



**City of Kingston
Report to Council
Report Number 24-233**

To: Mayor and Members of Council
From: Jennifer Campbell, Commissioner, Community Services
Resource Staff: Kevin Gibbs, Director, Heritage Services
Date of Meeting: October 1, 2024
Subject: Notice of Objection to Proposed Heritage Designations
163 Brock Street File Number R01-008 2020

Council Strategic Plan Alignment:

Theme: Corporate business

Goal: See above

Executive Summary:

This report provides a Notice of Objection for Council's consideration, which was received as part of the heritage designation process currently underway for the property at 163 Brock Street, known as the Dupuis House.

A Notice of Intention to Designate the property was served on the owners and published in the newspaper on June 11, 2024. The owner of 163 Brock Street provided a Notice of Objection on June 26, 2024. When a Notice of Objection is received by the City, Council has 90 days to decide if it wishes to withdraw its Notice of Intention to Designate or not withdraw. This timeline will expire on October 9, 2024.

The draft designation by-law was prepared and provided to the owner in accordance with *Ontario Heritage Act* requirements. In the time since the owner's objection was received, staff have communicated with the property owner; no changes were requested to the draft designation by-law and the owner acknowledges that the subject property exceeds the minimum required criteria for determining cultural heritage value or interest in Ontario (meeting four of the nine criteria).

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Heritage staff, the Heritage Properties Working Group and the Kingston Heritage Properties Committee support the designation of the subject property under Section 29 of the *Ontario Heritage Act* and staff recommend giving all three readings to the proposed by-law and serving a Notice of Passing.

Recommendation:

That Council acknowledges receipt of the Notice of Objection from Dr. Ruth MacSween, dated June 24, 2024, to the proposed designation of the property located at 163 Brock Street, known as the Dupuis House, as a property of cultural heritage value or interest pursuant to Section 29(5) of the *Ontario Heritage Act* and having considered the objections set out in the Notice of Objection pursuant to Section 29(6), has decided not to withdraw the Notice to Intention to Designate the property; and

That Council accordingly reaffirms its approval of the Draft Designation By-Law for 163 Brock Street, known as the Dupuis House; and

That Council give all three readings to the Designation By-Law for 163 Brock Street, attached as Exhibit B to Report Number 24-233, and directs the City Clerk to serve a Notice of Passing as prescribed under Section 29(8) of the Act.

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Authorizing Signatures:

ORIGINAL SIGNED BY COMMISSIONER

Jennifer Campbell,
Commissioner, Community
Services

ORIGINAL SIGNED BY CHIEF

ADMINISTRATIVE OFFICER

Lanie Hurdle, Chief
Administrative Officer

Consultation with the following Members of the Corporate Management Team:

Paige Agnew, Commissioner, Growth & Development Services	Not required
Neil Carbone, Commissioner, Corporate Services	Not required
David Fell, President & CEO, Utilities Kingston	Not required
Peter Huigenbos, Commissioner, Major Projects & Strategic Initiatives	Not required
Brad Joyce, Commissioner, Infrastructure, Transportation & Emergency Services	Not required
Desirée Kennedy, Chief Financial Officer & City Treasurer	Not required

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Options/Discussion:

This report provides an update on the heritage designation process currently underway for the property at 163 Brock Street and circulates the Notice of Objection that has been received (Exhibit A) for Council's consideration.

The property at 163 Brock Street is located on the northeast corner of Brock and Montreal Streets, in downtown Kingston. It contains a two-and-a-half storey red-brick residential building, built in 1883. It is an example of a vernacular brick building with Italianate influences, constructed for both a home and office. The property is associated with prominent physician, surgeon, Queens professor and City alderman, Dr. Thomas Dupuis, who lived in and operated his medical practice from this building. The Dupuis House is also significant in defining the character of the streetscape. The statement of cultural heritage value is included in Exhibit B - Draft Designation By-Law – Dupuis House.

