

Phase 4: Scarborough Transportation Corridor Land Use Study - Scarborough Village Community – Final Report

Date:	April 24, 2013
To:	Scarborough Community Council
From:	Director, Community Planning, Scarborough District
Wards:	Ward 36 – Scarborough Southwest
Reference Number:	13 133943 ESC 36 TM

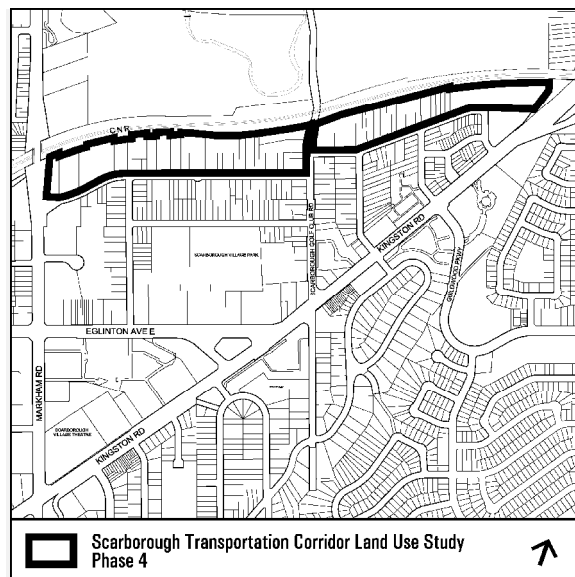
SUMMARY

This report summarizes the findings and presents the conclusions of the Phase 4: Scarborough Transportation Corridor Land Use Study - Scarborough Village. The report concludes that the existing land use designations and zoning standards for both City-owned and privately-owned lands within the Corridor are appropriate to regulate land use.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council confirm that the existing Official Plan designations and Zoning By-law regulations for the Phase 4: Scarborough Transportation Corridor lands are appropriate.



Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

History of the Scarborough Transportation Corridor (STC) Land Use Study

The former Scarborough Transportation Corridor (referred to as the 'STC') consists of lands south of the Metrolinx railway (formerly CN railway) through Scarborough that were intended to provide an extension of the Gardiner Expressway to connect to Highway 401 in the east. The lands were formerly designated a 'Special Study Area' in the Scarborough Official Plan in the mid 1980's after Council, for the former City of Scarborough, determined they were not needed for transportation purposes.

The STC lands (see Attachment 1: STC Phases) have been studied in segments since 1996. Phase 1, Phase 2, Phase 3 and the Centre Street study have all been completed. The portion of the STC lands running through Birchcliff Community were added to the Birchcliff Quarry Lands Study, initiated by Council in September 2003, which consisted of the STC corridor lands and larger City-owned and privately owned land parcels to the south. Community Council received a preliminary planning report on February 26, 2013 (Agenda Item No. SC22.24) in which staff indicated that the study had been superseded by a recent OMB decision and development application by Build Toronto. The report can be accessed through the following link:

<http://www.toronto.ca/legdocs/mmis/2013/sc/bgrd/backgroundfile-55845.pdf>.

Council received the report for information.

The 'Terms of Reference' for Phase 4 of the STC Land Use Study, formerly referred to as File No. 99 035998 or SC-W19990005, were approved by Council in April 1999. The purpose of the study was to review land use designations and zoning provisions for these lands. The Phase 4 section of the corridor extended from Markham Road to Morningside Avenue, south of the Metrolinx railway. The study was completed for the section of lands within the Guildwood Community, resulting in a 2002 Council-approved Official Plan Amendment (OPA #1077) to the former City of Scarborough Official Plan, various zoning amendments and new urban design guidelines. The approved OPA can be found through the following link: <http://www.toronto.ca/legdocs/bylaws/2002/law0060.pdf>.

City Council adopted a Community Planning status report for the Phase 4: STC lands (Scarborough Village) at its meeting of November 2002 directing that:

- 1) The revised land use plan contained in that report be circulated to departments, agencies, the Scarborough Village South Community Association (SVSCA) and others requesting a copy;
- 2) A meeting be scheduled with the community to present the revised land use plan and discussion paper; and,
- 3) Staff report further on the comments received through circulation and the community information meeting.

The above noted decision of City Council can be found through following the link: <http://www.toronto.ca/legdocs/2002/agendas/council/cc021126/sc10rpt/c1021.pdf>.

Upon the completion of the Phase 4: STC Land Use Study, all work related to every phase of the Scarborough Transportation Corridor will be complete.

Study Area and Surrounding Area

The study area consists of lands south of the Metrolinx railway (formerly the CN railway), north of Dunelm Street, east of Markham Road (overpass), and west of Kingston Road (overpass) (see Attachment 3: Aerial Context). The existing development within the study area is made up primarily of single family dwellings. Scarborough Golf Club Road runs north-south traversing the middle of the study area with Dunelm Street to the west and Dale Avenue to the east. There is currently an at-grade crossing at the intersection of the railway tracks and Scarborough Golf Club Road.

The City owns eleven (11) parcels within the study area totalling approximately 8 hectares (19 acres) all of which are vacant. The City-owned parcels (on the north side of Dale Avenue and Dunelm Street) are interspersed among privately owned parcels with single family homes. The majority of the private properties within the study area have depths exceeding 100 metres (300 feet) (see Attachment 3: Existing Land Ownership).

Adjacent land uses include:

West: Retail commercial uses west of Markham Road and a City-owned vacant parcel of land which is currently being used as a snow disposal site.

North: Scarborough Golf and Country Club and a number of apartment buildings fronting onto Markham Road.

East: A mix of residential and commercial uses along Kingston Road and a commuter parking lot associated with Guildwood GO Station.

South: Immediately to the south is low density residential housing. Further to the south Eglinton Avenue is characterized by highrise buildings interspersed with commercial uses.

Recent Development Proposals and Approvals within the Study Area

The lands within the study area have remained relatively stable over the last 30 years with the exception of the below noted approved applications.

