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August 20th 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 Development Planning,

**Re: 46 Paxton Lane Draft Plan of Subdivision File 26CD-18-24-04
Application for Minor Redline Revision**

On behalf of 2233497 Ontario Limited (The Owners), I am pleased to submit the enclosed documentation in support of an application to redline the draft approved subdivision located at 46 Paxton Lane in the village of St. Davids.

The former Ontario Municipal Board granted draft approval for a plan of subdivision with a common element road in 2013. Since the 2013 draft plan approval, the developers have been working toward clearing the conditions of approval. There are two draft plan conditions that remain outstanding, one of which requires the restoration of a designated heritage structure that is located on the property.

The Owners have come to a solution with regards to the restoration of the heritage structure and methodology on how the address the draft plan condition by way of entering into an agreement of purchase and sale with a local development company, Hummel Properties Inc. (HPI). The Owners intend to sell the draft approved lot (in its original configuration) containing the designated heritage structure and remove the lands from the draft approval. The Owner has been actively working with HPI to implement the agreement of sale in order to transfer the lands.

HPI has submitted an application to the Town of Niagara-on-the-Lake to sever the lot containing the designated heritage structure. The application is currently in circulation and it is planned to be presented at the September 18th 2025 Committee of Adjustment hearing. Should the Committee support the severance application, HPI wishes to take over the ownership of the heritage lot and to undertake restoration of the structure through a separate heritage permit process, outside of the subdivision approval.

The draft approved subdivision requires an emergency access from the limit of the private road, over the severance lands, connecting to the south limit of Paxton Lane. This emergency access is also required for underground servicing connections and a walkway connection that will service the future subdivision. An easement is proposed over the designated heritage lot in order to allow The Owners to implement the draft plan as it was approved. Approval of this easement will be processed with the severance application.

In order to facilitate the severance application, the boundary of the draft approved subdivision is required to be modified in order to exclude the severance lands. The draft approved conditions of approval must also be revised in order to remove all conditions related to the designated heritage structure. Specifically, condition 31 should be completely removed and all other conditions that refer to the designated lot, should be modified to exclude reference to such.

HPI has been actively investing and working on restoration efforts for the designated structure. HPI has retained a team of professionals to put together a plan that will come before the heritage committee and council this fall. If the consent is approved, HPI intends to replace the roof of the structure this fall to avoid any further deterioration of the heritage elements. As this work is being completed, HPI will continue to put together a comprehensive restoration plan for approval. HPI understands the importance of enclosing the structure as soon as possible and moving forward with restoration as quickly as possible.

Although the consent is not going forward to the committee until later in September, this application was submitted at this time in order to enable staff to review the two applications in a comprehensive manner.

The plan outlined above will enable the expeditious restoration of the designated heritage structure by HPI, and avoid any further deterioration of the heritage attributes of the structure and it enables The Owners to proceed to registration of the subdivision and commence development separate from one another.

Enclosed, you will find the following documentation:

- Application to redline the draft approved subdivision

- Fees for the Town of Niagara-on-the-Lake, The Region of Niagara and the Niagara Peninsula Conservation Authority, to review the revision.
- Redlined Draft Plan, prepared by Odan Detech, August 2025

I trust the explanation is adequate. Should you have any further questions regarding the submission, please do not hesitate to contact the undersigned.

Thank you.

Respectfully submitted,



Jennifer Vida, MCIP, RPP

Cc: Tom Richardson, Sullivan Mahoney, via email
Jay Vanmali, 2233497 Ontario Limited, via email