

Public Notice
Committee of Adjustment

APPLICATION # A-2021-0028
WARD #3

APPLICATION FOR MINOR VARIANCE

WHEREAS an application for minor variance has been made by **BALDEV NAYYAR AND PHOOL NAYYAR** under Section 45 of the Planning Act, (R.S.O. 1990 c.P.13) for relief from **By-law 270-2004**;

AND WHEREAS the property involved in this application is described as Lot 76, Plan 43M-785, municipally known as **28 BLACKWELL PLACE**, Brampton;

AND WHEREAS the applicants are requesting the following variance(s):

1. To permit a rear yard setback of 4.19m (13.75 ft.) to a proposed addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.);
2. To permit a deck to encroach a maximum of 4.31m (14.14 ft.) into the required rear yard resulting in a rear yard setback of 3.19m (10.14 ft.) whereas the by-law permits a maximum deck encroachment of 3.0m (9.84 ft.) into the required rear yard, resulting in a rear yard setback of 4.5m (14.76 ft.).

OTHER PLANNING APPLICATIONS:

The land which is subject of this application is the subject of an application under the Planning Act for:

Plan of Subdivision: NO
Application for Consent: NO

File Number: _____
File Number: _____

The Committee of Adjustment has appointed **TUESDAY, March 9, 2021 at 9:00 A.M. by electronic meeting broadcast from the Council Chambers, 4th Floor, City Hall, 2 Wellington Street West, Brampton**, for the purpose of hearing all parties interested in supporting or opposing these applications.

This notice is sent to you because you are either the applicant, a representative/agent of the applicant, a person having an interest in the property or an owner of a neighbouring property. **OWNERS ARE REQUESTED TO ENSURE THAT THEIR TENANTS ARE NOTIFIED OF THIS APPLICATION. THIS NOTICE IS TO BE POSTED BY THE OWNER OF ANY LAND THAT CONTAINS SEVEN OR MORE RESIDENTIAL UNITS IN A LOCATION THAT IS VISIBLE TO ALL OF THE RESIDENTS.** If you are not the applicant and you do not participate in the hearing, the Committee may proceed in your absence, and you will not be entitled to any further notice in the proceedings. **WRITTEN SUBMISSIONS MAY BE SENT TO THE SECRETARY-TREASURER AT THE ADDRESS OR FAX NUMBER LISTED BELOW.**

IF YOU WISH TO BE NOTIFIED OF THE DECISION OF THE COMMITTEE OF ADJUSTMENT IN RESPECT OF THIS APPLICATION, YOU MUST SUBMIT A WRITTEN REQUEST TO THE COMMITTEE OF ADJUSTMENT. This will also entitle you to be advised of a Local Planning Appeal Tribunal hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

RULES OF PROCEDURE OF THIS COMMITTEE REQUIRE REPRESENTATION OF THE APPLICATION AT THE HEARING, OTHERWISE THE APPLICATION SHALL BE DEFERRED.

PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 25th day of February, 2021.

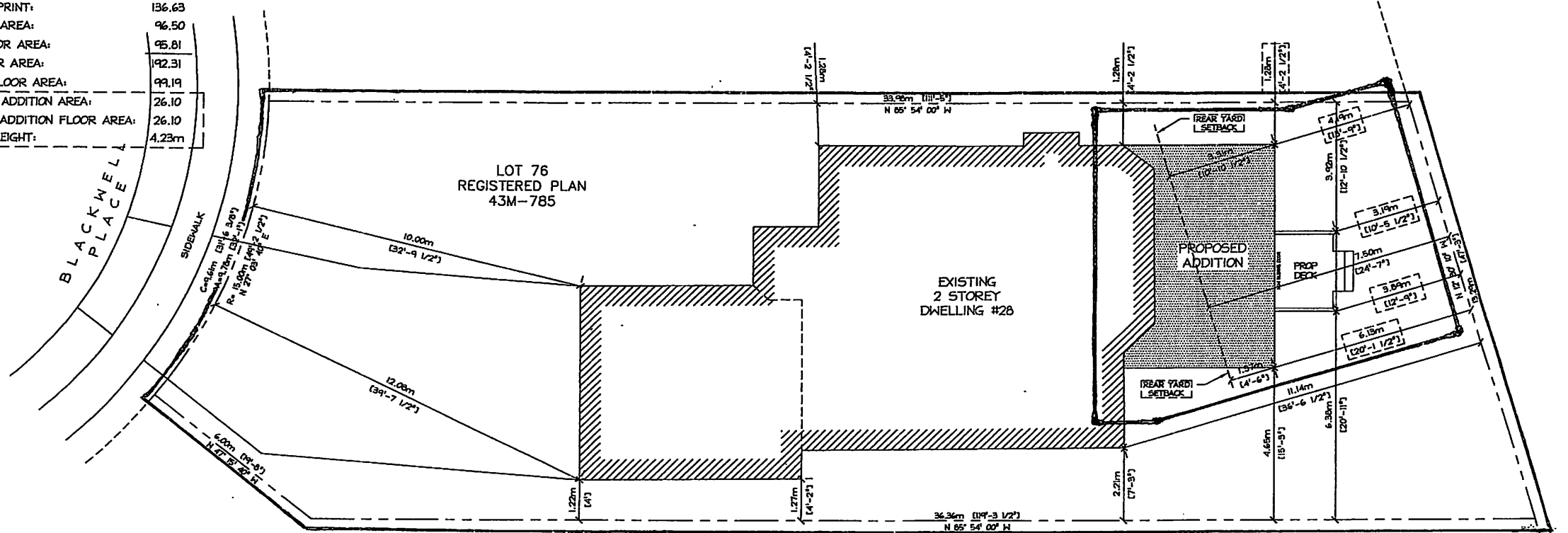
Comments may be sent to and more information about this matter may be obtained between 8:30 a.m. to 4:30 p.m. Monday - Friday from:

Jeanie Myers, Secretary-Treasurer
Committee of Adjustment, City Clerk's Office,
Brampton City Hall
2 Wellington Street West,
Brampton, Ontario L6Y 4R2
Phone: (905)874-2117
Fax: (905)874-2119
jeanie.myers@brampton.ca

PLAN OF SURVEY OF:
LOT 76, REGISTERED PLAN 43M-785
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL

INFORMATION FOR THIS PLAN TAKEN FROM SURVEY
 AS PROVIDED BY CLIENT

SITE STATISTICS:	AREA (m) ²
LOT GROSS AREA:	470.02
EXISTING HOUSE FOOTPRINT:	136.63
EXISTING MAIN FLOOR AREA:	96.50
EXISTING SECOND FLOOR AREA:	95.81
EXISTING GROSS FLOOR AREA:	192.31
EXISTING BASEMENT FLOOR AREA:	99.19
PROPOSED MAIN FLOOR ADDITION AREA:	26.10
PROPOSED BASEMENT ADDITION FLOOR AREA:	26.10
PROPOSED ADDITION HEIGHT:	4.23m



1 SITE PLAN
 SPI SCALE: 3/32"=1'-0"

REV	DESCRIPTION	DATE	BY
1	Submitted for COA	Feb 07 21	

MIDTOWN Technical Services
 DESIGN, PERMITS & PROJECT MANAGEMENT
 1045 TOWER CRESCENT, KILWORTHY, ONTARIO
 (C) 416-315-4184 (T) 705-953-8184
 www.midtowntechnicalservices.com

CLIENT:
NAYYAR RESIDENCE
 28 BLACKWELL PLACE
 BRAMPTON ONTARIO
 DRAWING TITLE:
SITE PLAN
PROPOSED ADDITION

DRAWN BY: MIDTOWN	PROJECT No:
DATE: Aug 12 19	REFERENCE:
SCALE: AS NOTED	DRAWING No. SP-1
CHECKED:	

NOTES:
 1. MIDTOWN TECHNICAL SERVICES ARE NOT RESPONSIBLE FOR ANY LIABILITY DUE TO THE USE OF THESE DRAWINGS. WHILE EVERY EFFORT HAS BEEN MADE TO ENSURE THEIR INTEGRITY AND ACCURACY, THEY SHOULD BE EXAMINED BY A STRUCTURAL ENGINEER IF THERE IS ANY DOUBT BEFORE CONSTRUCTION.
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Under the authority of the *Emergency Management and Civil Protection Act* and the *Municipal Act, 2001*, City Council approved Committee Meetings to be held electronically during the COVID-19 Emergency

Electronic Hearing Procedures
How to get involved in the Virtual Hearing

Brampton City Hall is temporarily closed to help stop the spread of COVID-19. In-person Committee of Adjustment Hearings have been cancelled since mid-March 2020. Brampton City Council and some of its Committees are now meeting electronically during the Emergency. The Committee of Adjustment will conduct its meeting electronically until further notice.

How to Participate in the Hearing:

- All written comments (by mail or email) must be received by the Secretary-Treasurer no later than **4:30 pm, Thursday, March 4, 2021**.
- Advance registration for applicants, agents and other interested persons is required to participate in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary-Treasurer at cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca by **4:30 pm, Friday, March 5, 2021**.
 - Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone. You can register by calling 905-874-2117 and leave a message with your name, phone number and the application you wish to speak to by **Friday, March 5, 2021**. City staff will contact you and provide you with further details.
- All Hearings will be livestreamed on the City of Brampton YouTube account at: <https://www.brampton.ca/EN/City-Hall/meetings-agendas/Pages/Welcome.aspx> or <http://video.isilive.ca/brampton/live.html>.

If holding an electronic rather than an oral hearing is likely to cause a party significant prejudice a written request may be made to have the Committee consider holding an oral hearing on an application at some future date. The request must include your name, address, contact information, and the reasons for prejudice and must be received no later than 4:30 pm the Friday prior to the hearing to cityclerksoffice@brampton.ca or jeanie.myers@brampton.ca. If a party does not submit a request and does not participate in the hearing, the Committee may proceed without a party's participation and the party will not be entitled to any further notice regarding the proceeding.

NOTE Personal information as defined in the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, collected and recorded or submitted in writing or electronically as related to this planning application is collected under the authority of the *Planning Act*, and will be used by members of the Committee and City of Brampton staff in their review of this matter. Please be advised that your submissions will be part of the public record and will be made available to the public, including posting on the City's website, www.brampton.ca. By providing your information, you acknowledge that all personal information such as the telephone numbers, email addresses and signatures of individuals will be redacted by the Secretary-Treasurer on the on-line posting only. Questions regarding the collection, use and disclosure of personal information may be directed to the Secretary-Treasurer at 905-874-2117.

AMENDMENT LETTER

February 25, 2021

To: Committee of Adjustment

RE: APPLICATION FOR MINOR VARIANCE
BALDEV NAYYAR AND PHOOL NAYYAR
LOT 76, PLAN 43M-785
A-2021-0028 – 28 BLACKWELL PLACE
WARD 3

Please **amend** application **A-2021-0028** to reflect the following:

1. To permit a rear yard setback of 4.19m (13.75 ft.) to a proposed addition whereas the by-law requires a minimum rear yard setback of 7.5m (24.60 ft.);
2. To permit a deck to encroach a maximum of 4.31m (14.14 ft.) into the required rear yard resulting in a rear yard setback of 3.19m (10.14 ft.) whereas the by-law permits a maximum deck encroachment of 3.0m (9.84 ft.) into the required rear yard, resulting in a rear yard setback of 4.5m (14.76 ft.).


Applicant/Authorized Agent



MIDTOWN Technical Services

DESIGN, PERMITS & PROJECT MANAGEMENT

February 8, 2021

Committee of Adjustment

City of Brampton

2 Wellington Street West

Brampton, ON, L6Y 4R2

A-2021-0028

Applicant: Baldev Nayyar
Address: 28 Blackwell Place
Brampton, ON, L6W 4M2

Dear Committee Members:

We are requesting minor variances for the Proposed Addition to be located in the rear yard of the Nayyar residence at 28 Blackwell Place in Brampton.

