

UNDERTAKING

NO. E550 / TIM HORTONS
1341 UPPER JAMES + PART OF 15 STONECHURCH
FILE NO. SPA-18-013

I, (WE) THE OWNER(S) OF THE LAND, HEREBY UNDERTAKE AND AGREE WITHOUT RESERVATION:

(A) TO COMPLY WITH ALL THE CONTENT OF THIS PLAN AND DRAWING AND NOT TO VARY THEREFROM.

(B) TO PERFORM THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41 (7)(a) OF THE PLANNING ACT SHOWN ON THIS PLAN AND DRAWINGS IN ACCORDANCE WITH THE CONDITIONS OF APPROVAL AS SET OUT IN THE LETTER OF APPROVAL DATED _____.

(C) TO MAINTAIN TO THE SATISFACTION OF THE CITY AND AT MY (OUR) SOLE RISK AND EXPENSE, ALL OF THE FACILITIES, WORKS OR MATTERS MENTIONED IN SECTION 41(7)(b) OF THE SAID ACT, SHOWN IN THIS PLAN AND DRAWING, INCLUDING REMOVAL OF SNOW FROM ACCESS RAMPS AND DRIVEWAYS, PARKING AND LOADING AREAS AND WALKWAYS AND.

(D) IN THE EVENT THAT THE OWNER DOES NOT COMPLY WITH THE PLAN DATED _____ THE OWNER AGREES THAT THE CITY MAY ENTER THE LAND AND DO THE REQUIRED WORKS, AND FURTHER THE OWNER AUTHORIZES THE CITY TO USE THE SECURITY FUND TO OBTAIN COMPLIANCE WITH THIS PLAN.

(E) CAUTION: NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPONENT IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (MTC) SHOULD BE NOTIFIED IMMEDIATELY (416.314.7143). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MTC AND THE REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416.326.8392).

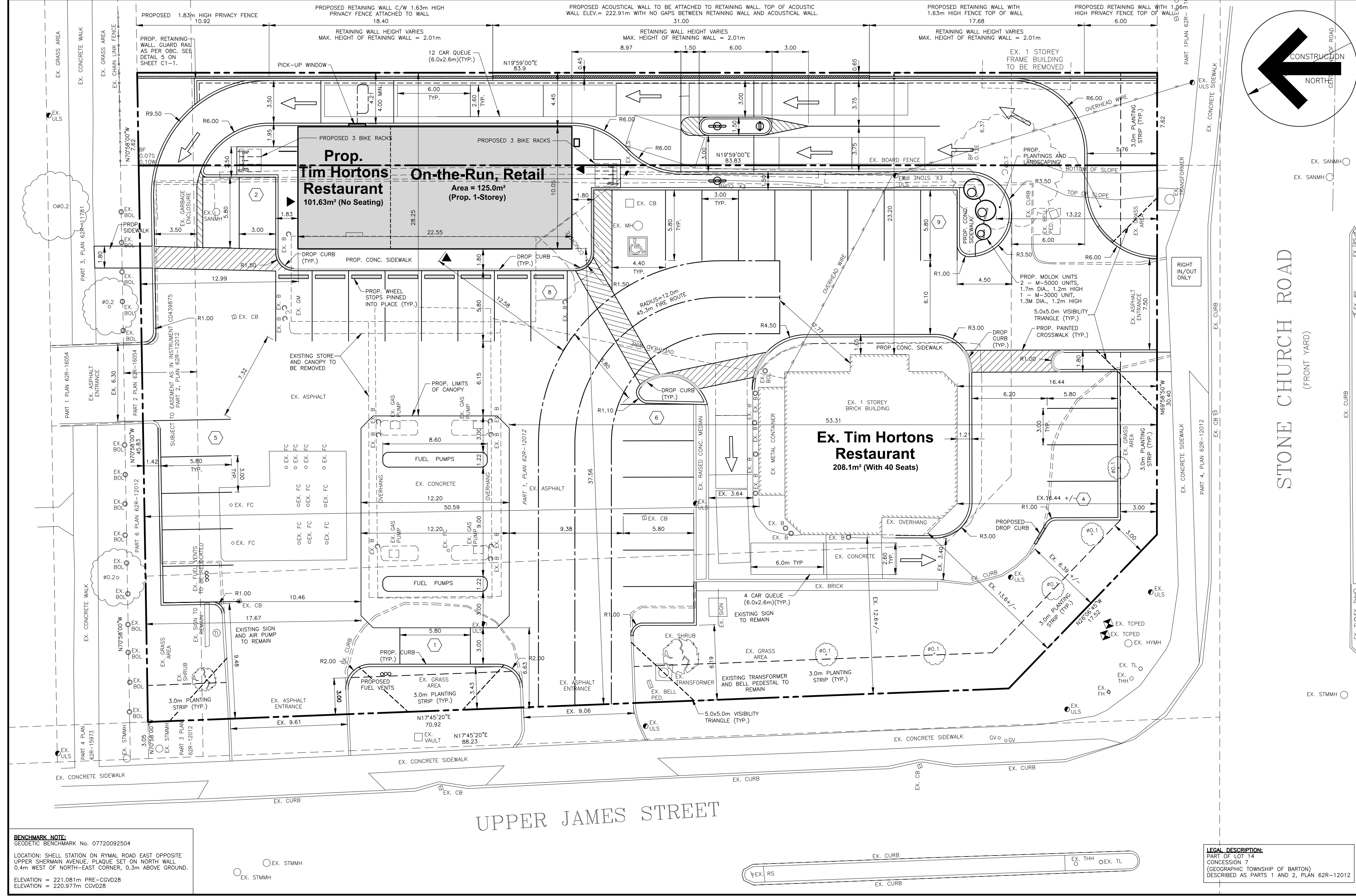
DATED THIS April 2 DAY OF April 2019.

