

**HUMMEL PROPERTIES INC.
P.O. Box 612
St. Davids ON L0S 1P0
Telephone (905) 262-0346**

July 30th 2025

Town of Niagara-on-the-Lake
1593 Four Mile Creek Road
P.O. Box 100
Virgil, ON. L0S 1T0

Attention: Aimee Alderman, MSc, MCIP, RPP, Manager of Planning,

**Re: 46 Paxton Lane
Application for Consent to Sever**

2233497 Ontario Limited (Developer) & Hummel Properties Inc. (HPI), are pleased to submit the enclosed Consent to Sever application for the property located at 46 Paxton Lane in the Village of St. Davids. The intention of the severance application is to facilitate an agreement of purchase and sale, whereas the Developer has agreed to sell a portion of the draft approved condominium development to HPI. The severance lands contain an existing designated heritage house in need of restoration. HPI has agreed to undertake the restoration of the heritage dwelling upon completion of the severance and the transfer of the lands.

Proposal

This severance application will enable the restoration of a valuable piece of heritage in the Village of St. Davids. The current draft plan of condominium approval includes lands upon which the heritage house sits together with conditions of draft plan approval requiring restoration of the dwelling. The draft plan conditions require the restoration of the heritage house prior to the registration of the condominium and the development proceeding. The existing owners have not been able to find a route forward on the restoration and the house continues to deteriorate.

HPI has agreed to take on the responsibility of restoring the house conditional on it being successfully severed and conveyed to HPI's ownership. HPI is committed to following the required processes in order to obtain the necessary approvals and permits to facilitate the restoration. HPI has retained Mark Shoalts, a registered heritage consultant accredited by the Canadian Association of Heritage Professionals,

to oversee the restoration, together with a local architectural firm. HPI understands the value of this heritage asset.

HPI proposes to take immediate action to remove the deteriorated roof from the existing structure and replace it with a new roof this fall in order to secure the building from further environmental damage.

HPI has already taken action to create a more comprehensive restoration plan to enable the full restoration of the structure and to construction a building addition to make the house more functional for a future family.

Once the lands are severed the restoration of the heritage dwelling will no longer be tied to the development approval and both can proceed independent of each other.

The proposed lot has legal frontage on the north portion of Paxton Lane, where there are existing services available. Through the future restoration process, a formal servicing and grading design will be prepared to support the comprehensive plan. This will include details related to servicing connections and any grading work that will be required to ensure positive runoff from the property.

It is expected that the Developers will enter into a brief development agreement with the Town as a condition of the severance. Such agreement will outline future requirements for permits and approvals related to the restoration, servicing and grading. More detailed requirements will come about once the comprehensive restoration plan comes forward.

Heritage

The subject property is designated under Part IV of the Ontario Heritage Act, secured under by-law No. 4813-15. The by-law includes a Statement of Cultural and Heritage Value or Interest and includes a list of Heritage Attributes. This by-law was approved in 2015 and since this time, the house has been exposed to the elements with various efforts over the years to secure the house. The roof is in bad shape and has let in water over the years which has completely rotted the interior elements of the house. The replacement of the roof is a critical priority in the restoration effort and must be completed as soon as possible.

It is the intention of HPI to undertake a substantial restoration of the heritage home including an addition once the property and the house has been conveyed through this severance process. The details of the restoration and renovation are currently in progress with the consulting team. Any alterations to the dwelling will be subject to obtaining a heritage permit for such work at a future date.

HPI expects to undertake a multi-phase approach to the restoration in order to secure the heritage structure from further deterioration as they work on the comprehensive restoration plans. However, HPI does intend to take immediate action to remove the deteriorated roof and install a new roof in order to enclose and secure the dwelling

from further deterioration. This would be considered phase 1 of the restoration effort. Due to the critical timing of this work, this work will be requested under a separate heritage permit application submitted immediately after HPI take possession. A subsequent heritage permit will be submitted for the more comprehensive restoration plan, which we refer to as phase 2. HPI commits to act quickly on this in order to ensure the restoration is successful.

Zoning

The proposed boundary of the severance conforms to the applicable site-specific zoning by-law, and therefore there are no variances required to facilitate the severance. A zoning overview is attached to this submission.

Once HPI takes possession of the property additional application for approval may be required depending on the final building design. It is anticipated that there is potential that a minor variance application may be required. The property is constrained and will take some creativity to work within the tight parameters.

Slope

There is an existing approved stable top of slope associated with the Four Mile Creek bank, along the western edge of the property. The severance does not propose to affect this established line as there is no development proposed as a result of this application. Once a final building envelope proposal is established, any impacts to the slope and its associated setback will be addressed with the conservation authority at that time. The conservation maintains control over this area as there is a legal obligation to obtain a permit from prior to any disturbance in this area.

The more detailed development proposal may also trigger the need to complete additional studies at the permit stage.

Other Applications

In order to facilitate the change in boundary to the draft approved vacant land condominium and application for Redline revision to the draft plan will be submitted. It is anticipated that this application will be submitted in short order as soon as the redline plan is prepared by the surveyor. This application will be submitted by the owners of the property.

As outlined above, after the severance is completed and the lands are transferred to HPI, HPI commits to working expeditiously to restore the Secord House. HPI commits to following the proper approval channels including obtaining any approvals and permits prior to undertaking any work.

We look forward to working together with the Town to bring this landmark heritage home back to its glory. Restoring the house is in the best interest of the Town and this process is the first step in making this complicated project come to fruition.

Thank you.

Yours truly,

A handwritten signature in blue ink, appearing to read 'J. Vida', is positioned above the printed name.

Jennifer Vida, MCIP, RPP
Hummel Properties Inc.

Encl.

Section 9.13.14 46 Paxton Lane			
Residential R1-14 - Site Specific Zone			
No.	Provision	Requirement	Proposed
a	Minimum Lot Frontage	12.0m (39.9ft)	11.16+4.90+2.45+11.27+3.06 = 32.84m (107.74ft2)
b	Minimum Lot Area	300m2 (3299.28ft2)	585+1593= 2178m2 (23,443.8ft2)
c	Maximum Lot Coverage	45%	no change
d	Minimum Front Yard Setback	3.0m (9.8ft)	no change
e	Minimum front yard setback to the front face of an attached garage (garages shall not project beyond the front face of the main building or beyond a front porch of a minimum 1.5m in depth)	6.0m (19.6ft)	n/a
f	Minimum Interior side yard setback with attached garage (except where there is no attached garage, the minimum side yard shall be 3.0m (9.8ft) on one side)	1.2m (3.9ft)	n/a
g	Maximum interior garage width (single width garage doors are required and the combined width of the garage doors cannot be more than 50% of the building face)	7.93m (26ft)	n/a
h	Minimum Exterior Side Yard Setback	3.0m (9.8ft)	n/a
i	Minimum Rear Yard Setback	6.0m (19.6ft)	11.05m (118.94ft2)
j	Accessory buildings shall have:		
	i. minimum side and rear yard setback	1.52m (5ft)	n/a
	ii. Minimum exterior side yard	3.0m (9.8ft)	n/a
k	Maximum building height to peak of the roof	10m (32.82ft)	no change - existing
l	Minimum Driveway Width	3.0m (9.8ft)	no change
m	Minimum number of parking spaces per dwelling unit	2	no change
n	Minimum dwelling unit area	93m2 (1001.08ft2)	no change
o	Privacy fencing for dwellings on corner lots or flankage lots should not occupy more than fifty per cent (50%) of the flankage lot line measured from the rear property line.		n/a
p	Fencing along the front yard for corner lots shall be a maximum of 1.0m (3.25ft) in height.		n/a