Reason for Application

The property owner would like to construct a rear yard Sunroom Addition with basement, but unfortunately it doesn't meet the City of Brampton Zoning By-Law (204-2010) Section 13.1, R1C Zone requirements and restrictions. The proposed addition would be encroaching in the rear yard setback.

We require relief from the City of Brampton Zoning By-Law (204-2010), R1C Zone designation;

The lands zoned R1C on Schedule A to this by-law;

13.1.2. shall be subject to the following requirements and restrictions; (g) minimum rear yard depth is 7.50 m (24.60 sq.ft).

Proposed Variance

We are requesting the minor variance(s) for this property as described below;

- 1) To allow for an addition in the rear yard with a floor area of 26.10 sq.m. (281.00 sq.ft.) and height of 4.23 m (13.87 ft). This proposed main floor sunroom addition would have a basement with a porch.
- 2) To permit a rear yard setback to the addition of 4.19 m (13.75 ft) and 3.19 m (10.46 ft) to the porch.

For more detail information regarding the requested variances please refer to the previous the attached Site Plan drawing SP-1, Property Survey and the Plans & Elevations drawings A-1, A-2, A-4 to A-6, as submitted to accompany the COA Minor Variance Application.

Please contact me at 416-315-4184, if there are any questions or discrepancies.

Regards,

MIDTOWN Technical Services

Rick Jablonski, MAATO
rjablonski@bellnet.ca



The Personal Information collected on this form is collected pursuant to section 45 of the Planning Act and will be used in the processing of this application. Applicants are advised that the Committee of Adjustment is a public process and the information contained in the Committee of Adjustment files is considered public information and is available to anyone upon request and will be published on the City's website. Questions about the collection of personal information should be directed to the Secretary-Treasurer, Committee of Adjustment, City of Brampton.

APPLICATION**Minor Variance or Special Permission**

(Please read Instructions)

NOTE: It is required that this application be filed with the Secretary-Treasurer of the Committee of Adjustment and be accompanied by the applicable fee.

The undersigned hereby applies to the Committee of Adjustment for the City of Brampton under section 45 of the Planning Act, 1990, for relief as described in this application from By-Law **270-2004**.

1. **Name of Owner(s)** Baldev Nayyar and Phool Nayyar
Address 28 Blackwell Place, Brampton, ON, L6W 4M2

Phone # 416-561-6282 **Fax #** _____
Email baldevnayyar@gmail.com

2. **Name of Agent** Rick Jablonski
Address 1045 Tower Crescent, Kilworthy, ON, P0E 1G0
MIDTOWN Technical Services

Phone # 416-315-4184 **Fax #** _____
Email rjablonski@bellnet.ca

3. **Nature and extent of relief applied for (variances requested):**

We request the following variances and relief from the Zoning By-Law;

1. To permit an addition in the rear yard with a floor area of 26.10 sq.m. (281.00 sq.ft.) and height of 4.23 m (13.87 ft).
2. To permit a rear yard setback to the addition of 4.19 m (13.75 ft) and 3.19 m (10.46 ft) to the porch.

See the attached site plan, plans and elevations.

4. **Why is it not possible to comply with the provisions of the by-law?**

As per Zoning By-Law (204-2010), R1C Zone designation;
The lands zoned R1C on Schedule A to this by-law; 13.1.2. shall be subject to the following requirements and restrictions; (g) minimum rear yard depth is 7.50 m (24.60 sq.ft).

To construct the proposed addition we encroach the rear yard setback.

5. **Legal Description of the subject land:**

Lot Number LOT 76
Plan Number/Concession Number PLAN 43M-785
Municipal Address 28 Blackwell Place

6. **Dimension of subject land (in metric units)**

Frontage 9.78 m
Depth 41.05 m
Area 470.02 sq.m

7. **Access to the subject land is by:**

Provincial Highway ☐
Municipal Road Maintained All Year ☒
Private Right-of-Way ☐

Seasonal Road ☐
Other Public Road ☐
Water ☐

8. Particulars of all buildings and structures on or proposed for the subject land: (specify in metric units ground floor area, gross floor area, number of storeys, width, length, height, etc., where possible)

EXISTING BUILDINGS/STRUCTURES on the subject land: List all structures (dwelling, shed, gazebo, etc.)

House - ground floor area - 96.50 sq.m., GFA - 192.31 sq.m., 2 storeys, width -10.28 m x length -17.06 m x height - 8.01 m.

PROPOSED BUILDINGS/STRUCTURES on the subject land:

Proposed Addition - 26.10 sq.m., width - 4.58 m x length - 6.81 m x height - 4.59 m

9. Location of all buildings and structures on or proposed for the subject lands: (specify distance from side, rear and front lot lines in metric units)

EXISTING

Front yard setback 10.00 m to 12.08 m

Rear yard setback 7.89 m to 11.14 m

Side yard setback 1.28 m

Side yard setback 1.22 m to 2.21 m

PROPOSED

Front yard setback 30.01 m

Rear yard setback 4.19 m to 6.13 m

Side yard setback 1.28 m

Side yard setback 4.65 m

10. Date of Acquisition of subject land: 2014

11. Existing uses of subject property: Residential

12. Proposed uses of subject property: Residential

13. Existing uses of abutting properties: Residential

14. Date of construction of all buildings & structures on subject land: 1993

15. Length of time the existing uses of the subject property have been continued: 26

16. (a) What water supply is existing/proposed?

Municipal ☒

Well ☐

Other (specify) _____

- (b) What sewage disposal is/will be provided?

Municipal ☒

Septic ☐

Other (specify) _____

- (c) What storm drainage system is existing/proposed?

Sewers ☒

Ditches ☐

Swales ☐

Other (specify) _____

17. Is the subject property the subject of an application under the Planning Act, for approval of a plan of subdivision or consent?

