

# **Public Notice**

# **Committee of Adjustment**

APPLICATION # A-2022-0046 WARD #4

## **DEFERRED APPLICATION FOR MINOR VARIANCE**

WHEREAS an **amended** application for minor variance has been made by **MOHAMMAD FAISCAL MOLEDINA AND SAMIARA FAISAL MOLEDINA** under Section 45 of the <u>Planning Act</u>, (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 80, Plan 43M-1885 municipally known as **38 AMBIANCE COURT**, Brampton;

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

- 1. To permit a covered porch to encroach 4.4m (14.44 ft.) into the required rear yard resulting in a rear yard setback of 3.1m (10.17 ft.) whereas the by-law permits a maximum covered porch encroachment of 1.8m (5.91 ft.) resulting in a rear yard setback of 5.7m (18.70 ft.);
- 2. To permit a driveway width of 8.2m (26.90 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 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	File Number:
Application for Consent:	NO	File Number:
The Committee of Adjustme	nt has appointed	TUESDAY, August 23 2022 at 9:00 A.M. by electronic meeting
broadcast from the Counc	il Chambers, 4th	Floor, City Hall, 2 Wellington Street West, Brampton, for the
purpose of hearing all partie	s interested in sup	oporting 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 an Ontario Land 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 Ontario Land 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.

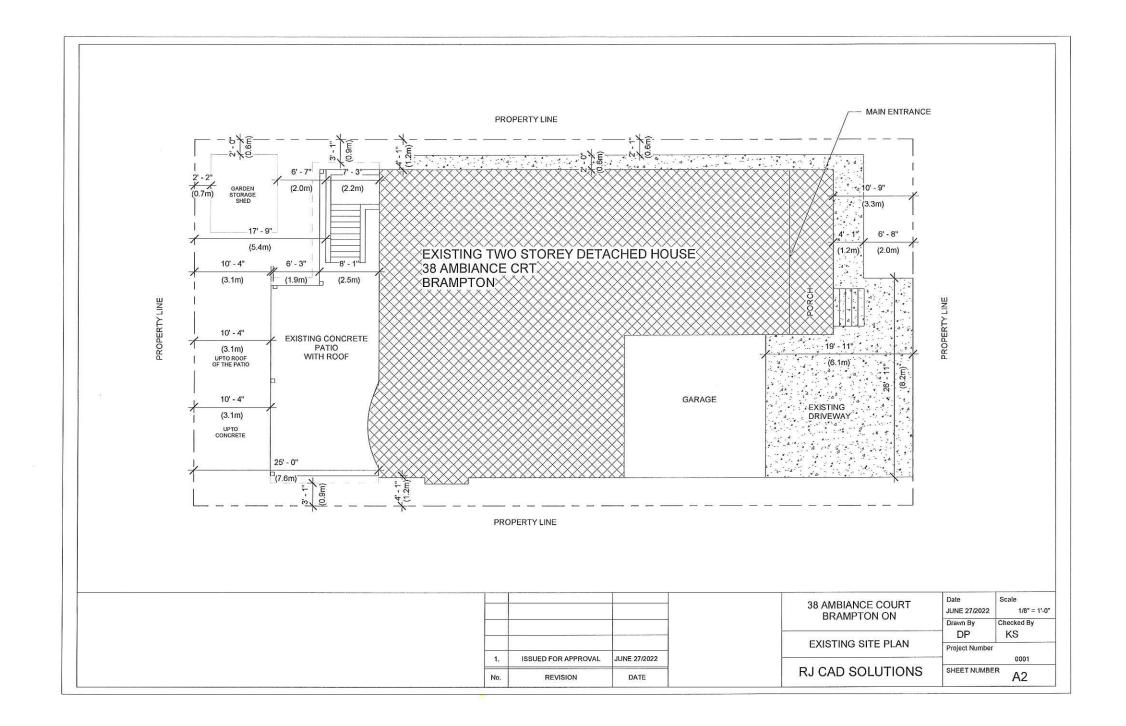
# PLEASE SEE ATTACHED PARTICIPATION PROCEDURES REQUIRED DURING THE COVID-19 PANDEMIC

DATED at Brampton Ontario, this 11th Day of August, 2022

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





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 and/or as a hybrid meeting (both inperson and electronically).

### Electronic/Hybrid Hearing Procedures How to get involved in the Hybrid Hearing

As the pandemic has waned, Brampton City Hall is currently lifting in-person attendance restrictions due to the COVID pandemic. In-person attendance at Committee of Adjustment Hearings is now available at this time, along with a virtual participation option. Brampton City Council and its Committees will continue to meet electronically and in-person. For the **August 23, 2022** hearing, the Committee of Adjustment will conduct its meeting with concurrent electronic and in-person attendance.

### 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, August 18, 2022.

- Advance registration for applicants, agents and other interested persons is required by one or two options:
  - 1. Participate remotely in the electronic hearing using a computer, smartphone or tablet by emailing the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, August 18, 2022.
- 2. To participate in-person, please email the Secretary–Treasurer at <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a> by 4:30 pm Thursday, August 18, 2022.
- Persons without access to a computer, smartphone or tablet can participate in a meeting via telephone or inperson. 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 Thursday, August 18, 2022. City staff will contact you and provide
  you with further details.

You will be contacted by the City Clerk's Office before the hearing date to confirm your attendance. Confirmation of in-person attendance will be subject to any in-person capacity limits that may be in place for Council Chambers at City Hall and prevailing public health orders and guidance.

 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/hybrid 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 <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> or <a href="mailto:jeanie.myers@brampton.ca">jeanie.myers@brampton.ca</a>. 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.

The City of Brampton is reviewing its Committee of Adjustment process. As a participant in this process, if you have comments or input you would like to share about your experience with the Committee of Adjustment, please email <a href="mailto:cityclerksoffice@brampton.ca">cityclerksoffice@brampton.ca</a> to indicate your interest and you will be contacted with more information.