Background

Section 29 of the *Ontario Heritage Act* authorizes the Council of a Municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of cultural heritage value or interest. Council, on June 4, 2024, with respect to Report Number HP-24-027, passed the following motions:

That Council direct staff to serve a Notice of Intention to Designate the property located at 163 Brock Street, known as the Dupuis House, as a property of cultural heritage value or interest pursuant to Section 29 of the *Ontario Heritage Act*, attached as Exhibit A to Report Number HP-24-027; and

That should no Notice of Objection be received by the Clerk of The Corporation of the City of Kingston within thirty (30) days of the publication of the Notice of Intention to Designate, the Designation By-Law for 163 Brock Street, attached as Exhibit B to Report Number HP-24-027, be presented to Council for all three readings, and that staff be directed to carry out the requirements as prescribed under Section 29(8) of the Act.

The 2020 changes to the *Ontario Heritage Act* created a two-tier appeal process for new designations. Following consultation with its heritage committee and the serving of a notice of its intention to designate a property, anyone, within 30 days of the publication of the notice in the newspaper, can object by providing a Notice of Objection to the City Clerk.

A Notice of Intention to Designate the property was served on the owner, published in the newspaper and posted on the City's website on June 11, 2024. The Notice of Objection for the owner was received on June 26 (Exhibit A), within the 30-day objection period.

When a Notice of Objection is received by the City, Council has 90 days to decide if it wishes to withdraw its Notice of Intention to Designate, following the completion of the 30-day objection period, as per Section 29(6) of the *Ontario Heritage Act*. This timeline will expire on October 9, 2024. Council's decision regarding the objection is required to be served on the owner(s) and be

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published in the newspaper in the form of either a Notice of Passing (after giving final reading to the by-law) or a Notice of Withdrawal.

If Council chooses to publish a Notice of Passing, the public (including the owners) will be afforded a second opportunity to appeal the designation to the Ontario Land Tribunal within 30 days of the publication of the Notice. The Tribunal would then review the appeal, hold a hearing, and render a binding decision on the fate and content of the designation.

Cultural Heritage Analysis

The purpose of the first tier of the two-tier objection/appeal process is to provide the municipality with an opportunity to consider the merits of the objection and reconsider their intention to designate the property, before relinquishing decision making authority on the designation to the Ontario Land Tribunal, should the matter be appealed under tier two.

The Notice of Objection from the owner of the Dupuis House (Exhibit A) includes four 'Grounds for Objection', all of which relate to Council's consideration of their earlier objections. Point 12 in the letter acknowledges the owner's agreement that the property has cultural heritage value and meets two or more of the criteria for designation.

Andrew Reeson, Senior Legal Counsel, Legal Services Department, provided the following comments:

I understand that Dr. MacSween is objecting (under s. 29 (5) of the *Ontario Heritage Act*) to council's notice of intention to designate her property as a property of cultural heritage value or interest. In her notice of objection, Dr. MacSween makes a number of complaints about procedural fairness prior to council's decision that it intends to designate the property.

There is nothing in the *Ontario Heritage Act* that contemplates that the hearing with respect to council's consideration of a person who objects to the proposed designation (under s. 29 (6)) includes a review of the process leading to council's decision that it intends to designate. Consideration of an objection under s. 29 (6) is not a quasi-judicial review of that decision. Rather, it is simply a hearing de novo (a fresh hearing) for council to consider the objection and decide whether or not, based on the criteria set out in *O. Reg. 9/06*, to withdraw its notice of intention to designate. If Dr. MacSween wishes to challenge the fairness of council's procedure prior to deciding that it intends to designate the property, she needs to do so through an application for judicial review to the Divisional Court.

Therefore, council does not need to (and indeed, has no jurisdiction to) consider the fairness of its own procedure prior to deciding that it intends to designate the property. It should simply focus on considering Dr. MacSween's objection as it relates to the *O. Reg. 9/06* criteria.