Yes ☐ No ☒

If answer is yes, provide details: File # _____ Status _____

18. Has a pre-consultation application been filed?

Yes ☐ No ☒

19. Has the subject property ever been the subject of an application for minor variance?

Yes ☐ No ☒ Unknown ☐

If answer is yes, provide details:

File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____
File # _____	Decision _____	Relief _____

Rick Jablonski
Signature of Applicant(s) or Authorized Agent

DATED AT THE City _____ OF Brampton _____

THIS 08 DAY OF February, 2021.

IF THIS APPLICATION IS SIGNED BY AN AGENT, SOLICITOR OR ANY PERSON OTHER THAN THE OWNER OF THE SUBJECT LANDS, WRITTEN AUTHORIZATION OF THE OWNER MUST ACCOMPANY THE APPLICATION. IF THE APPLICANT IS A CORPORATION, THE APPLICATION SHALL BE SIGNED BY AN OFFICER OF THE CORPORATION AND THE CORPORATION'S SEAL SHALL BE AFFIXED.

I, Rick Jablonski, OF THE Town OF Kilworthy

IN THE City OF Brampton SOLEMNLY DECLARE THAT:

ALL OF THE ABOVE STATEMENTS ARE TRUE AND I MAKE THIS SOLEMN DECLARATION CONSCIENTIOUSLY BELIEVING IT TO BE TRUE AND KNOWING THAT IT IS OF THE SAME FORCE AND EFFECT AS IF MADE UNDER OATH.

DECLARED BEFORE ME AT THE

City OF Brampton
IN THE Region OF
Peel THIS 08 DAY OF
February, 2021.

Jeremi Rygas
A Commissioner etc.

Rick Jablonski
Signature of Applicant or Authorized Agent

Submit by Email

FOR OFFICE USE ONLY

Present Official Plan Designation: _____

Present Zoning By-law Classification: _____

R1C-2661

This application has been reviewed with respect to the variances required and the results of the said review are outlined on the attached checklist.

HOTHU S.

Zoning Officer

FEB 09 2021

Date

DATE RECEIVED

February 9, 2021

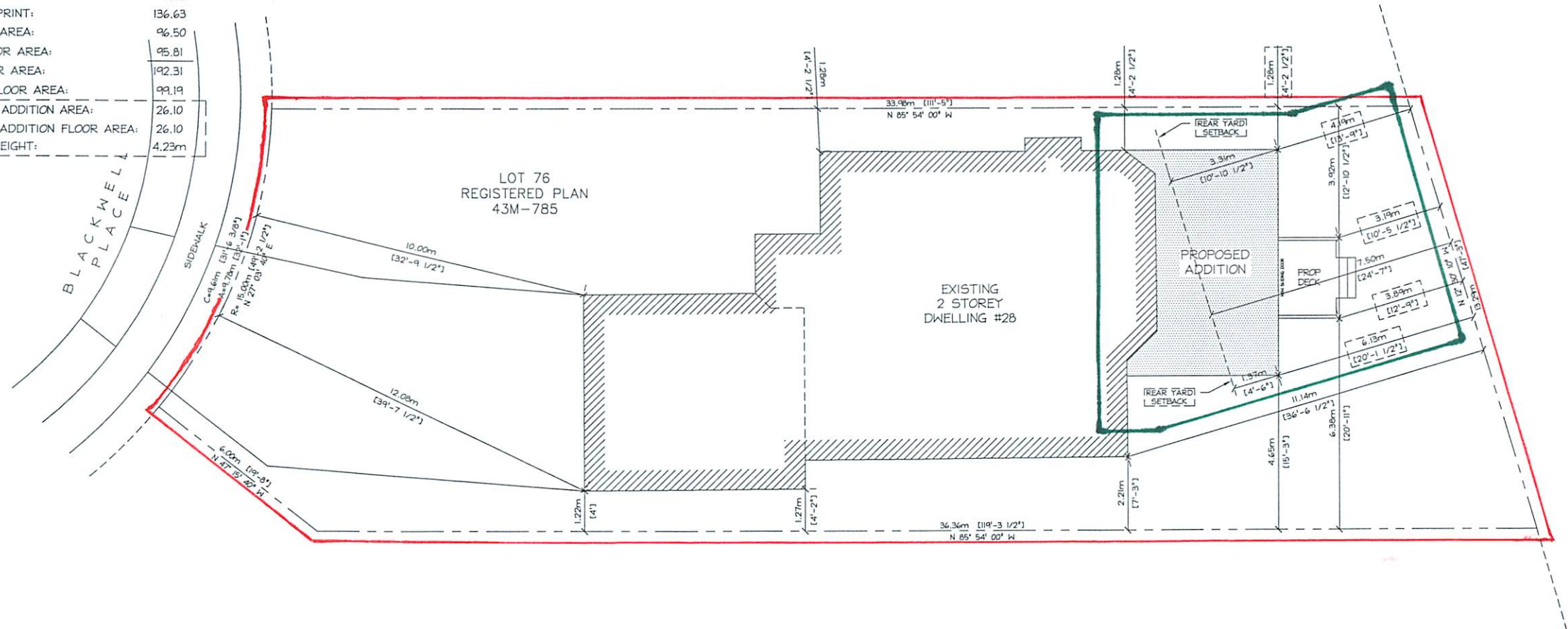
Date Application Deemed
Complete by the Municipality

PLAN OF SURVEY OF:

LOT 76, REGISTERED PLAN 43M-785
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEEL

INFORMATION FOR THIS PLAN TAKEN FROM SURVEY
AS PROVIDED BY: CLIENT

SITE STATISTICS:	AREA (m) ²
LOT GROSS AREA:	470.02
EXISTING HOUSE FOOTPRINT:	136.63
EXISTING MAIN FLOOR AREA:	96.50
EXISTING SECOND FLOOR AREA:	95.81
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EXISTING BASEMENT FLOOR AREA:	99.19
PROPOSED MAIN FLOOR ADDITION AREA:	26.10
PROPOSED BASEMENT ADDITION FLOOR AREA:	26.10
PROPOSED ADDITION HEIGHT:	4.23m