## AMENDMENT LETTER

August 5, 2022

To: Committee of Adjustment

RE: APPLICATION FOR MINOR VARIANCE

MAOHAMMAD FAISCAL MOLEDINA AND SAMIARA FAISAL MOLEDINA

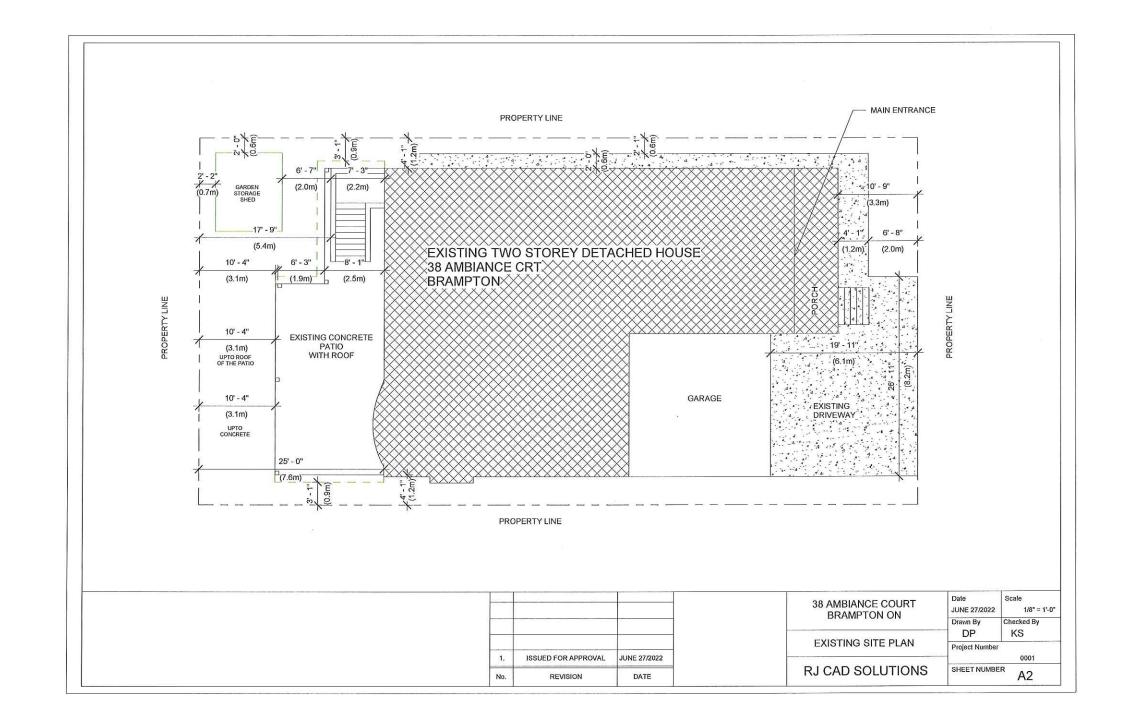
LOT 80, PLAN 43M-1885

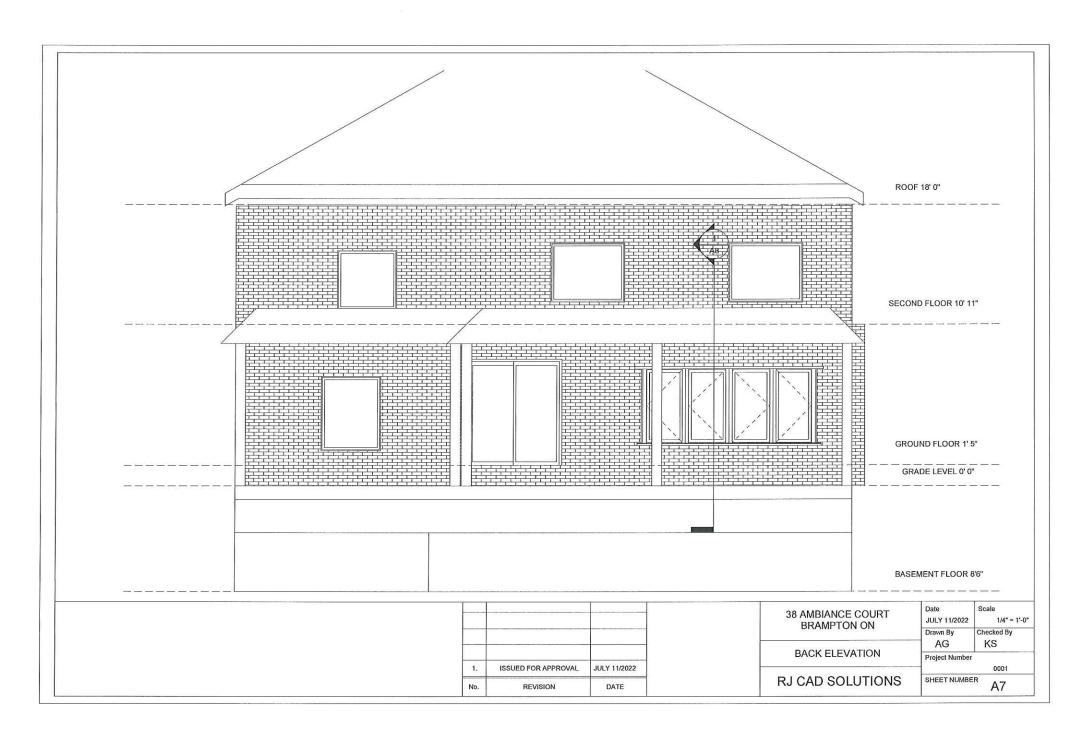
A-2022-0046 - 38 AMBIANCE COURT

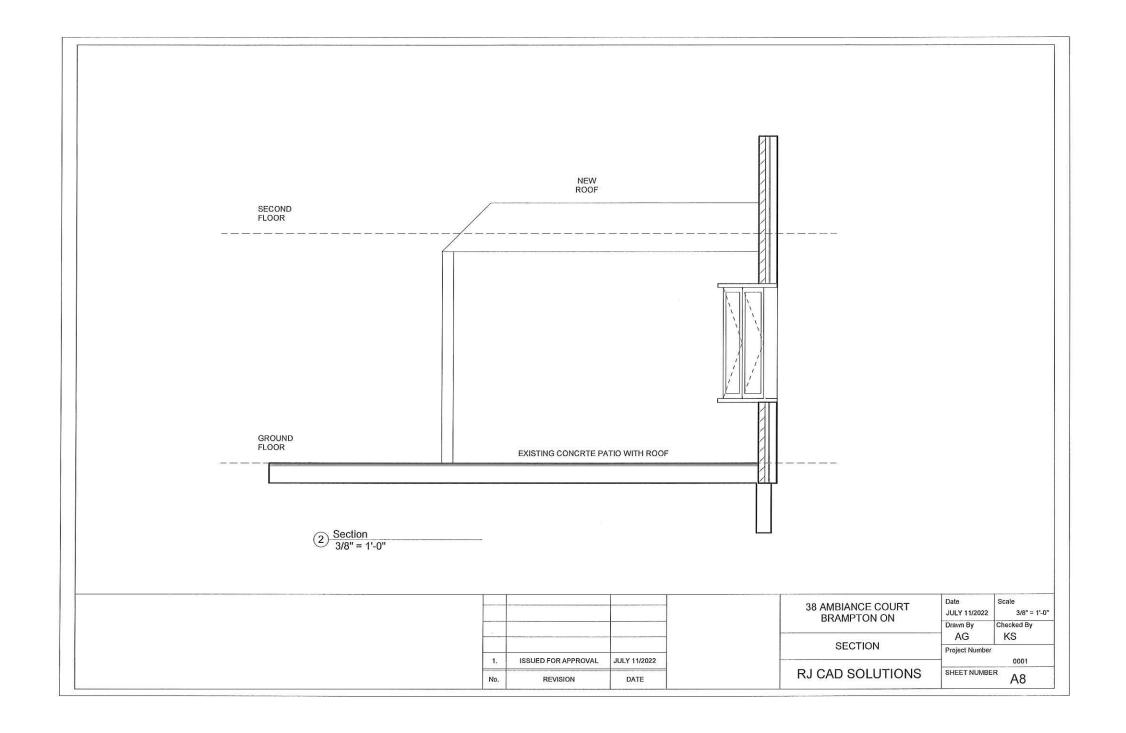
Please amend application A-2022-0046 to reflect the following:

- 1. To permit a balcony/deck and covered patio to encroach 4.4m (14.44 ft.) into the required rear yard resulting in a rear yard setback of 3.1m (10.17 ft.) whereas the by-law permits a maximum deck and covered porch encroachment of 1.8m (5.91 ft.) resulting in a rear yard setback of 5.7m (18.70 ft.);
- 2. To permit a driveway width of 8.2m (26.90 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

Applicant/Authorized Agent







# AMENDMENT LETTER

## April 26, 2022

To: Committee of Adjustment

RE: APPLICATION FOR MINOR VARIANCE

MOHAMMAD FAISCAL MOLEDINA AND SAMIARA FAISAL MOLEDINA

LOT 80, PLAN 43M-1885

A-2022-0046 - 38 AMBIANCE COURT

Please amend application A-2022-0046 to reflect the following:

- To permit a balcony/deck and covered patio to encroach 3.3m (10.83 ft.) into the required rear yard resulting in a rear yard setback of 4.2m (13.78 ft.) whereas the by-law permits a maximum deck and covered porch encroachment of 1.8m (5.91 ft.) resulting in a rear yard setback of 5.7m (18.70 ft.);
- 2. To permit a driveway width of 8.2m (26.90 ft.) whereas the by-law permits a maximum driveway width of 6.71m (22 ft.).

Kouts Shah KM.

Applicant/Authorized Agent

# <u>A-2022-0046 – 38 AMBIANCE COURT</u>

Revised covering letter dated April 7, 2022
Amended Page 1 – Question 3
Existing Site Plan
Proposed Site Plan

Date: 2022/04/07
Committee of Adjustment
City of Brampton
2 Wellington Street West,
Brampton
ON L3Z 2A9

RE: Minor Variance application for 38 Ambiance Court, Brampton

Dear member of the Committee of Adjustment and Secretary-Treasurer,

I am writing this cover letter for the property of 38 Ambiance Court, Brampton, ON, on behalf of a homeowner who wants to build a balcony with a roof in a backyard. As per the property survey, the setback between the dwelling and rear lot line is 7.6m.

The minimum rear yard setback requirement is 5.7m from the lot line.

The width of the proposed balcony is 3.4m. Therefore, providing a rear yard setback of 3.1m. Hence, there is a shortage of 5.7m-3.1m= 2.6m.

Reasons to build a balcony with a roof:

Currently, the owner has already built the balcony with a setback of 2.6m.

I am appealing for a minor variance for a 2.6m space.

My kind request is to consider this application and grant a permit for the above matter as this situation is minor in nature.

Thank you,

Kruti Shah, P.Eng.

**RJ Cad Solutions** 

# Flower City



For Office Use Only (to be inserted by the Secretary-Treasurer after application is deemed complete)

FILE NUMBER: A . 2022 - 0046

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.

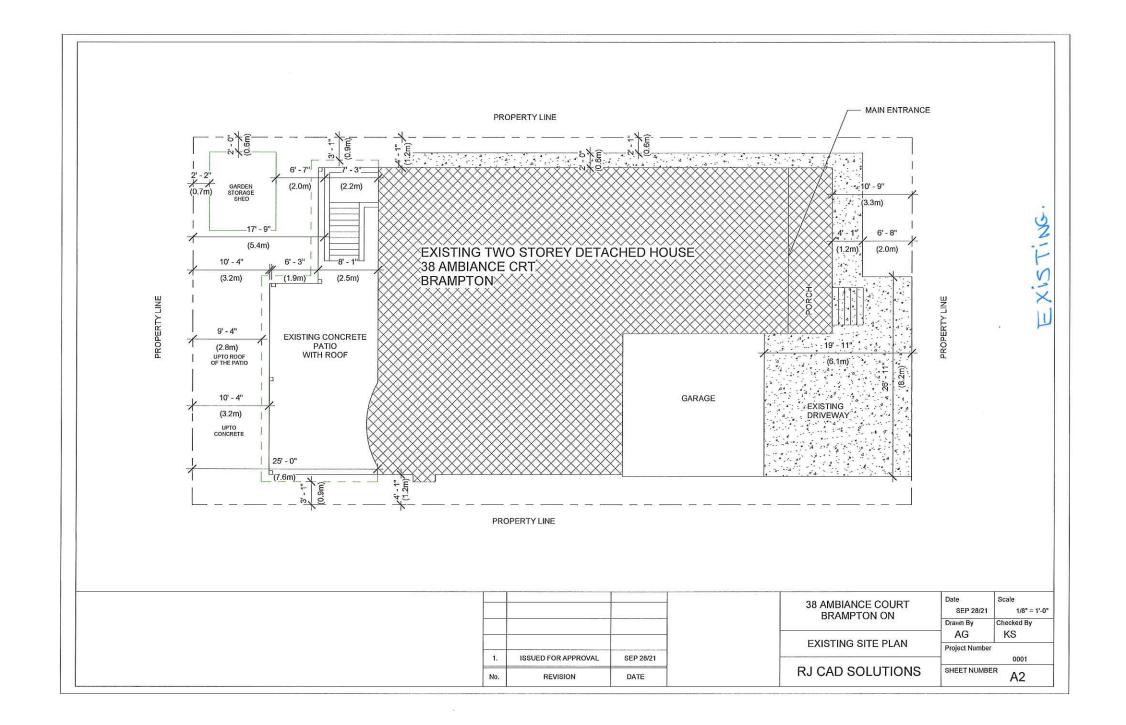
# APPLICATION Minor Variance or Special Permission