Council has the discretion to advance or not advance heritage designation of this property following its consideration of this objection. Staff confirm that all legislative steps have been followed in the evaluation and processing of this matter under the *Ontario Heritage Act*. The property at 163 Brock Street exceeds the minimum requirements set out by the Province of

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Ontario through Ontario Regulation 9/06 for determining cultural heritage value or interest, by meeting four of the nine criteria (it only needs to meet two).

In response to the owner's concern about the length of time and effort involved in gaining approval under the *Ontario Heritage Act* (see Point 13), we are pleased to confirm that the City has made strides to improve the efficiency of the permitting process. For example, the use of the Development and Services Hub ([DASH](#)) program allows applications to be submitted online and at the owner's convenience, without the need to attend City offices. Recent updates to the Procedural By-Law for Heritage have also granted further delegated authority to the Director of Heritage Services to approve minor changes to designated properties, such as repairs to existing features, window repairs/replacements, masonry pointing and alterations that have no significant impact on the property's heritage attributes. This avoids the need to attend multiple committee and Council meetings for minor upkeep matters. If the property is designated, staff will work with the owner to ensure future heritage permits are processed as efficiently as possible.

The draft designation by-law is attached as Exhibit B. Photographs of the property are also included as Exhibit C.

Summary

The draft by-law was prepared in accordance with *Ontario Heritage Act* requirements. The subject property was evaluated against the 'Criteria for Determining Cultural Heritage Value or Interest' in Ontario Regulation 9/06, which requires the property to meet at least two (2) of the nine (9) criteria to be considered for designation under the Act. The subject property exceeds the minimum tests of the criteria, which is uncontested by the owner. Heritage staff, the Heritage Properties Working Group and the Kingston Heritage Properties Committee support the designation of the property at 163 Brock Street under Section 29 of the *Ontario Heritage Act*. Staff recommend giving all three readings to the by-law and serving a Notice of Passing.

Existing Policy/By-Law:

More Homes Built Faster Act, 2022 (Province of Ontario)

More Homes, More Choice Act, 2019 (Province of Ontario)

Ontario Heritage Act, R.S.O. 1990, C.O. 18 (Province of Ontario)

Ontario Regulation 9/06 – Criteria for Determining Cultural Heritage Value or Interest (Ontario)

Ontario Regulation 385/21 – General Regulations (Ontario)

City of Kingston Official Plan

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Notice Provisions:

Notice of Passing or Notice of Withdrawal must be served on the property owner(s) and the Ontario Heritage Trust and be published in a newspaper, having general circulation in the municipality, pursuant to Section 29 of the *Ontario Heritage Act*.

Accessibility Considerations:

None

Financial Considerations:

None

Contacts:

Kevin Gibbs, Director, Heritage Services, 613-546-4291 extension 1354

Joel Konrad, Manager, Heritage Planning, 613-546-4291 extension 3256

Ryan Leary, Senior Planner, Heritage Services, 613-546-4291 extension 3233

Other City of Kingston Staff Consulted:

Andrew Reeson, Senior Legal Counsel, Legal Services

Exhibits Attached:

Exhibit A Notice of Objection – 163 Brock Street

Exhibit B Draft Designation By-Law – Dupuis House

Exhibit C Photograph of Property

IN THE MATTER OF 163 BROCK STREET (PART LOTS 31-32 PLAN D18 & PART LOT 2, N/S BROCK ST, PLAN SELMA KINGSTON CITY, PART 1, 13R6984; CITY OF KINGSTON, COUNTY OF FRONTENAC), KNOWN AS LIMESTONE DERMATOLOGY

**AND IN THE MATTER OF KINGSTON CITY COUNCIL MEETING, JUNE 4, 2024 –
CLAUSE 2 OF REPORT NUMBER 58: RECEIVED FROM KINGSTON HERITAGE
PROPERTIES COMMITTEE WITH RESPECT TO NOTICE OF INTENTION TO
DESIGNATE UNDER THE ONTARIO HERITAGE ACT**

NOTICE OF OBJECTION

THE UNDERSIGNED objects to the above referenced notice of intention to designate the building commonly known as the medical facility, Limestone Dermatology (the “Property”).