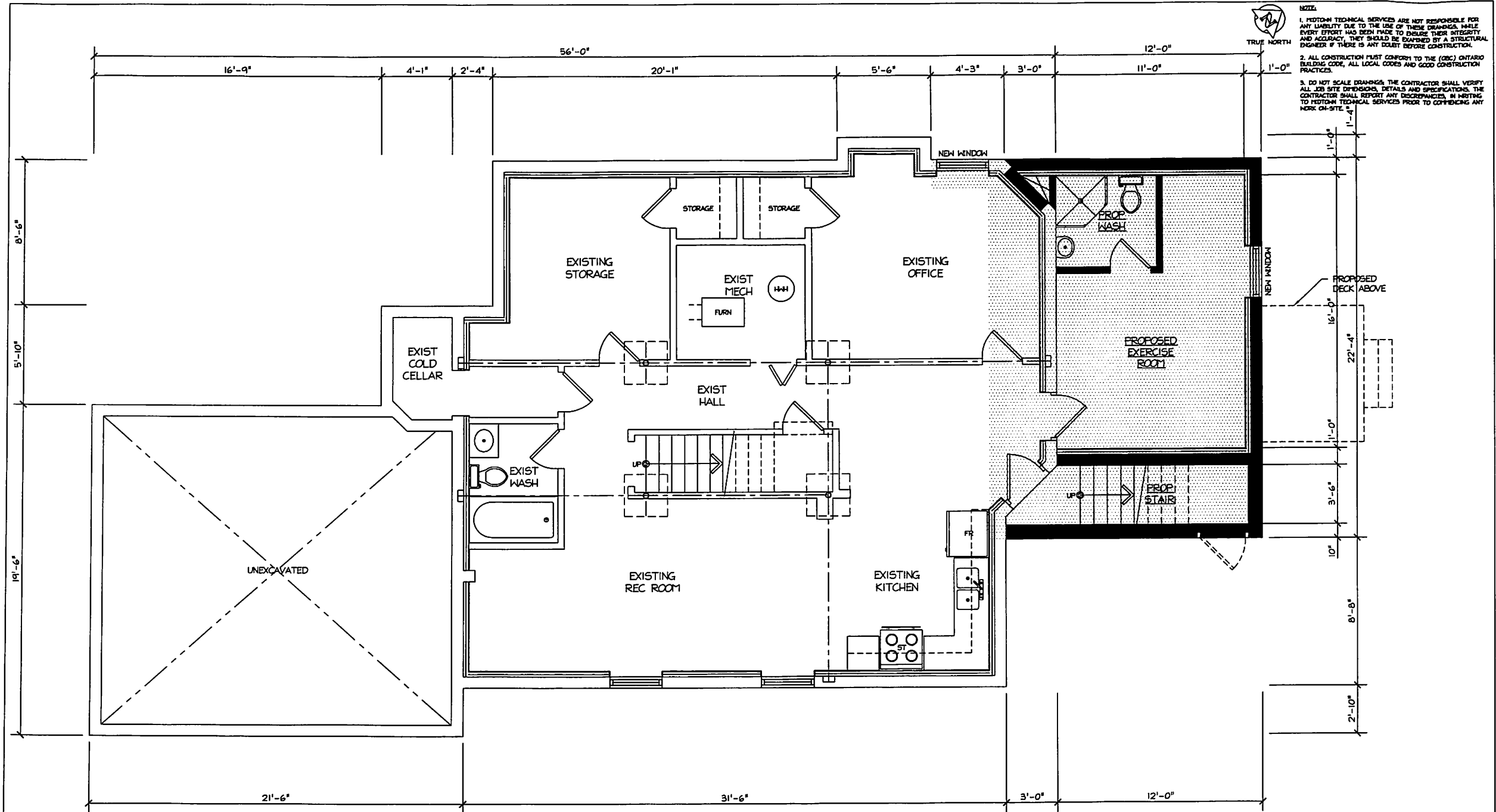
1 SITE PLAN
SPI SCALE: 3/32"=1'-0"

REV	DESCRIPTION	DATE	BY
1	Submitted for COA	Feb 07 21	

MIDTOWN Technical Services
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1045 TOWER CRESCENT, KILWORTHY, ONTARIO
(C) 416-315-4184 (T) 705-955-8184
www.midtowntechnicalservices.com

CLIENT:
NAYYAR RESIDENCE
28 BLACKWELL PLACE
BRAMPTON ONTARIO
DRAWING TITLE:
SITE PLAN
PROPOSED ADDITION

DRAWN BY: MIDTOWN	PROJECT NO.:
DATE: Aug 12 19	REFERENCE:
SCALE: AS NOTED	DRAWING NO.:
CHECKED:	SP-1



NOTE:

1. MIDTOWN TECHNICAL SERVICES ARE NOT RESPONSIBLE FOR ANY LIABILITY DUE TO THE USE OF THESE DRAWINGS. WHILE EVERY EFFORT HAS BEEN MADE TO ENSURE THEIR INTEGRITY AND ACCURACY, THEY SHOULD BE EXAMINED BY A STRUCTURAL ENGINEER IF THERE IS ANY DOUBT BEFORE CONSTRUCTION.
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1
AI **PROPOSED BASEMENT FLOOR PLAN**
SCALE: 3/8"=1'-0"

(PROPOSED BASEMENT FLOOR AREA=125.30 SQ.M.)