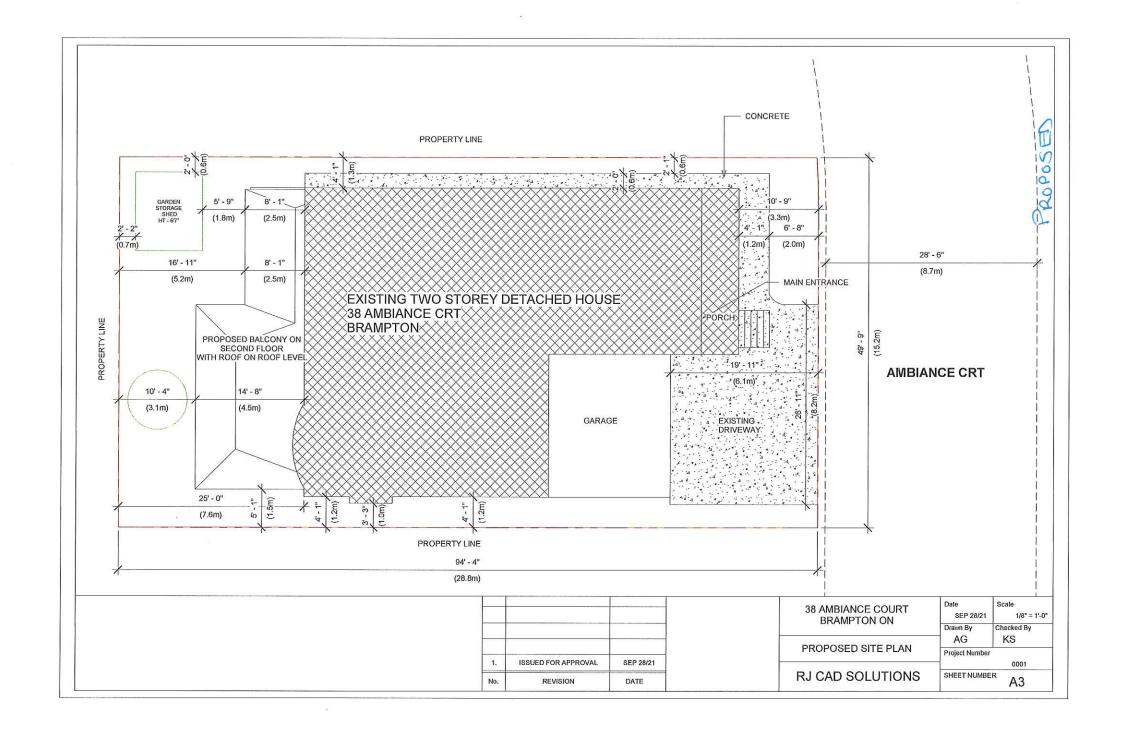
(Please read Instructions)

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

	the <u>Plann</u>	ng Act, 1990, for relief as de	scribed in this a	application from By-Law <b>270-2004.</b>	
1.	Name of	Owner(s) Mohammad Faisal Mo	oledina. Samira Faisa	l Moledina	
		38 AMBIANCE CRT, BRAN			
	DI				
	Phone # Email	info.mypropertyguy@gmail.com		Fax #	
	Liliali	inio.mypropertyguy@gmaii.com			
2.	Name of	Agent KRUTI SHAH			
	Address	202-275 GARDENBROOK	E TRAIL, BRAM	MPTON, ON, L6P 4M6	
	Phone #	647 532 3593		Fax #	
	Email	kruti@rjcadsolutions.com			
3.	Nature ar	nd extent of relief applied fo	or (variances re	equested):	
	To perm	it an exterior rear yard s	etback of 3.1	meters to roof of balcony (th	e By-law
		a minimum of 5.2 meter		uir sacu tarini capan at in bhaba seabh feinteadhnlochtach ≠a a¶aban	Come and J. Innocenta
4.	Why is it	not possible to comply with	h the provision	e of the by-law?	
				rear yard is 7.6m. We are pro	nasina kalaani
	with roo	f from rear yard which is	3 1m Which	n does not affect any drainage	oposing balcony
	]WILLII TOO	monnical yard willon is	J. IIII. VVIIICI	r does not affect any drainage	e of neighbor
5.	Legal Des	scription of the subject land	d:		
	Lot Numb				
		ber/Concession Number	43M-1885		
	Municipa	Address 38 AMBIANCE CRT			
c	Dimonolo	n of outlinet land (in matric			
6.	Frontage	n of subject land ( <u>in metric</u>	units)		
	Depth	28.8			
	Area	436.3			
	5-05-1100:05F 15F10				
7.		the subject land is by:	_		
		l Highway		Seasonal Road	
		Road Maintained All Year	$\vdash$	Other Public Road	님
	Private R	ight-of-Way		Water	





A-2022-0046

Date: 2022/02/22 Committee of Adjustment City of Brampton 2 Wellington Street West, Brampton ON L3Z 2A9

RE: Minor Variance application for 38 Ambiance Court, Brampton

Dear member of the Committee of Adjustment and Secretary-Treasurer,

I am writing this cover letter for the property of 38 Ambiance Court, Brampton, ON, on behalf of a homeowner who wants to build a balcony with a roof in a backyard. As per the property survey, the setback between the dwelling and rear lot line is 7.6m.

The minimum rear yard setback requirement is 5.7m from the lot line.

The width of the proposed balcony is 3.4m. Therefore, providing a rear yard setback of 4.2m. Hence, there is a shortage of 5.7m-4.2m= 1.5m.

Reasons to build a balcony with the roof:

Currently, the owner has already built the balcony with a setback of 1.1m.

I am appealing for a minor variance for 1.5m(5'9") space.

My kind request is to consider this application and grant a permit for the above matter as this situation is minor in nature.

Thank you,

Kruti Shah, P.Eng.

**RJ Cad Solutions** 

# Flower City



For Office Use Only (to be inserted by the Secretary-Treasurer after application is deemed complete)

FILE NUMBER: 🙏

A-2022-0046

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# 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-I aw 270-2004