Grounds for Objection

- [1] City Council failed to exercise its discretion in accordance with its duty to do so fairly and with due regard not only to the recommendation of the Kingston Heritage Properties Committee (the “Committee”), but also to the submissions made by me.
- [2] City Council misunderstood its fundamental responsibility to consider the merits of the objection raised by me, rather than act as a rubber stamp for the Committee’s recommendations.
- [3] City Council fettered its discretion, and thereby failed to make a procedurally fair decision.
- [4] City Council made its decision based on improper considerations.

Applicable Principles

- [5] City Council has the power to pass by-laws under section 29 of the *Ontario Heritage Act*, R.S.O. 1990, Chapter O.18, to designate the lands to be of cultural heritage value and interest.
- [6] Section 29 is permissive:

“The council of a municipality may, by by-law, designate a property within the municipality to be of cultural heritage value or interest....” [emphasis added]
- [7] In deciding whether to exercise its delegated power under the *Ontario Heritage Act* to designate a property, City Council is exercising a discretion.

- [8] The exercise of discretion must be undertaken fairly and in accordance with principles of natural justice.
- [9] A failure to exercise a discretion as a result of a decision-maker's reliance on practices or policies, whether written or not, is an abuse of discretion.
- [10] No two cases are identical. It is an abdication of City Council's legal responsibility to decide each case on its merits where the decision not to uphold a property owner's objection to heritage designation is made because:
- a. All such cases should be decided "exactly the same way".
 - b. Council has "always followed" a recommendation for designation.
 - c. Doing so might be seen as treating certain classes of individuals (e.g. physicians) differently.

Facts

- [11] I rely on the facts previously presented by me. For the sake of convenient reference, the text that I prepared for my oral presentation to Council on 4 June is appended to this notice of objection.
- [12] I would emphasise the following:
- a. It is not disputed that the Property meets two or more of the criteria for designation set out in section 1 of Ontario Regulation 9/06 (*Criteria for Determining Cultural Heritage Value or Interest*).
 - b. For the past 19 years the Property has been owned by me and used as a busy medical clinic providing medical care to thousands of individuals from Kingston and beyond.
 - c. When looking for a building to locate my practice in, I made a conscious decision to avoid purchasing a heritage property.
 - d. The Property has been substantially improved by me and has been responsibly and carefully maintained.
 - e. Physicians in Ontario are already overburdened by ever-increasing regulatory, financial and administrative responsibilities. That is before taking into account the inexorable pressures of providing good medical services to a population increasingly anxious and concerned about their ability to access those services.
 - f. Ownership of and responsibility for a heritage property will add to the already long list of administrative, regulatory and other professional responsibilities that this physician has to deal with.

- [13] As an example of the sort of concern that I have, shortly before I became aware of the Committee's interest in designating my building, I had retained masons to do repair work on parts of the exterior of my property, including the chimneys. I am, I believe reliably, informed, that such work, if undertaken on a heritage property, would require a permit, and that the eventual granting of such a permit might be on conditions, such as specifying the materials to be used. The process of applying for a permit and then possibly having to negotiate its terms will either take me away from time that could be spent dealing with my other responsibilities as a busy community physician, or will be delegated, at my expense, to a professional who can deal with the process for me. None of the anecdotal evidence that I am aware of supports the perspective of City staff that the process of obtaining such permits is quick or straightforward.
- [14] There are, no doubt, many buildings in Kingston, which are not designated as being of cultural heritage value and interest, but which could be. Until now (and for many years past), my Property has been one of them.
- [15] In Council's discussion of the Committee's report regarding my Property, the Mayor expressed a concern about "equality" and how we treat all citizens "exactly the same way".
- [16] The Mayor referred to a previous decision made by Council a few minutes earlier to support the designation of a property whose owner had also objected to its designation. He continued:
- "In the interests of equality, if we're going to say "no" to designating this property then I would propose that we have a reconsideration of our earlier decision and also choose not to designate that property and furthermore I would suggest that we probably freeze designating any new properties until we have time to revise the criteria in a way that's fair and equal to everybody unless we want to suggest that there should be certain classes of individuals that should be treated differently. That is not a road that I think we should go down. That's not in any way minimizing the concerns that have been brought forward tonight, but we have to be very careful about the way that we make decisions round this table and right now there's a very clear criteria is that if a property meets a certain number of criteria then it's recommended for designation and up until this point we have always followed that. If the argument was to suggest that, okay, some of the features [inaudible] are called into question or maybe there is some argument that by the City's criteria, there's a fault with that for this particular property, that would be a different thing, but that's not what we're talking about here.
- [17] He concluded that he could not support my request because it would be taking "two different approaches to two similar situations in the same meeting".
- [18] The Deputy Mayor lamented that the property of one of his constituents, at 888 Montreal Street, had been designated over his constituent's objections, and expressed concern that upholding my objection could set a "precedent", He said that he would also have asked for his constituent to be "given a five-year reprieve if I had known that" [he could?].

