic banking buildings (the other being the 1928 Bank of Montreal building at 1-5 Main Street West). While most historic banking buildings in the area have been demolished, the area surrounding 54 King Street East is still defined by these buildings, including 12 King Street East (now Scotiabank) which was occupied by banks as early as 1848, and 40-44 King Street East which historically was home to the circa 1840 Gore Bank Building, and is currently home to a 1977 bank.

9. The property is considered to be a landmark. The building's classical influences and shallow setback create an imposing and grand façade, with its thick pilasters and smooth stone finish evoking monumentality which is reminiscent of its original institutional use as a bank. Its attractive façade combined with its highly trafficked location near Gore Park have also helped it become a popular location for television and movie filming. The property's recent history associated with Hamilton's 2SLGBTQ+ communities has also established a well-known and recognized reputation for the property as a historical landmark for the community.

Staff have determined that 54 King Street East, Hamilton is of cultural heritage value or interest sufficient to warrant designation under Part IV of the *Ontario Heritage Act* and recommend designation according to the Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes, attached as Appendix B to Report PED25102.

The Recommendations of this Report are consistent with Provincial and Municipal legislation, policy, and direction, including:

- Determining the cultural heritage value or interest of a property based on design / physical value, historical / associative value, and contextual value criteria (*Ontario Heritage Act*, Ontario Regulation 9/06);
- Implementing proactive strategies for conserving significant built heritage resources (Provincial Planning Statement, 2024, Sub-section 4.6.4(b)); and,
- Designating properties of cultural heritage value under Part IV of the *Ontario Heritage Act* (Urban Hamilton Official Plan, Section B.3.4.2.3).

Alternatives

Under Part IV of the *Ontario Heritage Act*, the designation of property is a discretionary activity on the part of Council. Council, as advised by its Municipal Heritage Committee, may decide to designate property, or decline to designate property.

Decline to Designate

By declining to designate, the municipality would be unable to provide long-term legal protection to this significant cultural heritage resource (designation provides protection against inappropriate alterations and demolition) and would not fulfil the expectations established by existing municipal and provincial policies.

Without designation, the property would not be eligible for the City's financial incentives for heritage properties, including development charge exemption and grant and loan programs. Designation alone does not restrict the legal use of property or prohibit alterations and additions. It does not restrict the sale of a property, nor has it been demonstrated to affect its resale value. However, designation does allow the municipality to manage change to the heritage attributes of a property through the Heritage Permit process. Staff does not consider declining to designate the property to be an appropriate conservation alternative.

Relationship to Council Strategic Priorities

- Priority 1: Sustainable Economic & Ecological Development
 - 1.2: Facilitate the growth of key sectors.
- Priority 3: Responsiveness & Transparency
 - 3.2: Get more people involved in decision making and problem solving.

Previous Reports Submitted

- [PED22211\(a\) Response to Bill 23, Schedule 6, More Homes Built Faster Act, 2022, and its Changes to the Ontario Heritage Act and its Regulations](#)
- [PED14191 Implementation of the Recommendations of the Downtown Built Heritage Inventory Project \(as amended in Revised Hamilton Municipal Heritage Committee Report 14-009\(a\)\)](#)

Consultation

In October 2025, following the completion of preliminary research which revealed significant heritage value connected with 2SLGBTQ+ communities, staff identified four individuals for consultation who had connections to the property's history as a 2SLGBTQ+ space. On January 21, 2025, staff circulated a draft evaluation to these individuals for comment by email, which staff later considered and incorporated into the final evaluation.

In a letter dated February 6, 2025, addressed to the property owner sent by registered mail, staff gave notice of staff's intention to present their recommendation to designate the property at the April 25, 2025, Hamilton Municipal Heritage Committee meeting. After the registered mail was returned, staff provided additional notice in a letter

delivered by staff to the subject property on February 24, 2025. Staff met with the property owner on March 3, 2025, to discuss the staff recommendation to designate, and on March 4, 5, and 6, 2025 had further phone communication with them.

In an email dated February 6, 2025, planning staff advised the Ward Councillor (Councillor C. Kroetsch) for Ward 2 of this designation and provided an overview of the recommendations of this Report.

Appendices and Schedules Attached

Appendix A: Location Map

Appendix B: Statement of Cultural Heritage Value or Interest and Description of Heritage Attributes.

Appendix C: Photographs

Appendix D: Research Sources

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