

Planning and Land Use Committee Report For the Meeting of June 25, 2015

To:

Planning and Land Use Committee

Date:

June 11, 2015

From:

Helen Cain, Senior Planner, Development Services Division

Subject:

Rezoning Application No. 00476 for 1040 Moss Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00476 for 1040 Moss Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- Applicant to further consider if refinements to the form and massing of the addition could improve visibility of the upper storey of Spencer Mansion, from Moss Street, while enabling the upper floor of the expanded gallery to function as exhibition space.
- Further revisions to the proposed Statement of Significance for Spencer Mansion, to the satisfaction of staff.
- Referral of Rezoning Application No. 00468 to the Advisory Design Panel and the Heritage Advisory Panel.
- Removal of the existing Land Use Contract that is registered on the property title.
- Registration of a Section 219 Covenant to secure the details for design and heritage alterations to the satisfaction of staff.
- Applicant to explore the feasibility of securing access to surplus parking spaces on nearby properties and through legal agreements.

LEGISLATIVE AUTHORITY

In accordance with Section 903 (c) of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, siting, size and dimensions of buildings and other structures, as well as the uses that are permitted on the land, the location of uses on the land and within buildings and other structures.

In accordance with Section 219(4)(b) of the *Land Titles Act*, a Covenant registered in favour of a municipality may include provisions that a specified amenity be protected, preserved, conserved, maintained, enhanced, restored or kept in its existing state in accordance with the covenant and to the extent provided in the Covenant.

In accordance with Section 219(5) of the Land Titles Act, an "amenity" includes any natural, historical, heritage, cultural, scientific, architectural, environmental, wildlife or plant life value relating to the land that is subject to the covenant.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1040 Moss Street. The proposal is to remove a Land Use Contract and to rezone the property from the PB Zone (Public Building District) to a new zone to increase density and to permit the expansion and exterior alteration of a cultural facility (the Art Gallery of Greater Victoria (AGGV)) through a new three-storey addition to a Heritage-Registered property.

The following points were considered in assessing this application:

- The proposed addition is consistent with OCP policies related to arts and culture, including Policy 16.17.1 to "encourage and assist the expansion of exhibition space at the Royal British Columbia Museum and the Art Gallery of Greater Victoria".
- The proposal is not fully aligned with OCP Policy 8.49 that provides direction for the new addition to be reviewed in relation to the National Standards and Guidelines for Historic Places in Canada. The main issue is the building form and massing would obscure the current visibility of character-defining elements of Spencer Mansion from vantage points along Moss Street. However, sight lines to the lower portion of Spencer Mansion from Moss Street, which are presently blocked by the one-storey addition, would be opened up. Additionally, the views of the west (front) façade of Spencer Mansion from Pentrelew Place and of the north façade from Wilspencer Place would remain visible.
- The retention and continued use of Spencer Mansion as a cultural facility, as well as the footprint of the new addition, are consistent with policies in the Rockland Neighbourhood Plan, 1987 related to the conservation of historic buildings and historic landscape character.
- Given the AGGV is a cultural facility with ancillary uses, the proposal is considered an
 institutional use which is exempt from the usual control and regulation for design under
 Development Permit Area 16: General Form and Character (DPA 16). However, the
 AGGV is willing to enter into a Section 219 Covenant that would secure the proposed
 design and heritage alterations.
- Based on the Zoning Regulation Bylaw Schedule C requirements, the expanded gallery would require 159 vehicle spaces whereas the proposal includes 26 stalls. Potential Transportation Demand Management (TDM) measures include an end of trip shower facility and six bicycle storage units for staff, 21 visitor bicycle spaces and measures such as staff transit passes. The TDM report recommends that additional parking stalls be secured at specific locations. As this option is not included in the proposal as presented by the applicant, the staff recommendation for Council's consideration includes direction to the applicant to explore the feasibility of securing parking spaces on nearby properties.
- The proposed new addition is sited with almost the same footprint as the existing building which would help to retain most of the mature trees. However, six bylawprotected trees would be lost and replaced with 12 trees which is consistent with the Tree Preservation Bylaw.