2 and 4 Dale Avenue

The official plan and zoning by-law amendment (99 036035 ASC 36 OZ) applications to permit 36 townhouses at 2 and 4 Dale Avenue, were appealed to the Ontario Municipal Board (OMB) on the basis that City Council failed to make a decision within the statutory time frame. The proposal was approved in November 2001, by the OMB and

the OMB's final order was issued on November 29, 2011 to permit 34 semi-detached dwellings and 2 detached dwellings. The site plan application (05 127681 ESC 36 OZ) was approved on December 22, 2011 by the City to allow for the development. The development is constructed and occupied (see Attachment 2: Recent Developments).

280-282 Scarborough Golf Club Road

On February 14, 2006, the City refused official plan and zoning by-law amendment applications (05 121150 ESC 36 OZ & 05 192733 ESC 36 OZ) to facilitate residential development. The OMB approved the official plan and zoning by-law amendment applications in January 2007 to permit 3 detached dwellings together with 12 semi detached units. A number of OMB Orders/Decisions to allow for the development were subsequently issued. Most recently on January 11, 2013, the associated consent (12 159477 000 00 CO) was approved by the OMB, (see Attachment 2: Recent Developments). The OMB will consider the common element condominium application (12 128802 ESC 36 CD) at hearing dated scheduled for April 19th, 2013. The applicant has submitted applications for building permit and pre construction work is underway.

Schools, Parks and Recreational Facilities

Five (5) schools are located in close proximity to the study area, including George P. Mackie Public School, Mason Road Public School, Scarborough Village Public School and Cedar Drive Public School and St. Boniface Catholic School. There are two active Parks serving this community including Mason Road Park at 11 Stanland Drive which is approximately 2.1 hectares (5.2 acres) in size and is located west of Markham Road. Scarborough Village Park at 23 Gatesview Avenue is approximately 4.1 hectares (10.1 acres) in size and is located east of Markham Road and south of Dunelm Street. The Scarborough Village Recreation Complex is located at 3600 Kingston Road, south of Eglinton Avenue, east of Markham Road.

Study Team and Public Consultation

The Phase 4: STC land use study was led by the City Planning Division as directed by Council and included internal divisions, external agencies a working group comprised of area residents and Ward Councillor.

In addition to City Planning, other City divisions involved in the study included the Technical Services Division, the Affordable Housing Office, Real Estate Services, Urban Forestry and Municipal Licensing & Standards. External agencies included Toronto Region Conservation Authority (TRCA) and Metrolinx Railway (formerly the CNR). A working group including residents from Scarborough Village as well as the Scarborough Village South Community Association (SVSCA) were involved in the study.

Staff held community consultation meetings in February 2000 to introduce the study to the community and to obtain public input. A working group was formed consisting of local residents, local Councillors and staff, and a series of working group meetings began in May 2000. Staff held community information meetings in June 2000 and staff attended meetings in the fall of 2000 and in 2001 organized by residents and the Scarborough Village South Community Association.

The issues raised by the working group, the residents and the SVSCA included:

- a preference for more corridor lands to be designated Open Space under the Scarborough Official Plan;
- opposition to medium or high density redevelopment in the corridor;
- opposition to City-owned parcels being used as affordable housing;
- impact of future development on local schools;
- opposition to a public trail at the rear of homes in the corridor; and
- opposition to grade separation at Scarborough Golf Club Road and the railway.

There was also a desire for all the lands in the corridor to be designated a biodiversity area.

Official Plan

All of the lands within the study area are designated *Neighbourhoods* with the exception of the westerly portion of the City-owned Parcel No. 11 at the northeast end of Dale Avenue, which is designated *Parks and Open Space Areas - Parks* (see Attachment 4: Official Plan).

Neighbourhoods are considered physically stable areas made up of residential uses in lower scale buildings such as detached houses semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk up apartments that are no higher than four storeys. Parks, low-scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*.

Parks and Open Spaces Areas - Parks consist of the parks and open spaces, valleys, watercourses and ravines, portions of the waterfront, golf courses and cemeteries that comprise a green open space network in Toronto. *Parks* will be used primarily to provide public parks and recreational opportunities.

Policy 4.3.8 indicates that no City owned lands in *Parks and Open Space Areas* will be sold or disposed of. However, City owned lands within *Parks and Open Space Areas* may be exchanged for other nearby land of equivalent or larger areas and comparable or superior green space utility.

There are portions of the City-owned lands that are a part of the Natural Heritage System on Map 9 of the Official Plan.

Development is generally not permitted in the Natural Heritage System illustrated on Map 9 but where underlying land use designations allow for development in or near the Natural Heritage System, development will recognize natural heritage values and potential impacts on the natural ecosystem as much as is reasonable in the context of

other objectives for the area; and minimize adverse impacts and when possible restore and enhance the natural heritage system.

Policy 3.4.8 indicates that a 10 metre or more setback from the top of bank of valleys, ravines and bluffs; and other locations is required where warranted by the severity of existing or potential natural hazards.

Zoning

The lands within the study area are all zoned Single Family Residential (S) in the Scarborough Village Community By-law No. 10010, as amended, with the exception of the City- owned parcel (Parcel No. 11), which is zoned Highway Commercial (HC). The permitted uses in the 'Single Family Residential (S)' zone include correctional group homes, group homes and single family dwellings. The Highway Commercial (HC) Zone permits Day Nurseries and Highway Commercial Uses which includes uses such as Automobile Sales, Service and Maintenance Uses excluding auto body repair, and/or auto-wrecking yards, Funeral Homes, Fraternal Organizations, Hotels and Motels, Place(s) of Worship, Professional and Business Offices, Recreational Uses and Specialized Commercial Uses (see Attachment 5: Zoning).

Archaeology

All City-owned and privately owned land within the study area are considered an area of archaeological interest and an archaeological assessment would be required should any of the lands in the study area be considered for development.

Metrolinx Railway Setback

All of the lands within the Phase 4: STC are affected by the Metrolinx railway to the rear of the corridor, as Metrolinx requires a 30 metre setback for all residential development abutting the railway.