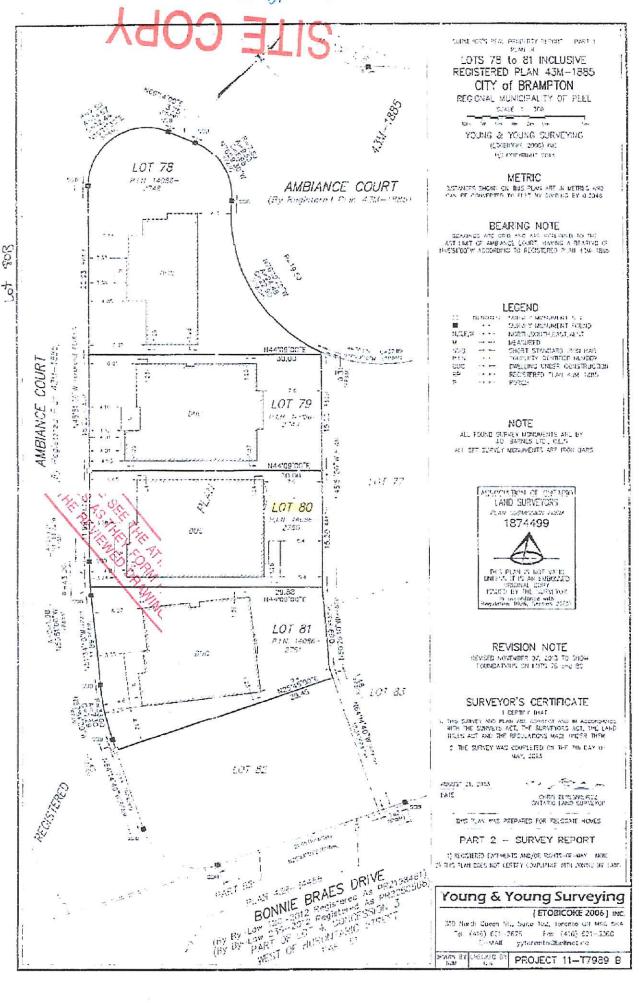
	38 AMBIANCE CRT, BRAMPTON,	•
Phone #	41 6 4 2 4 - 21 Œ	Fax #
Email	info.mypropertyguy@gmail.com	
Name of	Acomt VDIITICUAL	
	Agent KRUTI SHAH  202-275 GARDENBROOKE TRAIL	BRAMPTON, ON, L6P 4M6
Phone #	647 532 3593	Fax #
Email	kruti@rjcadsolutions.com	
Setback with roo Howeve	f from rear yard which is 4.2m. r, home owner already built the	cterior rear yard is 7.6m. We are proposing bal Which does not affect any drainage of neighbo
Setback with roo Howeve is 1.1 m.  Legal Dec Lot Numb	from the existing building of ex f from rear yard which is 4.2m. er, home owner already built the scription of the subject land:	cterior rear yard is 7.6m. We are proposing bal Which does not affect any drainage of neighbo
Setback with roo Howeve is 1.1 m. Legal De Lot Numl Plan Num Municipa	s from the existing building of extending from rear yard which is 4.2m. from rear yard which is 4.2m. from owner already built the scription of the subject land:    Secription of the subject land:   Secription of the subject land:   Secription of the subject land:   Secription of the subject land:   Secription of the subject land (in metric units)   Secription of subject land (in metric units)   Se	cterior rear yard is 7.6m. We are proposing bal Which does not affect any drainage of neighbo balcony with roof with setback from rear yard

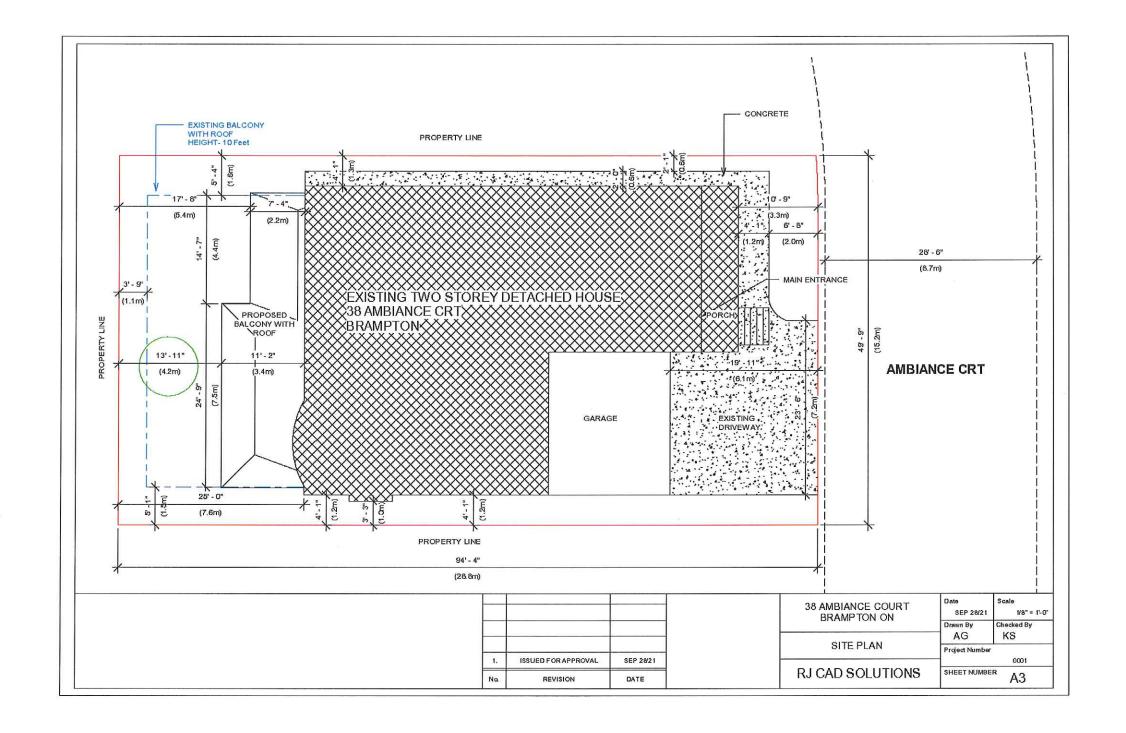
8.

