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From: **Eugene Zaremba** <[REDACTED]>

Date: Tue, Oct 24, 2017 at 4:57 PM

Subject: 268 Victoria St.

To: jsands@cityofkingston.ca

Dear Mr. Sands,

I am writing with regard to the zoning by-law amendment application being submitted by the owners of 268 Victoria St. I want to bring to your attention the existing right of way that opens onto Earl Street and runs behind the properties at 250, 252, 256, 260 and 268. This right of way ends at a gate in the fence between my property at 246 Victoria and 250 Victoria. From the Planning Justification Report for 268 Victoria it seems that the construction of the proposed structure fronting onto Earl Street will eliminate this right of way.

I request that you look into the status of the right of way I am referring to. It is not clear to me whether the lane way adjacent to 268 Victoria St. is owned by 268 or not. But regardless, this right of way has been used for a long time by the properties on Victoria Street adjacent to it. I am enclosing a few photographs confirming this. The first is a picture of my car (Jetta) parked at the back of my backyard as viewed through the gate between 246 and 250 Victoria. The second is a view of the end of the lane way from Earl Street straight through to the view of my car at the south end of the lane way. The third photo is of the backyard of 250 and 252 Victoria St. It shows one car parked there but usually there are two. The right of way is required to access this backyard. I have contacted the owner of 250 Victoria, Daniel Weisberg, who confirmed that he wants to maintain the right of way for the use of his tenants who park their cars there.

You can confirm by referring to Snapshot Kingston that the lane way has a long history. In 2004 there is a clear image of a garage located at the south end of the lane way. This garage burned down and was removed; it no longer appears in the 2008 image. The lane way terminating at my property is clearly visible in the 2013 image.

I personally wish to have the right of way maintained and will object if the new structure on the 268 Victoria St. lot blocks access to it. I would appreciate if you can ensure that the application is consistent with the current use of the right of way.

Yours sincerely,
Eugene Zaremba
246 Victoria Street