Site Plan Control

The lands within the corridor are all subject to site plan control, however, an exemption from the site plan control by-law may apply depending on the form of development.

COMMENTS

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to

grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. The existing O.P policies conform and do not conflict with the Growth Plan for the Greater Golden Horseshoe and are consistent with the PPS.

City Owned Parcels and Build Toronto

On May 25, 26 and 27th of 2009 City Council endorsed the 'Principles of a Real Estate Strategy and Declaration of Surplus Land for Sale/Transfer or Turnover to Build Toronto'. Through this report Real Estate Services was directed to consider and identify properties with potential for private development. Since 2009, City Council has declared all City-owned parcels surplus within the study area, with the exception of Parcels No. 9 and 10 (see Attachment 4: Existing Land Ownership).

Since the City owns a significant amount of land within the Corridor, the eleven (11) City-owned parcels interspersed among the privately held parcels were reviewed in detail along with the private parcels as a part of the study.

Parcel No. 1

On May 8, 2012, City Council granted the Chief Corporate Officer (CCO) authority to enter into an agreement to transfer 253 Markham Road & 12 Dunelm St. (Parcel No. 1) to Build Toronto. The final terms and conditions of transfer are yet to be finalized. In staff's opinion this parcel has development potential. Twenty (20) Dunelm Street separates Parcel No.1 and Parcel 2.

Parcel No. 1 is approximately 1.19 hectares (2.94 acres) in size, generally square in shape and slopes towards Dunelm Street. This parcel of land is constrained by the railway to the north and there is a significant change in grade from Markham Road.

City Planning staff prepared a number of concept sketches for Parcel No. 1 to determine how the lands might redevelop. The concept sketches all contemplated increased density for the lands in the form of traditional townhouses or a combination of stacked townhouses at 3 to 4 stories and traditional townhouses. The concepts developed included a green amenity space along the east end of the parcel which was to act as a buffer between the more intense development and single detached character of Dunelm Street to the east. The concept had regard for compatibility with the form of development immediately to the south to the extent that the higher density is oriented towards Markham Road and lower density along Dunelm Street.

Parcel No. 2

On November 29, 2011, City Council 'turned over' Parcel No. 2 to Build Toronto, in order that they determine whether development potential exists.

Parcel No. 2 is approximately 0.98 hectares (2.42 acres) in size, generally square in shape and slopes towards Dunelm Street. The development parcel is constrained by the Metrolinx Railway, an existing watermain easement running diagonally across the parcel and possibly the protected vegetation along the north side of the parcel. The parcel has 91 metres (approximately 300 feet) of frontage along Dunelm Street and about 100 metres (over 300 feet) in depth. Across the street are detached dwellings with frontages ranging from 14 to 21 metres on lots that generally have shallower depths than on the north side of Dunelm Street.

The Scarborough Village Community is underserved by parkland and the former STC lands are within an area that is a parkland acquisition priority area. Map 8 (Local Parkland Provision – Map B) identifies that these lands fall within a larger area that is within the second lowest quintile of parkland provision (0.43 ha – 0.79 ha of local parkland per 1000 people). As a part of discussions with Build Toronto staff will explore the potential of a park or amenity (green) space on these lands, which will also address the community's concerns related to compatibility and their desire for corridor lands to be used as 'open space'.

Staff believe there is development potential for these lands, particularly if Parcel No. 1 and 20 Dunelm Street to the west are combined to create a contiguous development parcel. As noted earlier, Staff developed a number of concept sketches for Parcels No. 1 and 2 to determine how the lands might redevelop which included schemes with townhouses, stacked townhouses and park along the eastern edge of the property. Particular regard will need to be given to adjacency issues including an appropriate transition between the existing detached neighbourhood to the east. Of note, at its meeting of April, 9, 2013, Scarborough Community Council (SCC) approved the demolition of the existing single detached dwelling to the west (at 20 Dunelm Street) acquired by Build Toronto.

Parcel No. 3

On November 11, 2011, City Council 'turned over' Parcel No. 3 to Build Toronto, in order that they determine whether development potential exists.

Parcel No. 3 is approximately 0.35 hectares (0.86 acres) in size, and generally square in shape. The parcel is landlocked as it is located at the rear of 3 parcels to the south fronting onto Dunelm Street (see Attachment 2: Existing Land Ownership). In staff's opinion the redevelopment of this parcel on its own is unlikely, as the majority of land is affected by Metrolinx's 30 metre setback requirement. It is anticipated that the parcel may be combined through Consent with the parcels to the south to give the newly created parcels more depth.

Parcel Nos. 4-8

On November 11, 2011, City Council 'turned over' Parcels No. 4 to 8 to Build Toronto, in order that they determine whether development potential exists.

Parcels No. 4 to 8 vary in size with the smallest parcel, Parcel No.7, having a frontage of approximately 27 metres (88 feet) and a lot area of approximately 0.32 hectares (0.8 acres) and the largest parcel, Parcel No.6, having a frontage of 38 metres (125 feet) and a lot area of approximately 0.78 hectares (1.93 acres). All of these parcels are generally long and rectangular in shape with the exception of Parcel No. 6 which is 'P' shaped.

The natural heritage policies of the Official Plan present significant development constraints for these parcels as the policy requires a 10 metre or more setback from the top of bank of valleys, ravines and bluffs; and other locations where warranted by the severity of existing or potential natural hazards.

Parcels No. 5 to 8 inclusive and all privately held parcels in between fall under the jurisdiction of the Toronto and Region Conservation Authority (TRCA), and all of these parcels are protected by the Ravine and Natural Feature Protection By-law.

In addition, Parcel No. 8 is in a naturalized state and heavily treed. The parcel is almost entirely within the 30 metre Metrolinx's setback requirement and a grade separation is expected to occur in the future at Scarborough Golf Club Road and the railway.