BACKGROUND

Description of Proposal

Rezoning

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1040 Moss Street. The proposal is to remove a Land Use Contract and to rezone from the PB Zone (Public Building District) to a new zone to increase density and to permit the expansion and exterior alteration of a cultural facility with ancillary uses through a new three-storey addition to a Heritage-Registered property.

Aspects of the proposal relevant to land use and regulations include:

- increase in density to 0.99:1 in floor space ratio (FSR)
- increase in the floor area of the building from 3820m² to 5662m² to expand the exhibition galleries, classrooms, gathering spaces, gift shop, archival storage and offices, and to introduce a theatre/multipurpose room and a café
- the proposed density and floor area includes the potential future enclosure of a portion of the upper storey of the addition that is presented in the proposed plans as a sculpture terrace garden open to the sky. Council's approval through amendments to the Section 219 Covenant would be required if, at a later date, the AGGV decided to advance this expansion of space
- there are also two accessory structures: a bike enclosure and the existing Asian Shrine
- the primary driveway crossing is accessed from Wilspencer Avenue and 20 parking stalls would be retained in their current location with five new stalls in the southeast corner. A secondary driveway would continue to be located in the southeast corner that provides access to the loading dock.

Restrictive Covenant for Design and Heritage Alterations

The applicant is proposing to enter into a Section 219 Covenant to secure all aspects of the architecture, landscape architecture and urban design as well as the exterior alterations to the Heritage-Registered property, including:

- removal of the addition that currently houses the Children's Art Studio next to the existing AGGV main entry
- removal of the one-storey portion of the AGGV and replacement with a new three-storey addition with a similar building footprint and trapezoid form
- glazed section between the new addition and Spencer Mansion
- a mix of exterior materials for the new addition in concrete, metal cladding, copper or stainless steel mesh, extensive glazing and clerestory windows along the northeast section of the roof
- creation of a public plaza in the northeast corner of the property
- · relocation of the existing Asian Garden to the southwest section of the site
- twelve new trees to replace six bylaw-protected trees and retention of most of the mature Garry Oak tree canopy
- retention of and exterior changes to Spencer Mansion, including:
 - repairs to the basement-level doors, windows and exterior walls, and the infill of an opening at the west end of the building
 - o removal of exit stairs and glazing on the north elevation

- alteration of the east elevation to enable the glazed link between the Mansion and the new addition
- alteration of the east elevation for the installation of tri-folding doors to a new interior space (Children's Art Studio) located on the main floor
- alterations to exterior walls, roof and openings to create a storage area on the main floor, open to the exterior at the second floor, and the installation of a new wood window within the altered exterior wall/roof of the attic storey.

To enable the assessment of the impact of the proposed addition and exterior alterations on the heritage value and character-defining elements of Spencer Mansion, the applicant has provided a proposed Statement of Significance (attached).

Sustainability Features

As indicated in the applicant's letter dated June 9, 2015, the following sustainability features are associated with this Application:

- building retention and reuse
- a high thermal performance building envelope
- low site coverage (38%) and permeable pavement to cover the tree root zones in the existing parking lot area.

Active Transportation Impacts

The applicant proposes the following features which support active transportation:

- six bicycle storage units for staff
- end of trip shower facility for staff
- 21 visitor bicycle spaces in an enclosure.

Land Use Context

The area is characterized by low-density residential uses in the form of single-family dwellings, house conversions and apartment buildings, as well as places of worship and Central Middle School which is located within walking distance (200m) along Fort Street.

Existing Site Development and Development Potential

The site is presently the Art Gallery of Greater Victoria which is an institutional building.