Submissions

- [19] It is clear from the Mayor's comments, which were no doubt influential in the Council's decision to accept the Committee's report, that he believed that the Council should not consider my objection on its merits (unless my objection was that the criteria had been misapplied).
- [20] The Mayor misguidedly informed Council that if it upheld my objection, Council should "probably freeze designating any new properties until we have time to revise the criteria in a way that's fair and equal to everybody". In doing so he either forgot or was unaware that the criteria are established by regulation under the *Ontario Heritage Act*, not by the City.
- [21] The fact that the criteria are met does not automatically result in designation. That requires both the making of a report by the Committee and a decision by Council to accept the report. That decision must, as a matter of fairness, be made on a case-by-case basis.
- [22] Regrettably, the Mayor misunderstood, or ignored, his and the Council's responsibility to consider each case on its merits.
- [23] I am not asking for a class of citizens to be treated differently. I am asking that, in the individual circumstances presented by me, Council exercise its discretion not to accept the report as it pertains to my Property. The criteria stated in the Regulation merely list the prerequisites for designation to be considered. They do not exclude taking into account all and any relevant circumstances, including the effect of designation on the property concerned or its owner.
- [24] If Council believes that treating everyone equally means making the same decision in respect of each report, regardless of nuance or the particular circumstances of a case, then why have a discussion at all? If that was the case, a large rubber stamp would be all that is required.

Relief Requested

- [25] I simply ask that my objections be considered on their merits, without Council's discretion being fettered by improper considerations, a "one size fits all" mentality, or scaremongering about opening the floodgates for others who might object to the designation of their properties.

24th June 2024



Dr. Ruth MacSweeney, B.Sc.(Hons.), M.B. Ch.B. (Cantab.), M.R.C.P., F.R.C.P.(C)
Limestone Dermatology

APPENDIX

Good evening. Thank you for giving me the opportunity to address you this evening. I am asking Council to exercise its discretion and to not accept the recommendation of the Heritage Properties Committee to designate 163 Brock Street as a heritage property.

I accept that my building ticks enough of the relevant boxes to warrant its inclusion as a heritage property. However, my request to you this evening is that you look not only at whether the building qualifies for designation - it does - but also, **whether it should be designated**. In doing so, I suggest that you should also consider how the building is used, its benefit to the public, and whether the additional responsibilities that come with owning a heritage building should be imposed on a busy, committed, community physician.

I deliberately avoided purchasing a heritage building because of the additional compliance requirements. I chose 163 Brock Street not only because it suited my needs, but because it was located close to the Hotel Dieu at a time when I was the only dermatologist here, close to the public transportation that many patients rely on, central for students, close to car parks. 163 Brock Street is primarily a medical building, purchased due to location, its accessibility for the population, and **because it was not designated** – this allowed building modifications so that it was fully barrier free and accessible and so that it met codes for a medical building. It has a poured concrete ramp, for example. A future practitioner will look for the same flexibility – designation will make the building a very unlikely choice for a physician going forward and will certainly influence my decision re on going practice there.