In light of these environmental factors and potential physical constraints, staff are of the opinion that development potential on these parcels of land is severely limited.

Parcel No. 9 and 10

Parcels No. 9 and 10 have been circulated by the Portfolio Management group in Real Estate Services to Agencies, Boards, Commissions and Divisions (ABCD's) for information and comment. A future report by Real Estate Services will identify the intended method of disposal for these lands.

Parcels No. 9 and 10 have frontages of 15 and 30 metres respectively and depths of approximately 100 metres. The development potential for these lands is limited as they are subject to the Ravine and Natural Feature Protection By-law and generally have limited frontage on Dale Avenue.

Staff anticipates that redevelopment of these parcels will be limited and that detached dwellings will likely be the most appropriate form of development in the future.

Parcel No. 11

Westerly portion of Parcel No. 11

On November 27, 2012, City Council endorsed the retention of the westerly end of Parcel No. 11 as it is designated *Parks and Open Spaces – Parks* and the Official Plan does not permit the disposal of land within *Parks and Open Space Areas*. The 'westerly portion' of Parcel No. 11 is not currently zoned Parks (P) but rather is zoned Highway Commercial (HC). The new City wide Zoning By-law proposes that the westerly portion of the parcel be rezoned 'Open Space' (O), to reflect the *Parks and Open Spaces- Parks* designation in the Official Plan.

Easterly portion of Parcel No. 11

On November 27, 2012, City Council authorized the Chief Corporate Officer (CCO) to enter into an agreement with Build Toronto for the transfer of the easterly portion of Parcel No. 11. The final terms and conditions of the transfer are yet to be finalized.

This portion of Parcel No. 11 is just west of Kingston Road overpass and is oblong in shape and buffered by the 'unprogrammed' parkland to the west. It is relatively large at approximately 1.16 hectares (2.9 acres), with approximately 120 metres in frontage and approximately seventy (70) metres in depth at its shallowest point. Although, there are no known environmental constraints affecting this parcel, the 30 metre required setback from the Metrolinx railway and other noise and vibration concerns, would need to be taken into consideration when this parcel is to be redeveloped.

A number of concept plans were considered as a part of staff's evaluation of this property which fronts onto Dale Avenue. The concept plans contemplated a variety of built forms including a highrise building oriented towards Kingston Road and other concepts which contemplated townhouses. Staff are of the opinion that this parcel has development potential.

Potential Development of Land Parcels within the Corridor and Existing Official Plan Designations and Zoning

As stated earlier in this report, City Council has directed staff to:

- 1) Re-circulate a draft of a working land use plan;
- 2) Convene a community meeting, in consultation with the Ward Councillor, to update the Community on staff's discussions and present a land use plan and discussion paper; and,
- 3) Report out on comments received through circulation of the land use plan and community consultation meeting.

The Official Plan adopted by City Council in November 2002, replaced the 'special study area' designation with a *Neighbourhoods* and *Parks and Open Space Areas - Parks* designation. Planning staff are of the opinion that these land use designations provide the appropriate policies to regulate development in the study area and that divisions and agencies no longer need to be consulted at this point in the process.

In addition, City Council has already directed that City owned Parcels 1 to 8 and 11 be either transferred or 'turned over' to Build Toronto. Furthermore, the privately held parcels on the north side of Dunelm Street and Dale Avenue contain single detached bungalows and two storey homes that are in relatively good condition. Planning staff believe that this is a stable community, noting limited development over that the last 30 years with the exception of the two OMB approved developments at 280-282

Scarborough Golf Club Road and 2 and 4 Dale Avenue. Aside from the possibility for consent applications to divide wider lots, Planning staff do not foresee any significant redevelopment warranting city- initiated official plan or zoning by-law amendments, with exception of Parcel No. 1, 2 and 11.

Should Build Toronto or a 3rd party determine that the existing official plan or zoning permissions are not appropriate, a development application would need to be filed which would include as part of the review a community consultation meeting including staff and the area Ward Councillor.

Conclusion

In conclusion, staff have completed its review and determined that Parcels 1, 2 & 11 are the largest and hold the most development potential. Parcels 3 to 8 are lands physically constrained by their size and location and by environmental regulations affecting their potential future development. Parcels 9 and 10 can be developed but given their size, development potential is limited.

Given Council's most recent directions regarding the transfer and 'turnover' of lands within the corridor to Build Toronto the final determination of development potential for these lands will be led by Build Toronto. Through this review future planning applications will determine the extent of intensification of development that is appropriate.

In light of the pending transfers to Build Toronto and City Planning's review, the existing official plan and zoning by-law regulations are appropriate for all STC lands.

CONTACT

Jeffery Sinclair, Planner
Tel. No. 416-396-7685
Fax No. 416-396-4265
E-mail: jsincla@toronto.ca