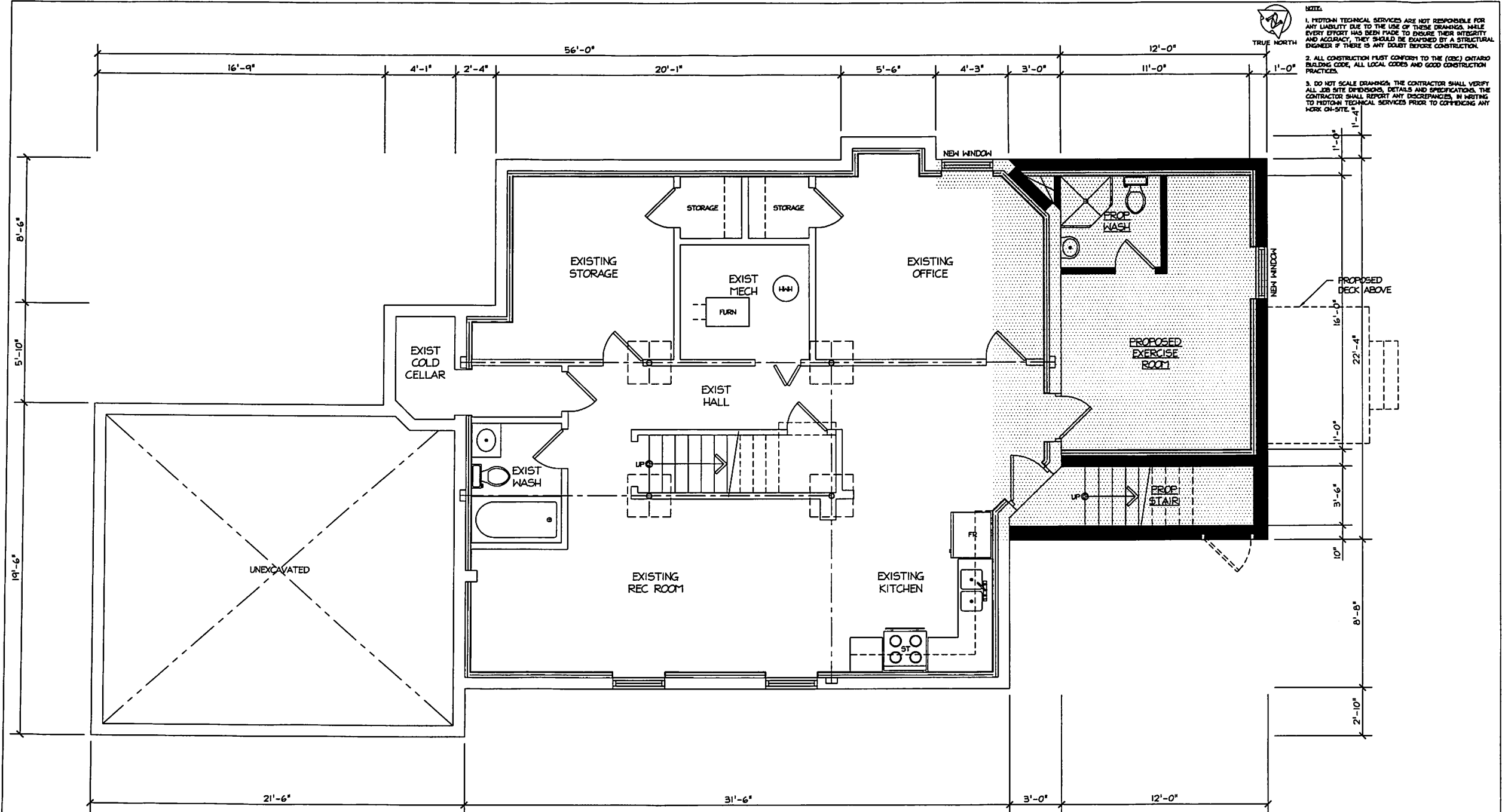
REV	DESCRIPTION	DATE	BY
2	Design Review Revisions	Jan 14 20	
1	Preliminary Design Review	Aug 12 19	

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CLIENT:
NAYYAR RESIDENCE
28 BLACKWELL PLACE
BRAMPTON ONTARIO

DRAWING TITLE:
PROPOSED BASEMENT FLOOR PLAN
PROPOSED ADDITION

DRAWN BY: MIDTOWN	PROJECT No.
DATE: Aug 12 19	REFERENCE:
SCALE: AS NOTED	DRAWING No.
CHECKED:	A-1



1
AI

PROPOSED BASEMENT FLOOR PLAN

SCALE: 3/8" = 1'-0"

(PROPOSED BASEMENT FLOOR AREA-125.30 SQ.M.)

REV	DESCRIPTION	DATE	BY
2	Design Review Revisions	Jan 14 20	
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CLIENT:
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28 BLACKWELL PLACE
BRAMPTON ONTARIO