Data Table

The following data table compares the proposal with the existing PB Zone. An asterisk is used to identify where the proposal is less stringent than the existing Zone. A double asterisk identifies an existing condition that is legal non-conforming.

| Zoning Criteria | Proposal | Zone Standard P-B Zone |
|-------------------------------|----------|---------------------------|
| Site area (m²) - minimum | 5701.00 | 460.00 |
| Density (Floor Space Ratio) - | 0.99:1 | n/a |

| Zoning Criteria | Proposal | Zone Standard P-B Zone |
|---|--|-------------------------------|
| maximum | | |
| Total floor area (m²) - maximum | 5662.00 | 420.00 |
| Lot width (m) - minimum | 84.90 | 15.00 |
| Height (m) - maximum | 19.1m* | 7.60 |
| Storeys - maximum | 4** (Spencer Mansion) 3* (new addition) | 2 |
| Site coverage % - maximum | 38.00 | 40.00 |
| Open site space % - minimum | 45.00 | n/a |
| Setbacks (m) - minimum Front (Moss Street) Rear (west) Side (south) Side (Wilspencer Place) | 7.30 5.70** 0.80* 16.80 | 7.50 18.80 8.49 8.49 |
| Parking - minimum | 26 | 159 ¹ |
| Bicycle parking stalls (minimum) | 21* | 42 |
| Bicycle storage units (minimum) | 6* | 10 |

¹ public assembly: 94 stalls; theatre: 21 stalls; cafe: 15 stalls; office: 12 stalls; classroom: 11 stalls; commercial exhibit: 4 stalls; retail: 2 stalls

Relevant History

Land Use Contract

A Land Use Contract (attached) is registered on the property title of 1040 Moss Street, which does not permit increases in floor area or density, or design changes to the building or grounds. The Land Use Contract, if not retired with this Rezoning Application, would expire in 2025, at which time the underlying zoning regulations would come into effect.

Potential Transportation Demand Management Package

To help offset the shortfall of onsite parking spaces, the applicant is considering a number of options, including, but not limited to:

- reserve stall(s) for carpools on the AGGV parking area
- explore securing access to parking stalls on nearby properties, namely: 1155 Fort Street (First Memorial Funeral Services); 1201 Fort Street (Victoria Truth Centre); 1273 Fort Street (Grace Lutheran Church); 1280 Fort Street (Central Middle School); 1050 Joan Crescent (Craigdarroch Castle); The Laurels (1249 Rockland Avenue); 1240 Yates Street (Boys and Girls Club of Greater Victoria)
- way finding for parking in the vicinity of AGGV
- · after hours walking chaperone to nearby bus stops and off-site parking
- guaranteed Ride Home Program for employees

- encourage employees to participate in the Jack Bell Rideshare Program
- offer employees the option to work alternate schedules to stagger vehicle and parking demands
- on-site bicycle valet
- employee bike share program
- provide employee transit passes
- offer free transit trip with AGGV event tickets.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the Rockland CALUC at a Community Meeting held on January 22, 2015. A letter dated February 17, 2015, is attached to this report.

ANALYSIS

Official Community Plan

Arts and Culture

The proposed addition is consistent with OCP policies related to arts and culture including Policy 16.17.1 to: "encourage and assist the expansion of exhibition space at the Royal British Columbia Museum and the Art Gallery of Greater Victoria".

Placemaking

OCP Section 8 "Placemaking" includes Policy 8.49 that provides direction for the new addition to Spencer Mansion to be reviewed in relation to the *National Standards and Guidelines for Historic Places in Canada*. Two key principles are to protect and enhance the heritage value of a property through retention of the visibility of character-defining elements that are currently viewable from the street and to respect the setting of the heritage property.

The proposed addition has been sited to have a similar building footprint as the existing onestorey section of the gallery, which will minimize the impact on the historic landscaped setting of Spencer Mansion through the retention of the mature tree canopy.

The main outstanding issue is that the building form and massing would obscure the current visibility of the upper storey of Spencer Mansion, where the character-defining elements are located, from vantage points along Moss Street. However, the applicant's approach in the proposed design is to trade-off the loss of these existing sight lines with opening-up new views to the lower portion of Spencer Mansion from Moss Street, which are presently blocked by the one-storey addition. Additionally, the west and north façades of Spencer Mansion would continue to be visible from Pentrelew Place and Wilspencer Place.