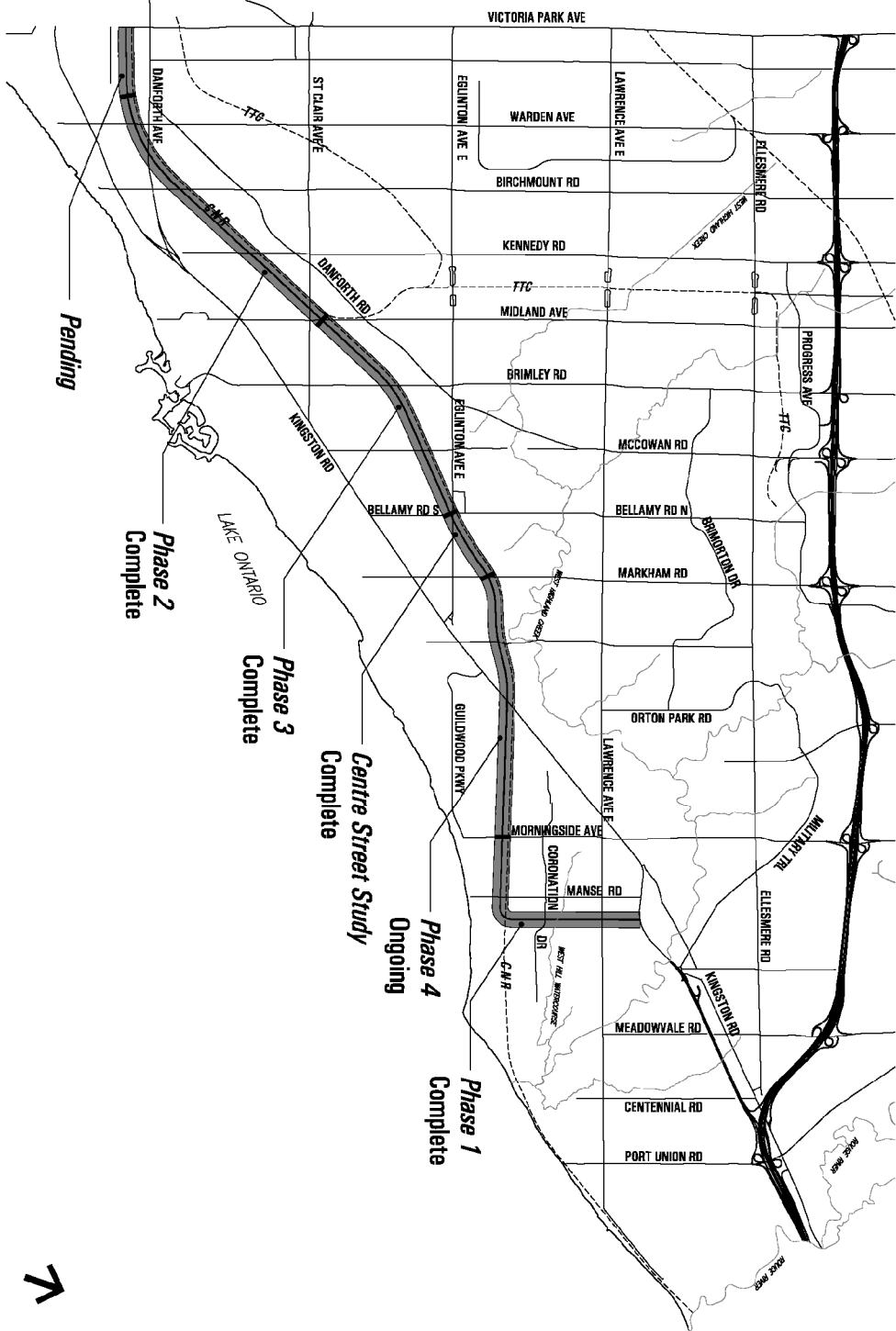
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Raymond David, Director
Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Scarborough Transportation Corridor Phases
Attachment 2: Existing Land Ownership
Attachment 3: Recent Developments
Attachment 4: Official Plan
Attachment 5: Zoning
Attachment 6: Aerial Context

Attachment 1: Scarborough Transportation Corridor Phases



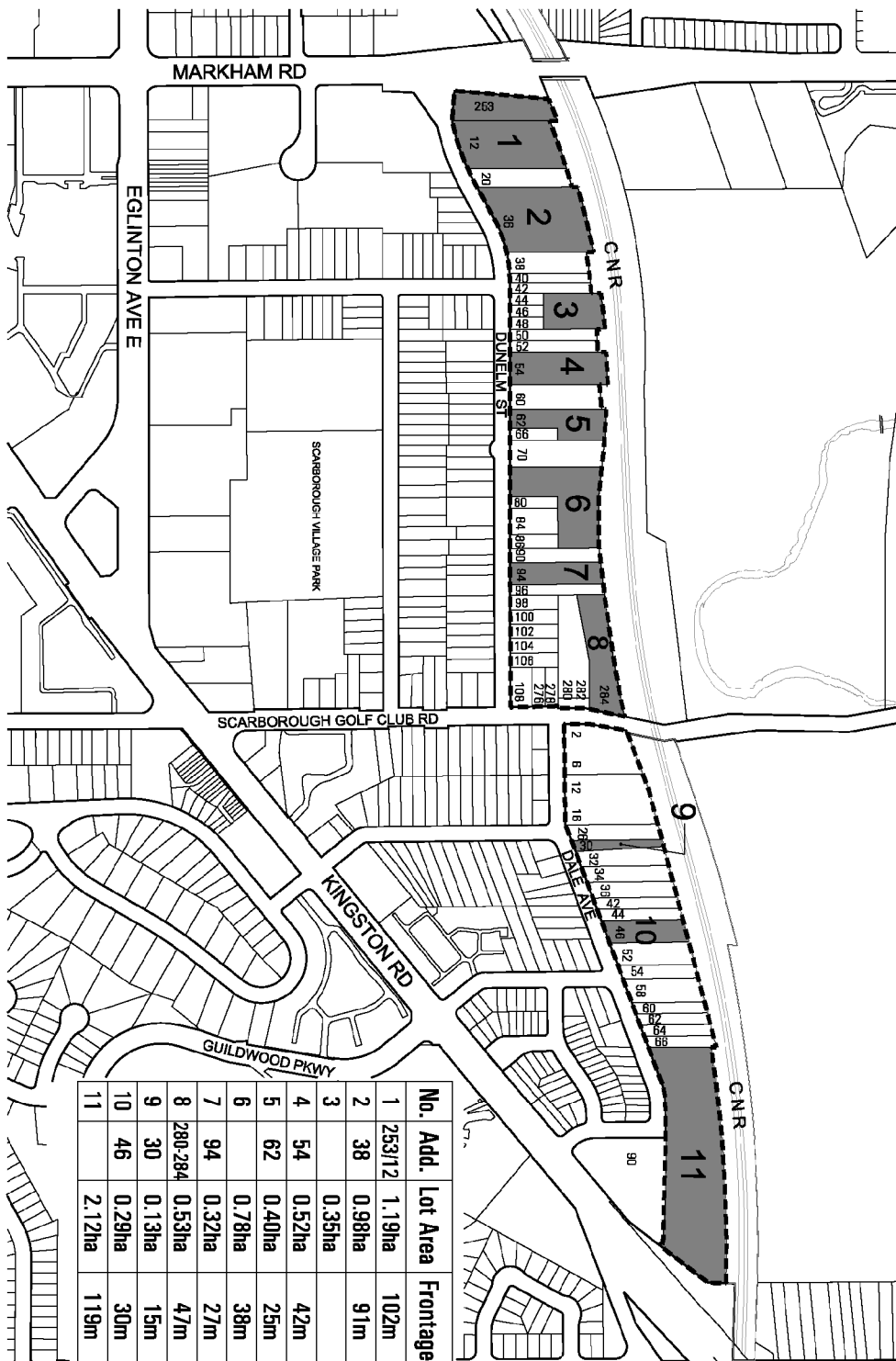
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Scarborough Transportation Corridor-Phase 4