DRAWING TITLE:
PROPOSED BASEMENT FLOOR PLAN
PROPOSED ADDITION

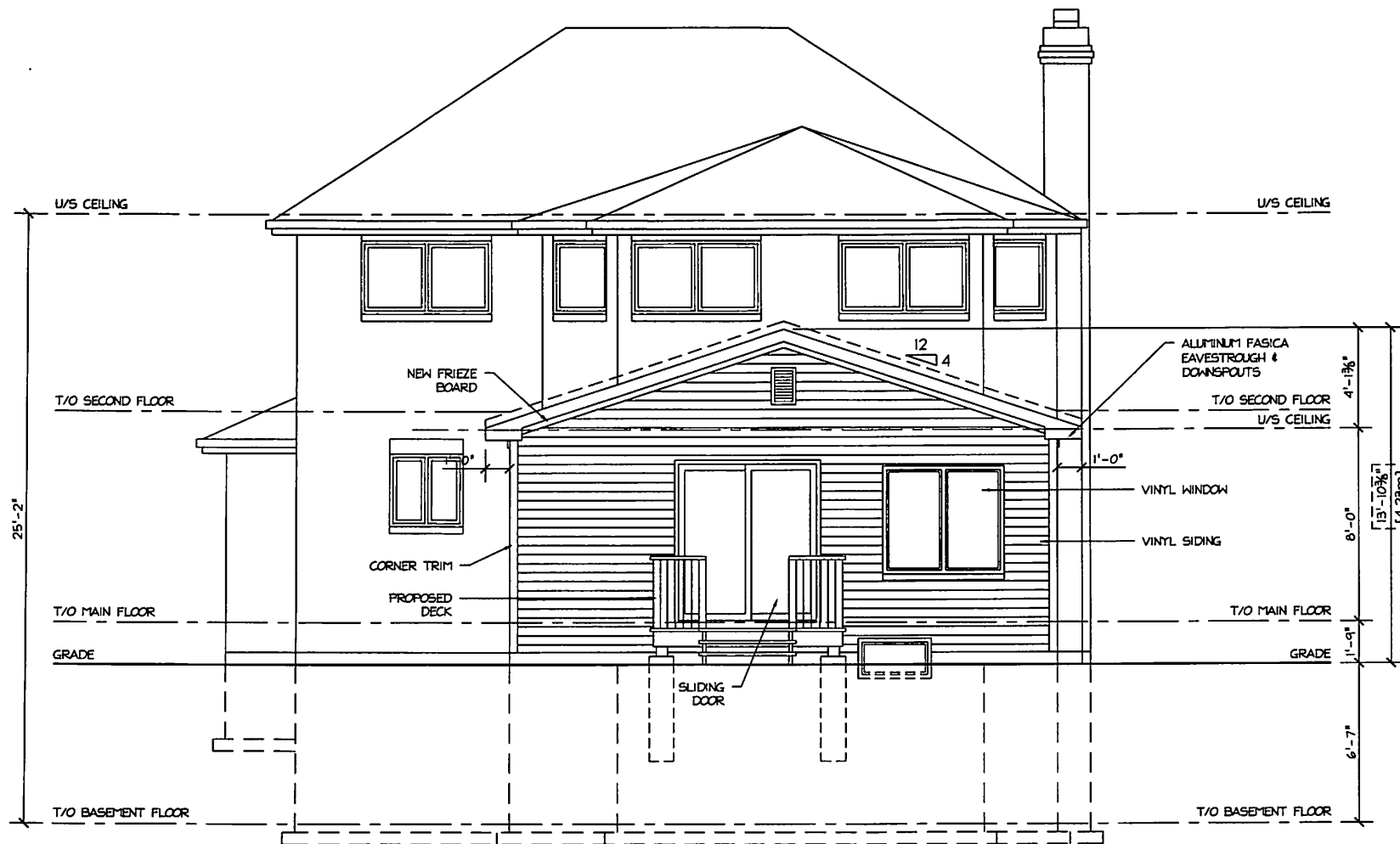
DRAWN BY:
MIDTOWN
DATE:
Aug 12 19
SCALE:
AS NOTED
CHECKED:

PROJECT No:
REFERENCE:
DRAWING No.:

A-1

NOTES

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1
A4 EAST ELEVATION
SCALE: 3/8"=1'-0"

REV	DESCRIPTION	DATE	BY
2	Design Review Revisions	Jan 14 20	
1	Preliminary Design Review	Aug 12 19	

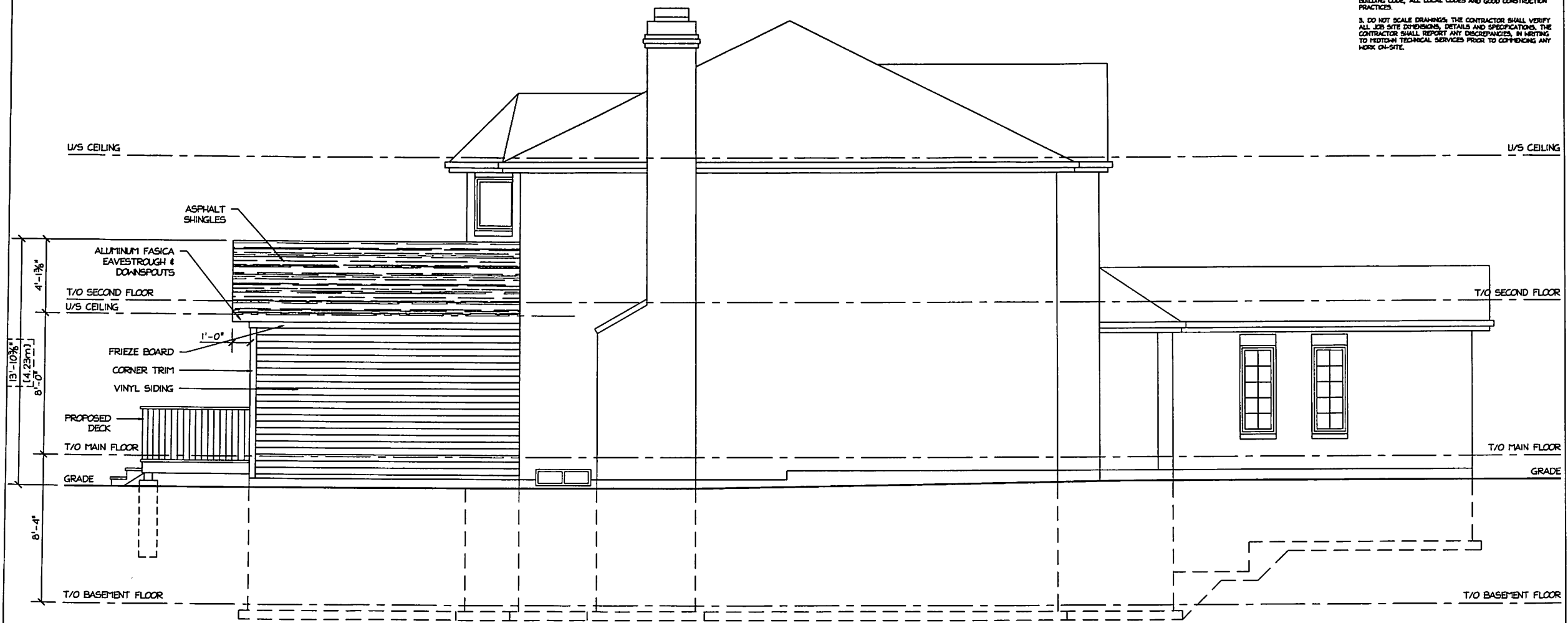
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CLIENT:
NAYYAR RESIDENCE
28 BLACKWELL PLACE
BRAMPTON ONTARIO
DRAWING TITLE:
EAST ELEVATION
PROPOSED ADDITION