Overall, the applicant has chosen a design approach that tries to strike a balance between respecting heritage conservation principles, retaining many of the Gary Oak trees and integrating an infill development project into the surrounding established neighbourhood. While there are some site constraints that that applicant is aiming to respect, the proposal results in tangible benefits to the City and Region by achieving an upgraded and improved cultural facility and enhancing the Gallery's ability to manage a cultural resource; both of which are expected to result in positive economic development.

The staff recommendation for Council's consideration includes direction to the applicant to consider if further design refinements could reduce the extent to which the proposed three-storey addition would obscure the visibility of Spencer Mansion from Moss Street. Should Council wish to advance the proposal as presented by the applicant, this report includes an alternate motion that removes the condition to consider changes to the design. Additionally, the staff recommendation includes further revisions to the proposed Statement of Significance for Spencer Mansion to ensure all heritage values and character-defining features are assessed.

Control and Regulation of Design and Exterior Alterations to a Heritage Property

Given that the AGGV is a cultural facility with ancillary uses, the proposal is considered an institutional use which is exempt from the control and regulation for design in Development Permit Area 16 General Form and Character. Additionally, a Heritage Alteration Permit is not required because Spencer Mansion is not protected through a Heritage Designation Bylaw or located in a designated Heritage Conservation Area. However, the applicant is willing to enter into a Section 219 Covenant to secure the design and heritage alterations as identified in AGGV letter, dated February 13, 2015 (attached). The staff recommendation for Council's consideration includes a condition to secure a Section 219 Covenant for design and heritage alterations, prior to a Public Hearing.

Local Area Plans

The proposal for the AGGV is consistent with the *Rockland Neighbourhood Plan, 1987*, which emphasizes heritage conservation generally and the retention of historic landscape character and mature trees on private lands, where possible, while accommodating new infill.

Regulatory Considerations

Onsite Parking Requirements

Based on the Zoning Regulation Bylaw Schedule C requirements, the AGGV expansion would require 159 vehicle spaces whereas the proposal includes 21 existing stalls and five new stalls. It is worth noting that the existing requirement for parking stalls on the site, which is stipulated under the terms of the 1975 Land Use Contract, is 34 stalls. The difference between what is provided on site today versus what was required under the Land Use Contract, can be attributed to the change in regulations related to stall size and dimensions; the same area that is presently used to provide 21 stalls, previously was used to provide 34 stalls. Moreover, if Schedule C was applied to the current facility, a conservative calculation estimates that over 100 stalls would be required, while as noted earlier, only 21 are provided.

This existing shortfall compared to the current parking requirements, paired with the relatively few neighbourhood parking concerns reported to staff, would suggest that the actual day-to-day demand for on-site parking associated with the expanded gallery is significantly lower. However, it is noted in the Transportation Demand Management (TDM) study and Parking Impact Study (attached) as well as by the Transportation Section that events at the Gallery will likely result in visitor parking being accommodated on the neighbouring streets. To help address the shortfall in parking stalls, the applicant is proposing an end of trip shower facility for staff, six bicycle storage units and 21 bicycle spaces within an enclosure. Options for "soft" TDM measures, such as staff transit passes, are being considered but are not confirmed and cannot be secured on title.

The TDM report also recommends that additional parking stalls be secured at specific locations. As this option is not included in the proposal as presented by the applicant, the staff recommendation for Council's consideration includes direction to the applicant to explore the feasibility of securing parking stalls on other nearby properties.

Tree Retention and Damage Mitigation

Any significant excavation on the AGGV site would have some impact on the historic landscape character because of the close proximity of mature trees on the lot. However, the proposed new addition is sited with almost the same footprint as the existing building to help retain as many of the trees as possible. Six bylaw-protected trees would be lost, but will be replaced with 12 new trees which is consistent with the *Tree Preservation Bylaw*.