STC Phases
Not to Scale
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STC Corridor
File # 13 133943 TM


Attachment 2: Existing Land Ownership



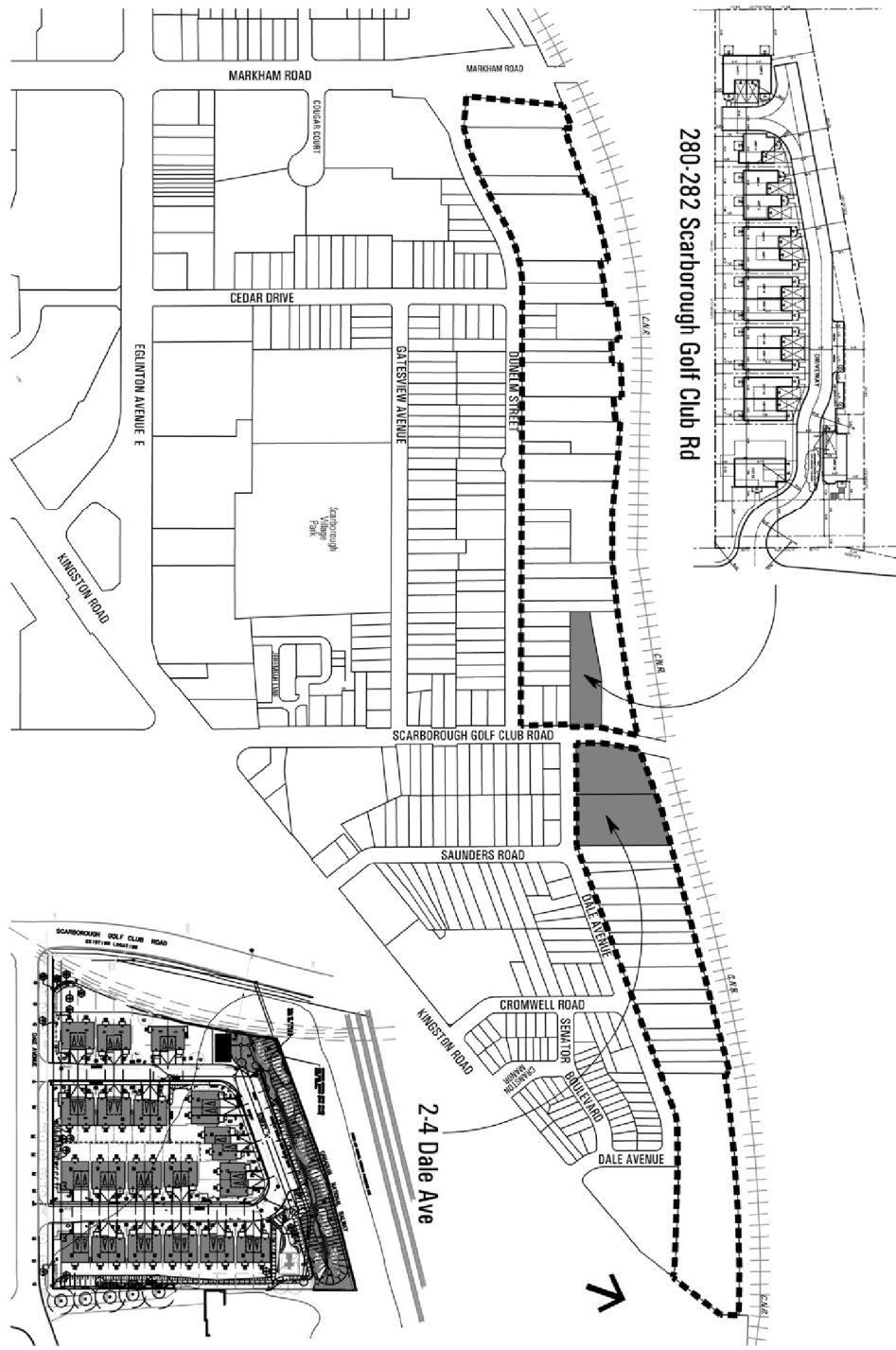
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Existing Land Ownership

Not to Scale
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Scarborough Transportation Corridor-Phase 4