Giuseppe Lanca (SIGNATURE) (SEAL)
OWNER (PRINT)

Giuseppe Lanca (SIGNATURE)
WITNESS (SIGNATURE)

Sam DeSoto (SIGNATURE)
WITNESS (PRINT)

135 Nelson Dr. Hamilton
ADDRESS OF WITNESS



BENCHMARK NOTE:
CEMETERY BENCHMARK No. 0772092504
LOCATION: SHELL STATION ON RRWAL ROAD EAST OPPOSITE UPPER SHERMAN AVENUE. PLAQUE SET ON NORTH WALL 0.4m WEST OF NORTH-EAST CORNER, 0.3m ABOVE GROUND.
ELEVATION = 221.081m PHE=CVD028
ELEVATION = 220.977m CVD028

1 Site Plan
AS1-1

Development Details		Site Statistics	
Legal Description Part of Lot 14 - Concession 7 (Parts 1 and 2, Plan 62R-12012) City of Hamilton		Site Area	45,762 s.f. 4,253.30 s.m.
Address 1341 Upper James St + part of 15 Stonechurch Rd E Hamilton, Ontario		Building Coverage	4,679 s.f. 434.73 s.m.
Zone C7		Gross Floor Area	
Use Store/Gas Bar and Existing Store		Store (Retail + Restaurant)	2,439 s.f. 226.63 s.m.
	Required	Gas Canopy	2,285 s.f. 212.28 s.m.
	Provided	Existing Tim Hortons	2,240 s.f. 208.10 s.m.
		Total	6,964 s.f. 647.01 s.m.
Min. Setback to Street Line		Parking Requirements (Zoning By-Law 2020)	
Ex. Restaurant	18.00 m	125.00	5.00 Spaces 5.0 Spaces
Gas Station	4.50 m	101.63	3.00 Spaces 3.0 Spaces
		208.10	26.01 Spaces 27.0 Spaces
Min. Rear Yard		Total Parking Spaces (Inc. Barrier Free)	
Prop. Restaurant/Gas Bar	7.50 m	34.01 Spaces	35 Spaces
		1 Spaces	1 Spaces
Min. Interior Side Yard		Bicycle Parking Spaces (Zoning By-Law 05-200)	
Ex. Restaurant	4.50 m	5.00 Spaces	6.0 Spaces
Maximum Building & Canopy Height			
Prop. Gas Bar	14.00 m		
Prop. Canopy	14.00 m		
Min. Planting Strip			
	3.00 m		
Max. Gross Area for Retail Use			
Gas Station	175.00 sq.m.		
	125.00 sq.m.		
Min. No. of Queuing Spaces			
Ex. Restaurant	12.00 Spaces		
Gas Station	12.00 Spaces		

SITE PLAN NOTES:

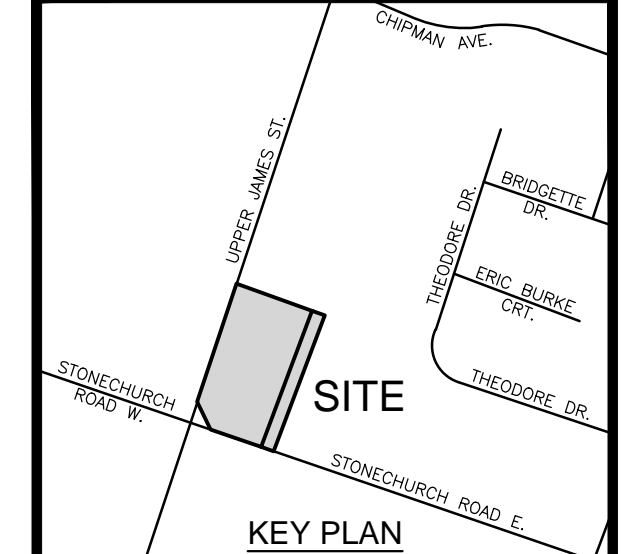
- ALL WORK INVOLVED IN THE CONSTRUCTION, RELOCATION, REPAIR OF MUNICIPAL SERVICES FOR THE PROJECT SHALL BE TO THE SATISFACTION OF THE DIRECTOR OF PLANNING AND CHIEF PLANNER, PLANNING AND DEVELOPMENT DEPARTMENT.
- FIRE ROUTE SIGNS AND 3-WAY FIRE HYDRANTS SHALL BE ESTABLISHED TO THE SATISFACTION OF THE CITY FIRE DEPARTMENT AND AT THE EXPENSE OF THE OWNER.
- MAIN DRIVEWAY DIMENSIONS AT THE PROPERTY LINE BOUNDARIES ARE PLUS OR MINUS 7.5m UNLESS OTHERWISE STATED.
- ALL DRIVEWAY DIMENSIONS FROM PROPERTY LINES FOR THE FIRST 7.5m SHALL BE WITHIN 5% MAXIMUM GRADE, THEREAFTER, ALL DRIVEWAYS SHALL BE WITHIN 10% MAXIMUM GRADE.
- THE APPROVAL OF THIS PLAN DOES NOT EXEMPT THE OWNER'S BONDED CONTRACTOR FROM THE REQUIREMENTS TO OBTAIN THE VARIOUS PERMITS/APPROVALS NORMALLY REQUIRED TO COMPLETE A CONSTRUCTION PROJECT, SUCH AS, BUT NOT LIMITED TO THE FOLLOWING:
 - BUILDING PERMIT
 - ROAD CUT PERMITS
 - SEWER AND WATER PERMIT
 - RELOCATION OF SERVICES
 - APPROACH APPROVAL PERMITS
 - ENCROACHMENT AGREEMENTS (IF REQUIRED)
- ABANDONED ACCESSES MUST BE REMOVED AND THE CURB AND BOULEVARD RESTORED WITH SOO AT THE OWNER'S EXPENSE TO THE SATISFACTION OF THE TRAFFIC ENGINEERING SECTION, PUBLIC WORKS DEPARTMENT.
- 5 METER BY 5 METER VISIBILITY TRIANGLES IN WHICH THE MAXIMUM HEIGHT OF ANY PROPOSED OBJECTS OR MATURE VEGETATION IS NOT TO EXCEED A HEIGHT OF 0.70 METERS ABOVE THE CORRESPONDING PERPENDICULAR CENTERLINE ELEVATION OF THE ADJACENT STREET.
- PROPOSED SIGNAGE SHALL CONFORM TO THE CITY'S SIGN AND OTHER DEVICES BY-LAW No. 10-197.
- LIGHTING MUST BE DIRECTED ON SITE AND MUST NOT SPILL OVER TO ADJACENT PROPERTIES OR STREETS.
- ALL SIGNS MUST COMPLY WITH THE HAMILTON SIGN BY-LAW No. 10-197.
- ALL FENCES MUST COMPLY WITH HAMILTON FENCE BY-LAW No. 10-142.
- CAUTION: NOTWITHSTANDING CURRENT SURFACE CONDITIONS, THE PROPERTY HAS BEEN DETERMINED TO BE AN AREA OF ARCHAEOLOGICAL POTENTIAL. ALTHOUGH AN ARCHAEOLOGICAL ASSESSMENT IS NOT REQUIRED BY THE CITY OF HAMILTON, THE PROPONENT IS CAUTIONED THAT DURING DEVELOPMENT ACTIVITIES, SHOULD DEEPLY BURIED ARCHAEOLOGICAL MATERIALS BE FOUND ON THE PROPERTY THE ONTARIO MINISTRY OF TOURISM, CULTURE AND SPORT (MTC) SHOULD BE NOTIFIED IMMEDIATELY (416.314.7143). IN THE EVENT THAT HUMAN REMAINS ARE ENCOUNTERED DURING CONSTRUCTION, THE PROPONENT SHOULD IMMEDIATELY CONTACT BOTH MTC AND THE REGISTRAR OF THE CEMETERIES REGULATION UNIT OF THE MINISTRY OF SMALL BUSINESS AND CONSUMER SERVICES (416.326.8392).