CONCLUSIONS

The proposed new gallery addition is consistent with the OCP policies related to arts and culture including City support for the expansion of AGGV exhibition space. It is also consistent with local area plan policies to retain the historic landscape character to the extent this is feasible. However, the form and massing of the new wing of the Gallery would remove the visibility of the second floor of Spencer Mansion as it can be seen today from Moss Street, while opening up other views to the Mansion from Moss Street and the gallery interior spaces. The recommendation for Council's consideration includes direction to the applicant to consider if design refinements could improve the views to Spencer Mansion from Moss Street and to secure the design of the new addition, landscape and heritage alterations of Spencer Mansion through a Section 219 Covenant. Lastly, staff have included a condition, for Council's consideration, to explore the feasibility of securing access to parking stalls on nearby properties to help mitigate the potential impact of the expanded gallery on the availability of on-street parking as recommended in the transportation consultant's reports.

ALTERNATE MOTION

Option One:

That Council advance Rezoning Application No. 00476 for the property located at 1040 Moss Street as presented by the applicant, subject to referral to the Advisory Design Panel and Heritage Advisory Panel.

Option Two:

That Council decline Rezoning Application No.00476 for the property located at 1040 Moss Street.

Respectfully submitted,

Helen Cain Senior Planner

Development Services

Division

Alison Meyer, Assistant Director Sustainable Planning and

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Department

Andrea Hudson

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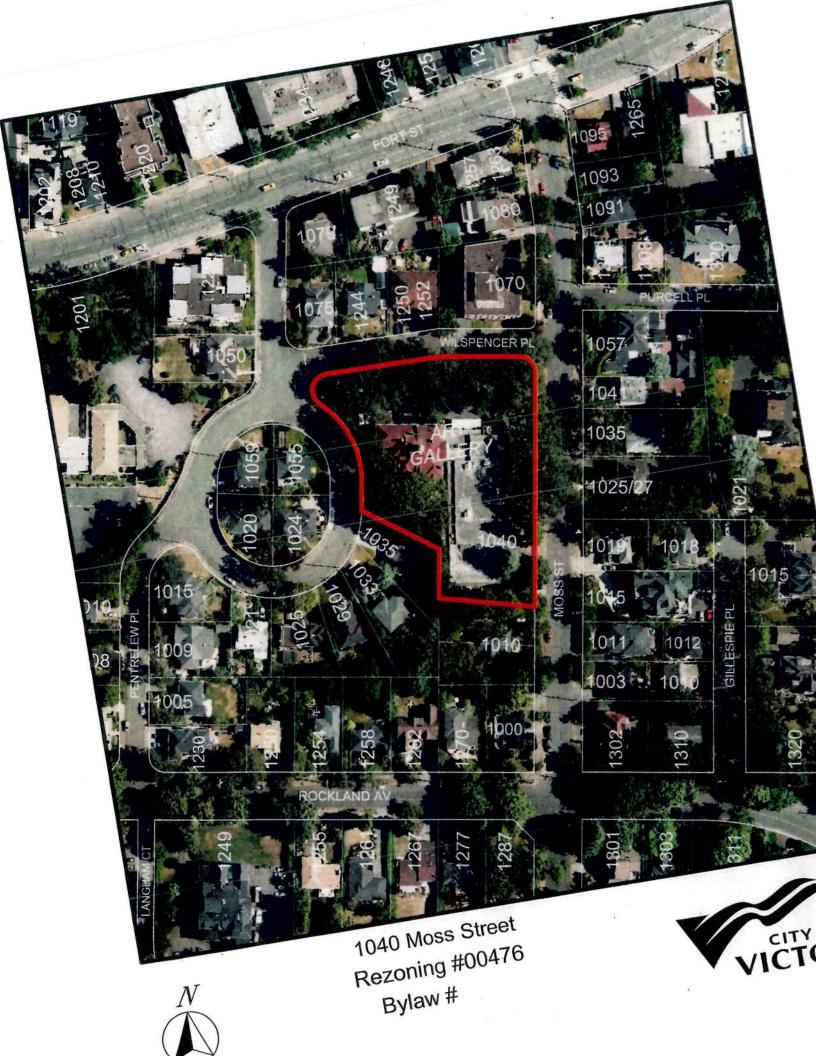
| Report accepted and recommended by the City Ma | nager: | | Jason Johnson |
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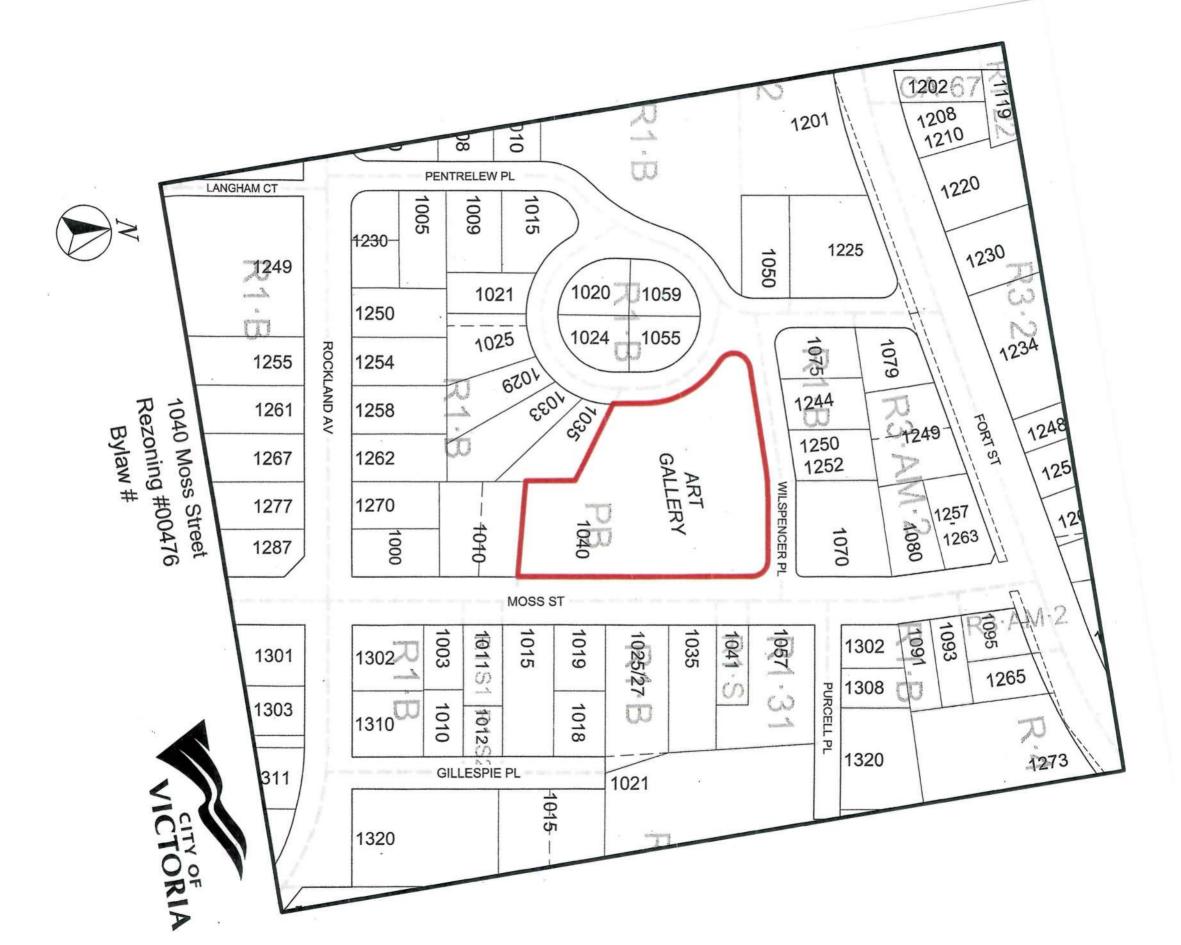
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List of Attachments