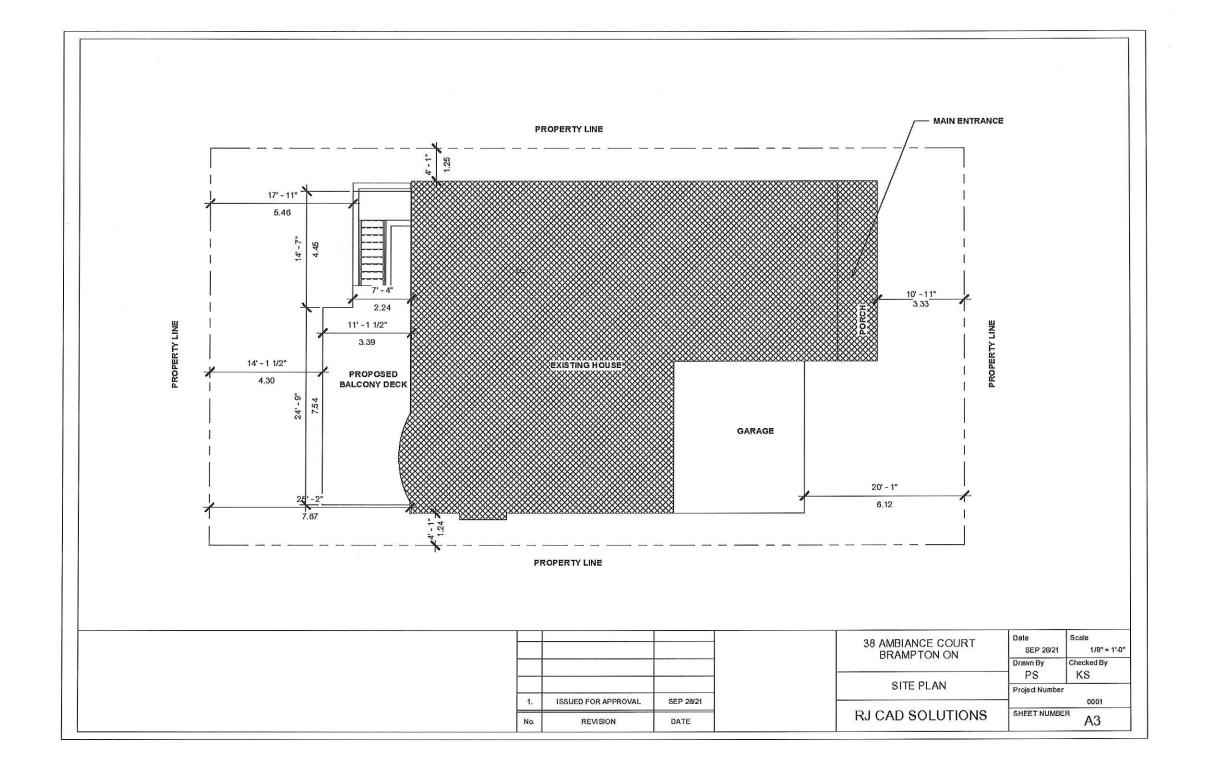
8.	land: (specify	<u>in metric units</u> gr	structures on or proposed for the subject round floor area, gross floor area, number of c., where possible)
	EXISTING BUILDING	S/STRUCTURES on th	e subject land: List all structures (dwelling, shed, gazebo, etc.)
			OSS FLOOR AREA- 382.49, NUMBER OF
			=
	PROPOSED PULL BU	NOCCEPHOTHES.	
		NGS/STRUCTURES ON LOF BALCONY WIT	TH ROOF IN REAR YARD
9.		22.00	uctures on or proposed for the subject lands: and front lot lines in <u>metric units</u> )
	EVICTING		
	EXISTING Front yard setback	3.3	
	Rear yard setback	7.6	
	Side yard setback	1.25	
	Side yard setback	1.24	
	PROPOSED Front yard setback	3.3	
	Rear yard setback	4.2	
	Side yard setback Side yard setback	1.25	
	Side yald sewack	11.24	
10.	Date of Acquisition	of subject land:	2012
11.	Existing uses of sub	ject property:	TWO UNIT DWELLING
12.	Proposed uses of su	ubject property:	TWO UNIT DEWLLING
13.	Existing uses of abu	tting properties:	Residential
14.	Date of construction	ı of all buildings & stru	ctures on subject land: 2012
15.	Length of time the e	xisting uses of the sub	ject property have been continued: 10 YEARS
6. (a)	What water supply i Municipal Well	s existing/proposed? ] ]	Other (specify)
(b)	What sewage dispose Municipal Septic	sal is/will be provided? ] ]	Other (specify)
(c)	What storm drainag	e system is existing/pr	oposed?
	Ditches	į	Other (specify)

17.

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: <b>4</b>	17.	is the subject pro subdivision or cor	perty the subject isent?	ct of an a	oplication u	inder the l	lanning Act,	for approval of	a plan
و		Yes	No 🗾					181	
		If answer is yes, p	rovide details:	File#			Stat	us	
	18.	Has a pre-consulta	ition application	n been file	d?				
cಕು:		Yes 🗌	No 🖸						
	19.	Has the subject pr	operty ever bee	n the subj	ect of an ap	plication	for minor vari	алсе?	
		Yes:	Ņo 🔼		Unknown				
70.603		If answer is yes, pr	ovide details:		141				
		File #	Decision			-	Relief	<del>-</del>	
		File#	Decision				Relief Relief		
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	THE APPL	ICANT IS A CORI	ORATION TH	E VODIA	ALIAN ALIA	ER MUST	ACCOMPANY	THE APPLICAT	YER OF
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y Kumar Solicitor & Schezer R Spiton, ON 194-4900 F:	IN THE	PROVINCE	OF					9	
	ONTARIO	THIS 24	DAY OF						
Sharma Notary Public oad, Unit 8 1.6P 2P7 J05-794-4964	Fehma		- 57.1.0	8			7-7.	·	
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额		This application has:	been reviewed w said review ere	ith respect cutlined t	to the varia	nces requi ed checkli	red and the res st	ults of the	
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		Zonîng	Officer				Date		T,
<b>X</b>		DATE	RECEIVED N	محك	u,	202	2.	Biologica Control of the Control of	
		Date Application Complete by the M	n Deemed unicipality	laid	<u>. 14.</u>	202	2	Revised 2020/01/	07







#### GENERAL NOTES:

- 1- ALL THE DIMENSIONS ARE IN 'IN' 'FT' U.N.O.
- 2- ALL DIMENSIONS SHOWN SHALL BE VERIFIED WITH ARCHITECTURAL DRAWINGS

#### DESIGN CRITERIA AND LOADING:

- 1- DESIGN STANDARD:
- a) ONTARIO BUILDING CODE-2012
- b) NATIONAL BUILDING CODE OF CANADA -2015 c) ENGINEERING DESIGN IN WOOD CAN/CSA 086-14
- 2-LOADING:
- a) DEAD LOAD: 1.0 kPa
- b) LIVE LOAD: 2.0 kPa
- c) SNOW LOAD: 1.25 kPa\*
- d) WIND LOAD: 0.80 kPa

#### FOUNDATION:

- 1- THE DECK POSTS ARE ANCHORED TO THE PIER.
- 2- PIER EMBEDMENT DEPTH SHALL BE MINIMUM 4'-0" INTO GROUND. 3- PIER (FOUNDATION) DESIGN IS BASED IN ALLOWABAL SOIL
- BEARING CAPACITY:\*\*
  - SLS: 75 kPa ULS: 150 kPa
- \*\* NOTE: IF SPECIFIED CAPACITY DOES NOT PREVAIL AT SITE. ADVICE THE ENGINEER BEFORE PRCEEING WITH THE WORK.

### STRUCTURAL NOTES:

1-ALL WOOD JOISTS AND BEAM SIZES ARE SELECTED WITH THE HELP OF WOOD DESIGN MANUAL 2015 B THE CANIAN WOOD COUNCIL.

#### CONSTRUCTION NOTES:

- 1-CONTRACTOR SHALL PERFORM WORK IN ACCORDANCE WITH THE ONTARIO BUILDING CODE, CONSTRUCTION RECOMMENDATION IN CA/CSA 086, WOOD DESIGN MANUAL AND CONFIRMING TO GOOD CONSTRUCTION PRACTICE AND METHODS
- 2- CONTRACTOR SHALL VERIFY ALL RELEVANT DIMENSIONS, ELEVATION AND DETAILS ON SITE AND REPORT ANY DISCREPANCIES TO THE DESIGNER PRIOR TO PROCEEDING WITH THE WORK.
- 3-THE AREA AFFECTED BY CONSTRUCTION ACTIVITIES SHALL BE FULLY REINSTATED TO RECONSTRUCTION OR BETTER CONDITIONS TO THE OWNER SATISFACTION.
- 4-CONTRACTOR IS RESPONSIBLE FOR THE SAFETY ON THE JOB SITE DURING CONSTRUCTION AND ERECTION OF ALL FRAMEWORK. TEMPORARY STRUCTURE, SHORING FRAMEWORK ETC. REQUIRED TO COMPLETE THE PROJECT.