 Study Boundary
File # 13 133943 TM

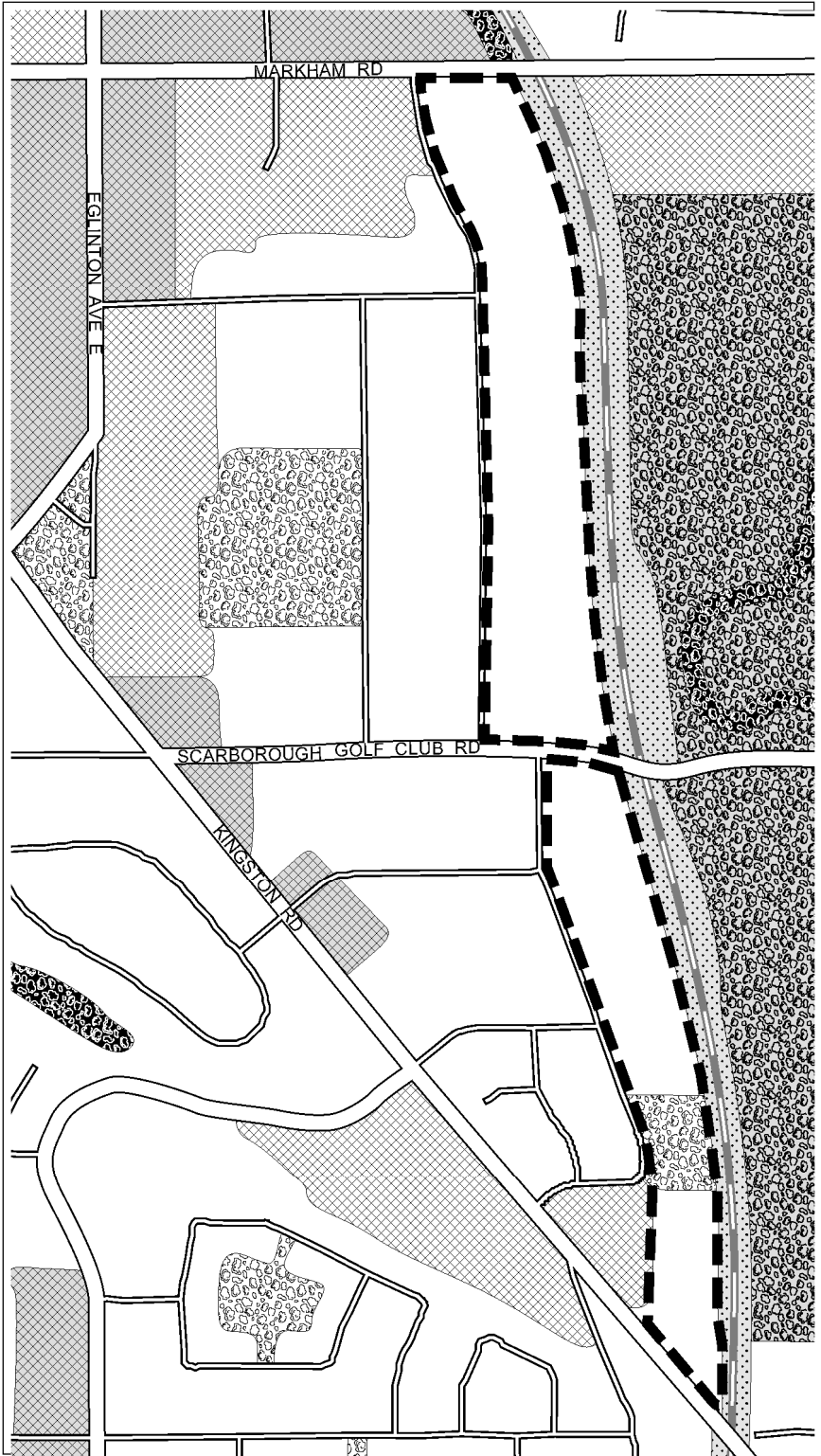
Attachment 3: Recent Developments



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Recent Developments
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Scarborough Transportation Corridor-Phase 4
Study Boundary
File # 13 133943 TM

Attachment 4: Official Plan



City of Toronto
City Planning
Official Plan

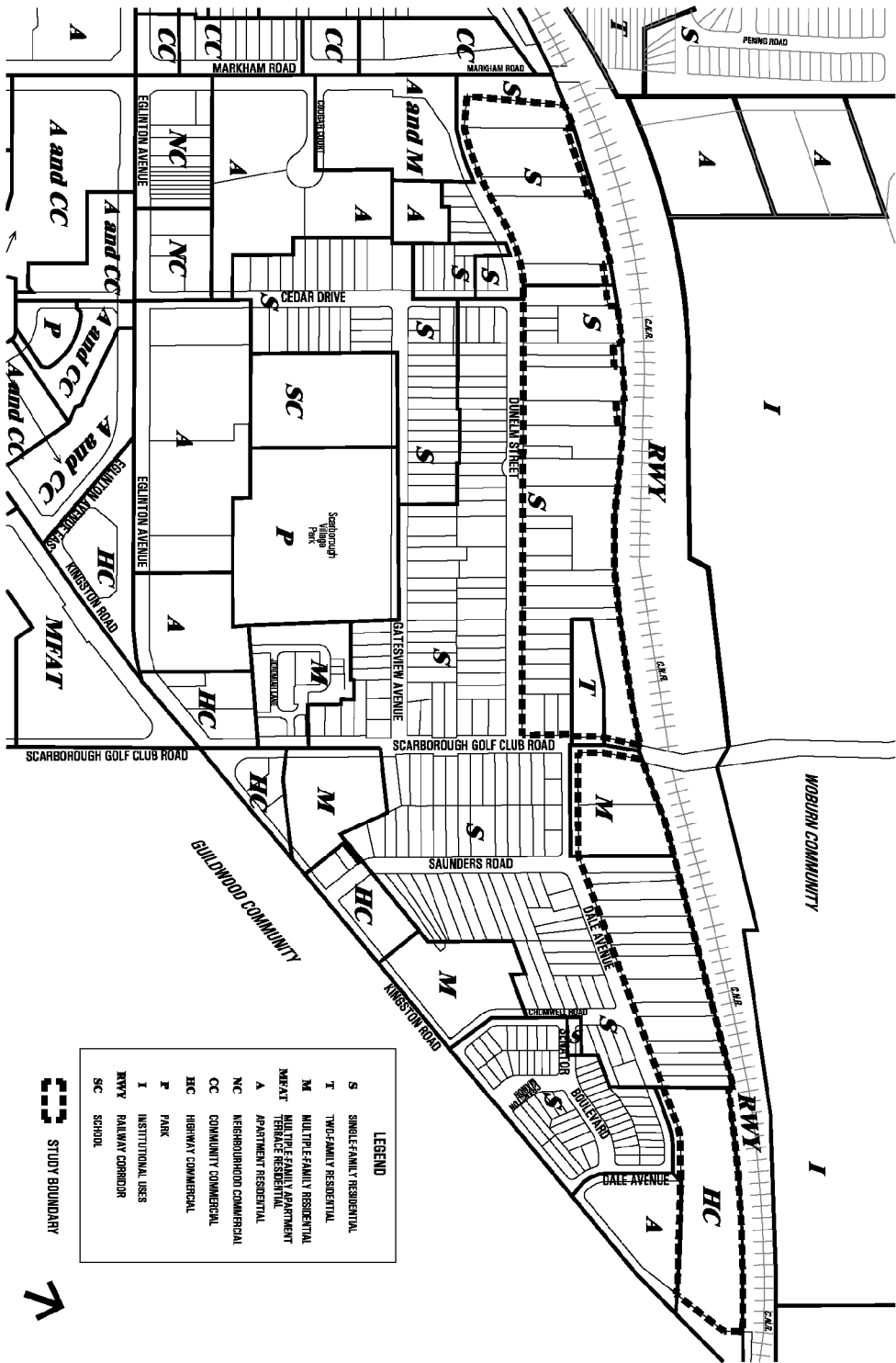
Scarborough Transportation Corridor-Phase 4