I am sympathetic to the desire of this Council and the citizens of Kingston to preserve the character and history of the city's buildings and regard myself as a responsible custodian of my building. I bought the building in 2005. I have operated my medical practice from there ever since. Over the years I have spent tens of thousands of dollars maintaining the building to a high standard and the facilities it contains. I have recently engaged masons to do foundation repairs, red brick repairs, damaged by city salt, and essential chimney repairs. I have taken immaculate care of the building.

From my discussions with Councillor Glenn and City staff, I understand that one of their concerns is that there may come a time when I no longer own the building and a new owner might have a different attitude to preserving and maintaining the building than I do. My hope when the time comes is to pass this building on to another medical practitioner, as the building lends itself well to that purpose for the reasons already given.

We are not in a time of physician surplus. Just last Friday, I read in the Whig Standard that a city-funded recruitment effort had brought an additional eight new family physicians to the area. I commend the City's commitment to improving the availability of good healthcare in this City but note that each had to be financially incentivized to come here.

Creating an environment in which physicians can thrive is vital to not only the recruitment of physicians but, also, **to their retention**. Many physicians feel beleaguered, weighed down by the increasing demands placed on us by regulators, OHIP and the government. Most of us are not on a salary and we do not have city or government pensions for our years of work. We are required to produce our own version of that, and our own medical premises in which to provide medical services.

It feels like no consideration has been given to the buildings current purpose and to the personal burden that a heritage designation, with the compliance responsibilities and inevitable additional form-filling, meeting of specifications, time and expense that will entail. Such is the health care system in Ontario that I carry all the work of serving the public attending my clinic - everything from the building, to the staff, to the stitches I use after removal of skin cancers. With my staff I am responsible for all the administrative tasks associated with running a medical practice, including payroll, insurance, building maintenance, compliance with the College of Physicians and Surgeons, medical equipment, billing, and IT.

Adding the care of a designated building to my plate is one step too far – what does dealing with a heritage building have to do with the practice of medicine?

I will not be here forever, but I am here now, doing my best to look after you and your constituents. I have taken immaculate care of this building. I firmly ask that you not impose the care of a heritage building on my busy medical practice.

City of Kingston By-Law Number 2024-XX

A By-Law to Designate the property at 163 Brock Street to be of Cultural Heritage Value and Interest Pursuant to the *Ontario Heritage Act*

Passed: [insert date]

Whereas:

Subsection 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, Chapter 0.18 (the "*Ontario Heritage Act*") authorizes the council of a municipality to enact by-laws to designate property within the municipality, including buildings and structures on the property, to be of cultural heritage value or interest;

The *property* was listed on the register established pursuant to Section 27 of the *Ontario Heritage Act* in 2016;

On April 17, 2024, Council of the City of Kingston ("*Council*") consulted with its municipal heritage committee regarding the designation of the property at 163 Brock Street, known as the Dupuis House (the "*property*") in accordance with subsection 29(2) of the *Ontario Heritage Act*;

On June 11, 2024, *Council* caused notice of its intention to designate the *property* to be given to the owner of the *property* and to the Ontario Heritage Trust (the "*Trust*"), and on June 11, 2024, notice of the intent to designate the *property* was published in The Kingston Whig-Standard, a newspaper having general circulation in the City of Kingston; and

Notice of objection to the proposed designation was served on the municipal Clerk (the "*Clerk*") of the Corporation of the City of Kingston (the "*City*") within the time prescribed by subsection 29(5) of the *Ontario Heritage Act*, and *Council* considered the objection at its meeting of October 1, 2024.

Therefore, *Council* enacts:

1. The *property* is designated as being of cultural heritage value and interest, as more particularly described in Schedule "A" of this by-law.
2. A copy of this by-law will be registered against the *property* in the appropriate land registry office. The *Clerk* is authorized to serve a copy of this by-law on the owner of the *property* and the *Trust*, and to cause notice of the passing of this by-law to be published in The Kingston Whig-Standard.