### WOOD FRAMING NOTES:

- 1-ANY HOLES AND CUTS IN JOISTS ARE TO BE ONLY AS PER MANUFACTURERS RECOMMENDATIONS.
- 2-WHEN TWO OR MORE LVL BEAMS ARE FASTENED TOGETHER. CONTRACTOR SHALL STRICTLY FOLLOW LVL MANUFACTURERS RECOMMENDATIONS.
- 3-ALL JOIST INSTALLATION, ERECTION AND CONNECTIONS INCLUDING NAILS AND HANGERS ARE TO BE IN ACCORNCE WITH THE JOIST MANUFACTURERS
- 4-ALL LVL BEAMS SHALL HAVE FULL BEARING ON SUPPORTS AS PER MANUFACTURERS RECOMMENDATION.
- 5- CONTRACTOR SHALL USE STANDARD SIMPSON STRONG-TIE HARDWARE OR APPROVED EQUIVALENT FOR ALL JOIST HANGERS BEAM HANGERS BEAM SEATS POST ANCHORS ETC. UNO ON DRAWINGS.
- 6- ALL LUMBER TO BE USED AND EXPOSED TO WEATHER SHALL BE PRESSURE TREATED FOR DECAY RESISTANCE.
- 7- ALL FASTENERS SHALL BE CORROSION RESISTANT