DRAWN BY: MIDTOWN	PROJECT No:
DATE: Aug 12 19	REFERENCE:
SCALE: AS NOTED	DRAWING No: A-4
CHECKED:	

NOTES:

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1 NORTH ELEVATION
A5 SCALE: 3/8"=1'-0"

REV	DESCRIPTION	DATE	BY
2	Design Review Revisions	Jan 14 20	
1	Preliminary Design Review	Aug 12 19	

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www.midtowntechnicalservices.com

CLIENT:
NAYYAR RESIDENCE
28 BLACKWELL PLACE
BRAMPTON ONTARIO

DRAWING TITLE:
**NORTH ELEVATION
PROPOSED ADDITION**

DRAWN BY: MIDTOWN	PROJECT No:
DATE: Aug 12 19	REFERENCE:
SCALE: AS NOTED	DRAWING No: A-5
CHECKED:	

NOTE:
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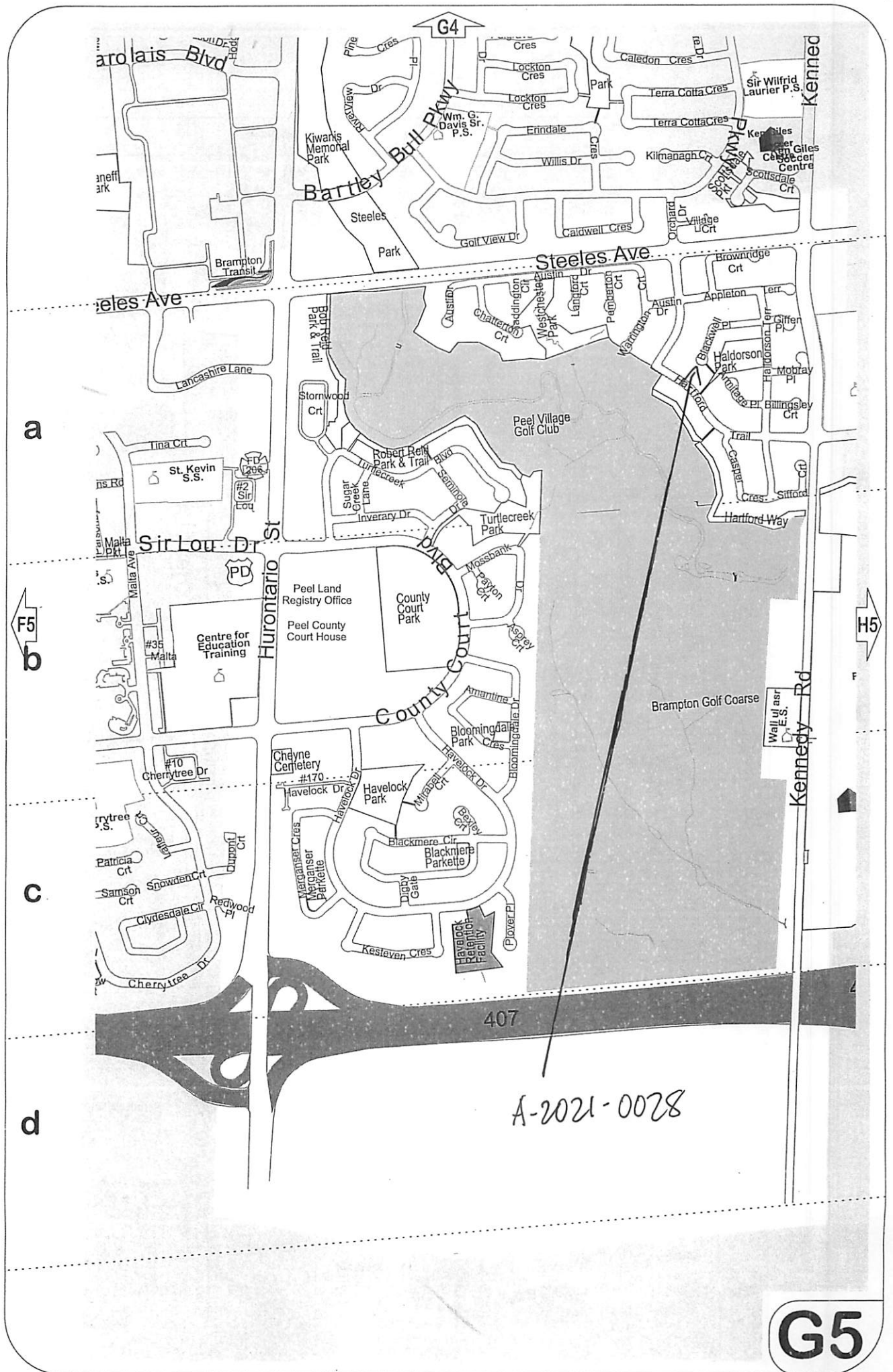
1 SOUTH ELEVATION
A6 SCALE: 3/8"=1'-0"

REV	DESCRIPTION	DATE	BY
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CUSTOMER:
NAYYAR RESIDENCE
28 BLACKWELL PLACE
BRAMPTON ONTARIO
DRAWING TITLE:
SOUTH ELEVATION
PROPOSED ADDITION

DRAWN BY:	MIDTOWN	PROJECT No:	
DATE:	Aug 12 19	REFERENCE:	
SCALE:	AS NOTED	DRAWING No.	A-6
CHECKED:			



A-2021-0028

G5