3. The *City* reserves the right to install a designation recognition plaque on the *property*, in a location and style determined by the *City* in consultation with the owner.
4. This by-law will come into force and take effect on the date it is passed.

Given First and Second Readings XXX, 2024

Given Third Reading and Passed XXX, 2024

Janet Jaynes
City Clerk

Bryan Paterson
Mayor

Schedule “A”
Description and Criteria for Designation
Dupuis House

Civic Address: 163 Brock Street
Legal Description: Part Lots 31-32 Plan D18 & Part Lot 2, N/S Brock St, Plan Selma Kingston City, Part 1, 13R6984; City of Kingston, County of Frontenac
Property Roll Number: 1011 010 140 01300

Introduction and Description of Property

The Dupuis House, located at 163 Brock Street, is situated on the north side of the road, at the northeast corner of Montreal and Brock Streets in downtown Kingston. The approximately 300 square metre property includes a two-and-a-half storey, red-brick residential building constructed for Dr. Thomas Dupuis circa 1883.

Statement of Cultural Heritage Value/Statement of Significance

The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.

The Dupuis House is an example of a vernacular brick building with prominent Italianate influences and constructed for use as both a home and office. Typical of this style is the symmetrical façade with projecting frontispiece, large projecting eaves and segmentally arched window openings. The gable on the façade, with eave returns, paired segmentally arched windows topped by voussoirs and decorative brackets add to the Italianate expression of this building. The building’s use as a residence and offices can be seen in the decorative details being carried onto the eastern elevation, and an entrance to the rear portion of the building.

The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.

The property is of historical/associative value through its association with Dr. Thomas R. Dupuis. The property functioned as both his residence and medical office. The office was located in the rear section of the building (historic address of 7 Montreal Street). Dupuis studied medicine at Queen's College (now Queen’s University) beginning in 1856 and graduated in 1860. In the summer of 1864, he was an assistant surgeon with the United States army at the Armory Square Hospital. By 1868 he was appointed professor of

Botany at the Royal College of Physicians and Surgeons in Kingston. He practiced medicine at Harrowsmith and Odessa before moving to Kingston in 1872. He was a physician and surgeon at the Kingston Hospital beginning in 1874. While in Kingston he made a significant mark by becoming a professor of Anatomy at Queen's, a lecturer of clinical surgery in 1880 at Queen's, and was involved in the establishment of the Cataraqui Medical Society (now the Kingston Medical Society). He served as alderman in Kingston from 1874–1880 and 1882. The property continued to function as a doctor's office and residence following Dupuis' death from cholera in 1893.

The property has contextual value because it is important in defining, maintaining or supporting the character of an area.

The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.

The Dupuis House is significant in defining the character of the streetscape along the north side of Brock Street, between Bagot and Montreal Streets, which retains several nineteenth-century commercial buildings. The buildings on this section of Brock Street vary in height from one-and-a-half to two-and-a-half storeys and the construction materials include red-brick, wood frame and limestone.

With its shallow setback, grand appearance, red-brick construction and prominent corner location, the Dupuis House shares a visual and historical relationship with its surroundings, particularly the stone building at 153-155 Brock Street and the brick building at 149 Brock Street. As part of this group of buildings, the subject building helps maintain the historic and eclectic character of this portion of Brock Street.

Heritage Attributes

Key exterior elements that contribute to the property's cultural heritage value include its:

- Two-and-a-half storey red-brick construction, including rear two-and-a-half storey wing, with complex roof that includes hip and gable portions;
- Symmetrical façade with projecting central bay topped with a gable roof with eave returns, decorative brackets, and a pair of segmentally arched window openings topped by voussoirs;
- Three-bay façade with a central front entrance, including two projecting window openings flanking the central entrance;
- Segmentally arched doorway openings with segmentally arched transoms;
- Segmentally arched window openings with voussoirs including basement window openings;
- Large projecting eaves brackets and four brick chimneys; and
- Rusticated limestone foundation.

163 Brock Street - Dupuis House



Google - 2020