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STRUCTURAL ENGINEER



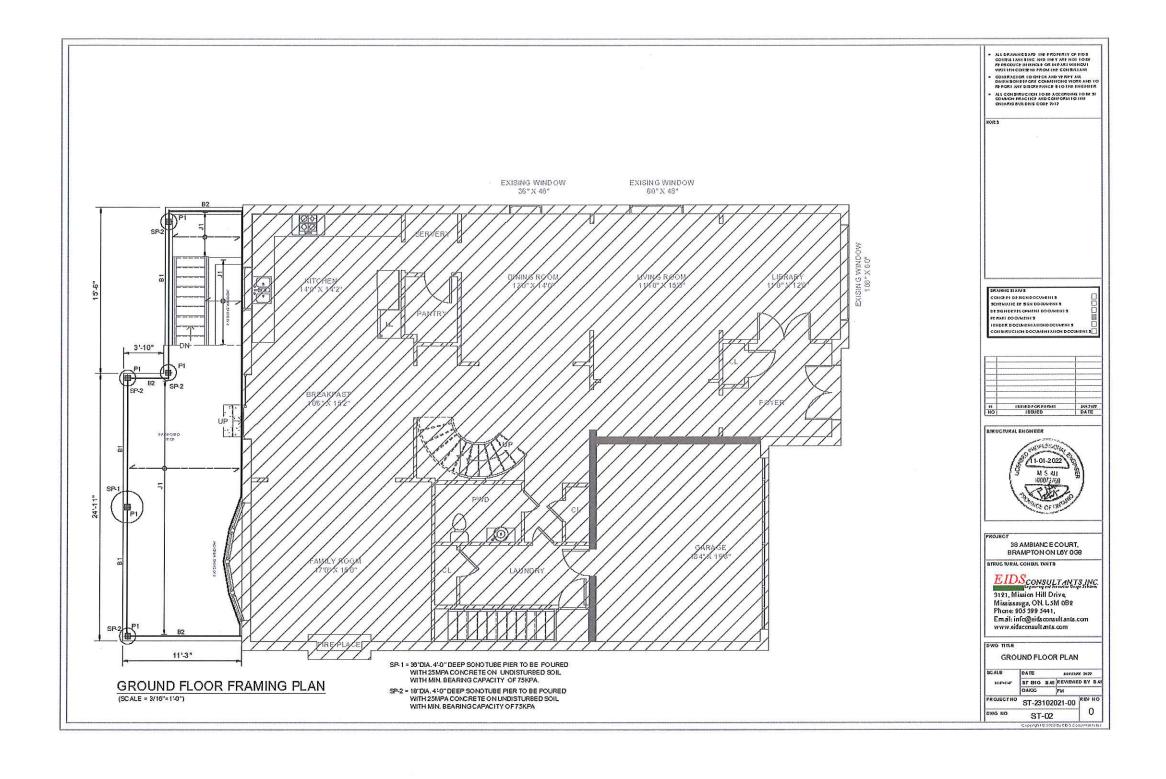
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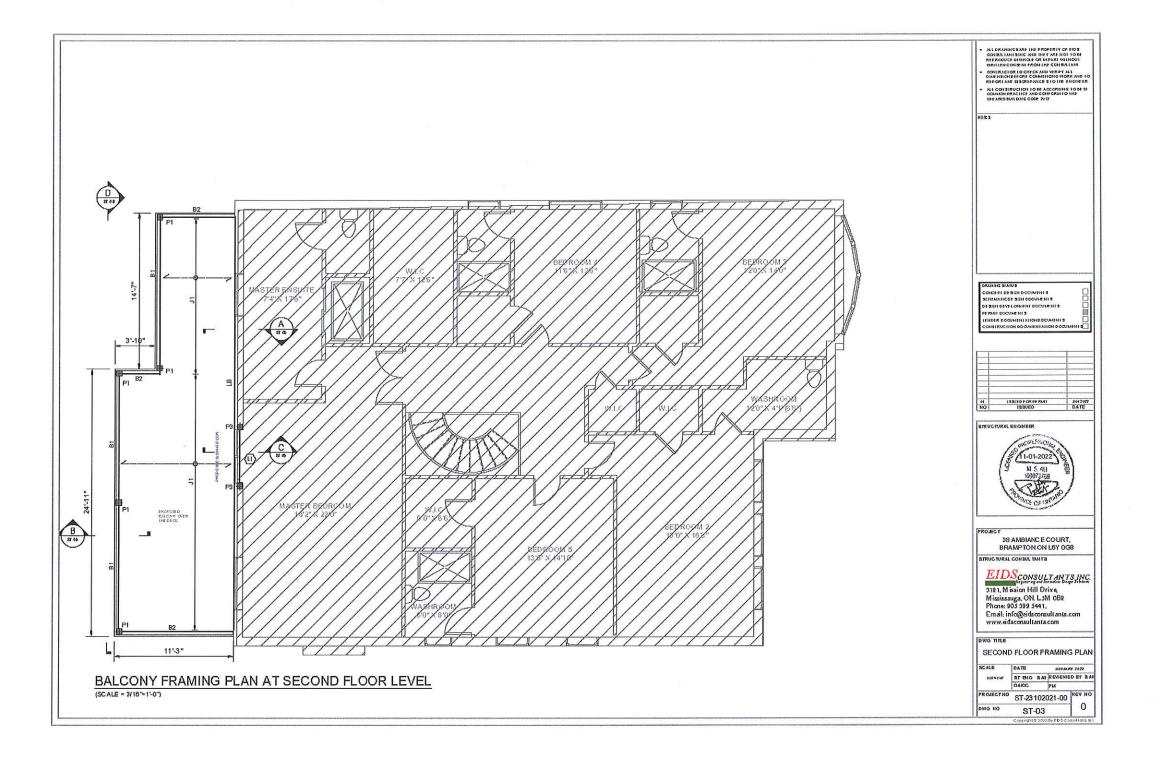
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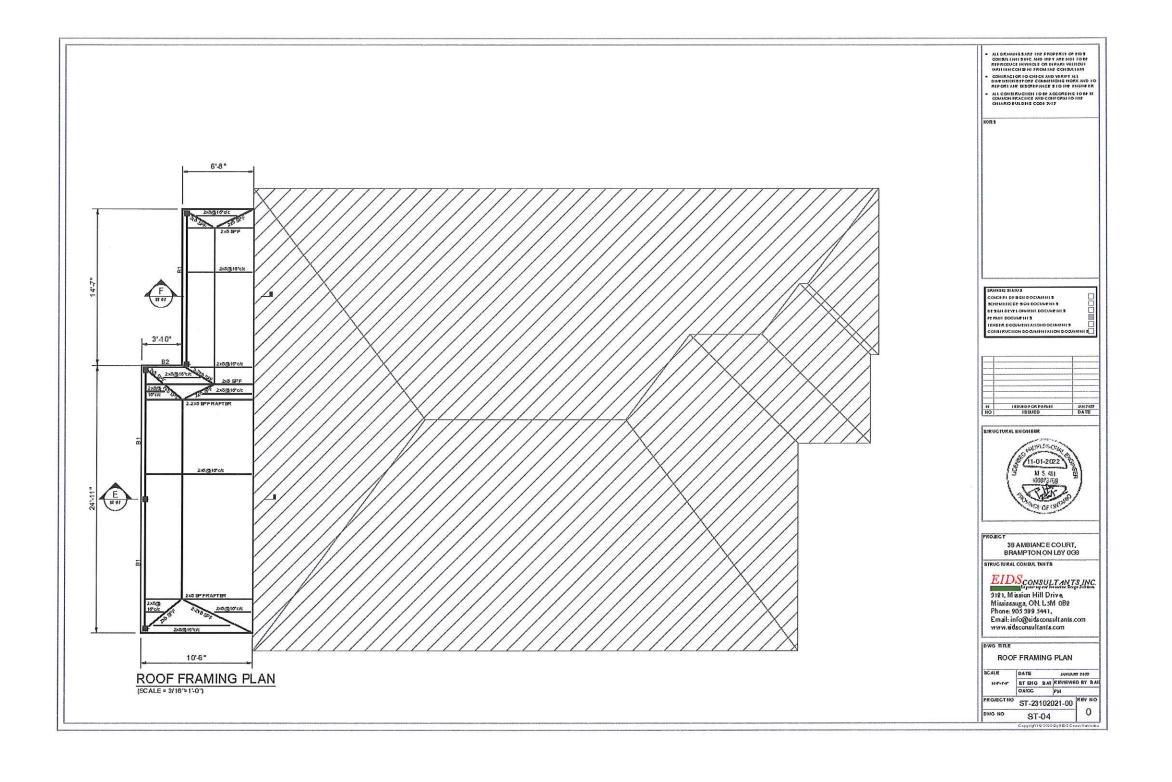
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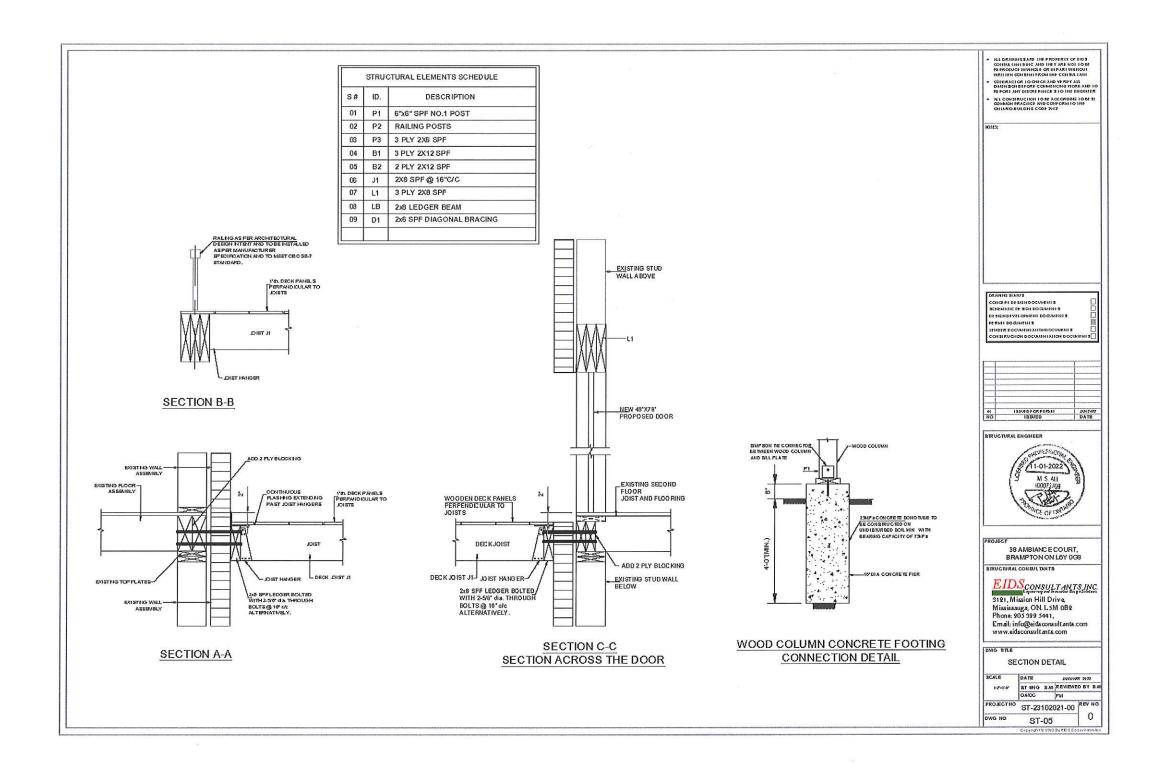
**GENERAL NOTES** 

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