BEFORE STARTING WORK

- THE CONTRACTOR SHALL NOTIFY THE CITY OF HAMILTON AND LANHACK CONSULTANTS INC. AT LEAST 48 HOURS PRIOR TO COMMENCING CONSTRUCTION.
- THE POSITION OF THE POLE LINES, CONDUITS, WATERMANS, SEWERS, AND OTHER UTILITIES AND STRUCTURES ARE NOT NECESSARILY SHOWN ON THE CONTRACT DRAWINGS, AND WHERE SHOWN, THE ACCURACY OF THE POSITION OF SUCH UTILITIES AND STRUCTURES IS NOT GUARANTEED.
- PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, ALL BENCHMARKS, ELEVATIONS, DIMENSIONS, AND GRADES MUST BE CHECKED BY THE CONTRACTOR AND ANY DISCREPANCIES REPORTED TO THE ENGINEER.
- ALL EXISTING UNDERGROUND UTILITIES SHALL BE LOCATED, MARKED, AND PROTECTED. ANY UTILITIES DAMAGED OR DISTURBED DURING CONSTRUCTION SHALL BE REPAIRED OR REPLACED TO THE SATISFACTION OF THE ENGINEER, AT THE CONTRACTOR'S EXPENSE.
- AT LEAST TWO DIFFERENT BENCHMARKS MUST BE REFERRED TO AT ALL TIMES.

LEGEND

⊕ FH	FIRE HYDRANT
▲	MAN DOOR ENTRANCE
△	OVERHEAD DOOR ENTRANCE
○	EXISTING MANHOLE
□ CB	EXISTING CATCH BASIN
FFE	FINISHED (FIRST) FLOOR ELEVATION
CONC.	CONCRETE
HP	HYDRO POLE
TP	TRANSFORMER POLE
CONC.	CONCRETE
HP	HYDRO POLE
LS	LIGHT STANDARD
→	DIRECTION OF DRIVE-THRU
⊕	ORDERING SPEAKER AND MENU BOARD
⊕	MENU BOARD



Contractor must verify all dimensions on the Project Site and report any discrepancies before proceeding with the Work.

This drawing is a part of the Contract Documents and is to be read in conjunction with all other Contract Documents.

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SOURCE: EXISTING BOUNDARY SURVEY AND TOPOGRAPHICAL INFORMATION OBTAINED FROM MACKAY MACKAY & PETERS LTD., PROJECT NO. 16-127, DATED JULY 27, 2016.

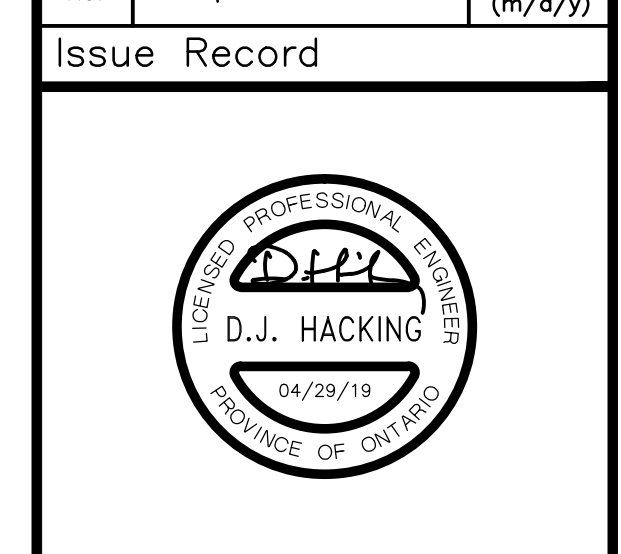
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Revision Record

No.	Description	Date (m/d/y)
E	AS PER CITY COMMENTS	04/29/19
D	AS PER CITY COMMENTS	03/04/19
C	AS PER CITY COMMENTS	11/28/18
B	AS PER CITY COMMENTS	07/19/18
A	ISSUED FOR SPA	12/21/17

Issue Record

No.	Description	Date (m/d/y)



NOT FOR CONSTRUCTION

LANHACK

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Consulting Engineers
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Hamilton, ON L8B 1K7
Tel: (905) 771-1454
Fax: (905) 536-8142

ESSO/TIM HORTONS

1341 Upper James + part of 15 Stonechurch
Hamilton, Ontario

Date: December 2017
Drawn By: TV
Chkd By: SMP
Scale: 1:200

SITE PLAN SPA-18-013

Project No.: 16077 Drawing No.: AS1-1 Rev.: E

Plot Date: 04/29/19
4420191077 - Gas Upp. James & Stone Church (encl)
16077_2017 SPA Plan.dwg