File # 13 133943 TMI

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|--|--------------------------|--|---------------------------|--|---------------------|
| | Study Boundary | | Parks & Open Spaces Areas | | Utility Corridors |
| | Neighbourhoods | | Natural Areas | | Institutional Areas |
| | Apartment Neighbourhoods | | Parks | | Regeneration Areas |
| | Mixed Use Areas | | Other Open Space Areas | | Employment Areas |

Note to Scale
03/15/13

Attachment 5: Zoning

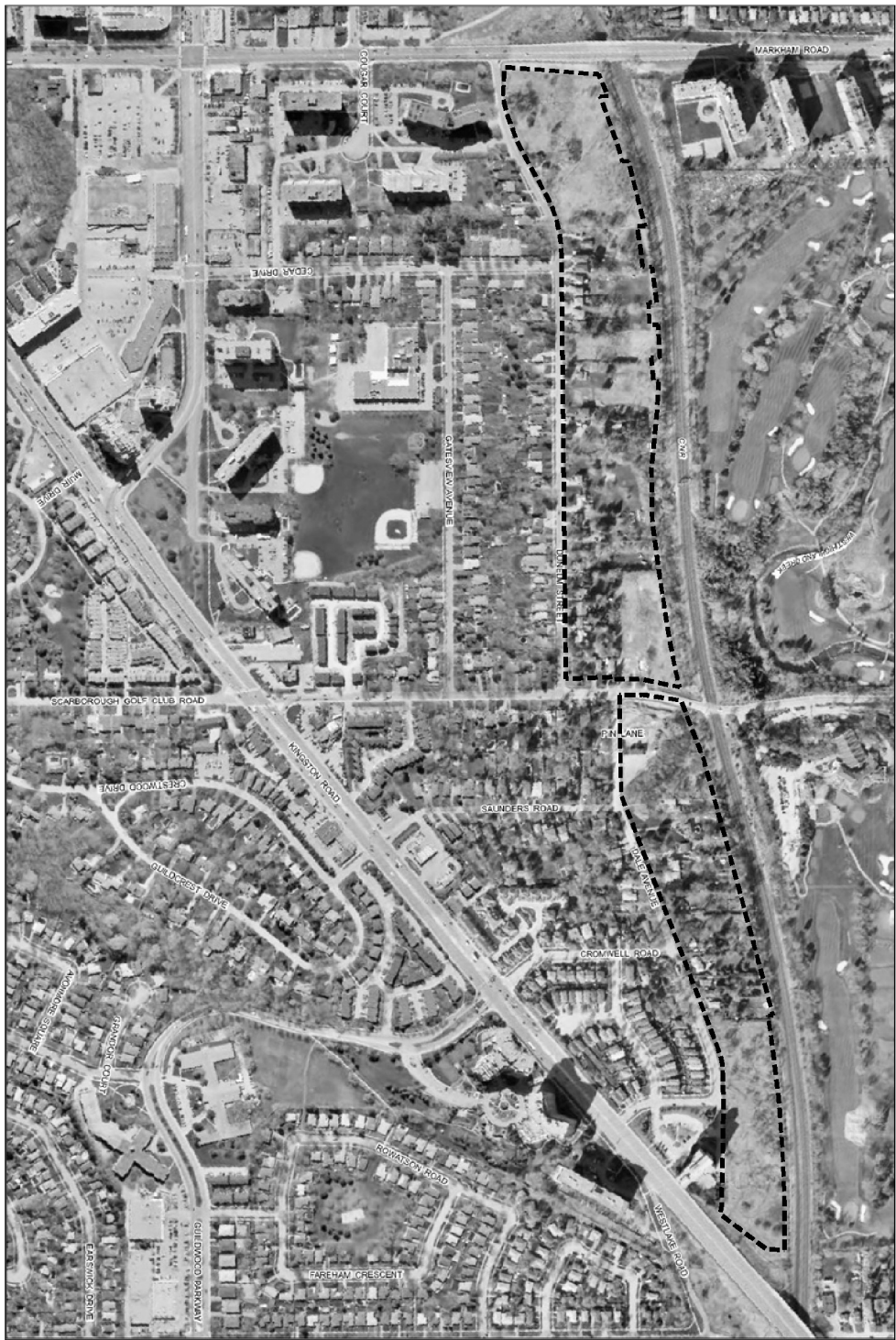


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Zoning Scarborough Village Community
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 03/13/13

Scarborough Transportation Corridor-Phase 4

File # 13 133943 TM

Attachment 6: Aerial Context



Toronto City Planning
Aerial Context
 Not to Scale
 03/13/13

Scarborough Transportation Corridor-Phase 4
 Study Boundary
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