- Aerial map
- Zoning map
- Letters from Jon Tupper, Director, Art Gallery of Greater Victoria, dated May 15, 2015, and February 17, 2015
- Plans for Rezoning Application No. 00476, for 1040 Moss Street
- Statement of Significance for 1040 Moss Street (Spencer Mansion) dated May, 2015
- Art Gallery of Greater Victoria Renewal Project Transportation Review: Parking Update, prepared by Dan Casey for Boulevard Transportation, dated April 10, 2015
- Art Gallery of Greater Victoria Renewal Project Transportation Review: Parking Study, prepared by Boulevard Transportation dated January 30, 2015
- Art Gallery of Greater Victoria Renewal Project Transportation Review: Transportation Demand Management (TDM) Study, prepared by Boulevard Transportation, dated January 30, 2015
- Art Gallery of Greater Victoria Renewal Project Transportation Review: Traffic Impact Assessment, prepared by Boulevard Transportation, dated January 29, 2015
- Art Gallery of Greater Victoria, Tree Retention and Construction Damage Mitigation Plan, prepared by Talbot Mackenzie & Associates, dated May 5, 2015
- Community Meeting Minutes and related correspondence, received from Rockland Community Association, stamped February 17, 2015.







Jon Tupper Director Art Gallery of Greater Victoria 1040 Moss St

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Mayor and Council Members City Of Victoria 1 Centennial Square Victoria, BC V8W 1P6

RE: Art Gallery of Greater Victoria Renewal Project, 1040 Moss Street May 15, 2015

To the Mayor and Council of the City of Victoria,

The Art Gallery of Greater Victoria (AGGV) is the second largest public art gallery in the province, with the largest collection both in scope and size, featuring over 18,000 works in the visual arts. Over the years there have been several additions to the facility to accommodate increased exhibition, programming, and art storage. The last addition was done in 1988, 25 years ago. The AGGV has identified a need to expand to keep up with the growing demands of the community, the evolving nature of the art world and the proper maintenance of the art collection.

The AGGV evolved in direct response to community need and continues to have a strong community response. The AGGV was formed in 1945, and in 1951 it moved into the Spencer mansion on Moss Street where it currently resides. For more than 60 years the AGGV has presented the best of the arts, enhancing the quality of life of the community and providing a valuable art resource to residents of Greater Victoria and tourists alike.

Some of the significant components of the collection include:

- 18,000 plus pieces of art from Emily Carr to Andy Warhol on display, in storage or on tour;
- Significant selection of Vancouver Island, British Columbian and Canadian, artwork;
- One of the largest and finest Asian collections in North America it is the second largest in Canada containing individual, world-class collections.

APPLICATION FOR REZONING

Project Description

This summary of the design work undertaken by LWPAC+MA was created in dialogue with the AGGV management staff and Facilities Committee, project manager, consultant team, City of Victoria planning staff, and community at several Renewal neighbourhood open house events at the Art Gallery site. Our team hosted 2 Community Open Houses plus the Rockland Neighbourhood Community Association Meeting.

The architects and the team of consultants have studied multiple design scenarios for the AGGV Renewal. One scenario has emerged as a preferred option to best harmonize the project objectives, the intentions of the functional program and the project budget.

The proposed design strikes a careful balance between the benefits of adaptive reuse of the existing facilities including the historic mansion with a strategic placement of new additions to best meet the AGGV's objectives and yet maintain compatibility with the neighbourhood.

This rezoning application incorporates both the current renewal project and the potential for additions to the second floor to allow AGGV

May 15, 2015



for future growth. The intention is to seek approval by the City of Victoria for this possible future completion of the upper floor gallery level within a new Zoning Bylaw specific to this site. The existing zoning is designated as PB – Public Buildings and requires the AGGV to match the adjacent property zoning requirements (RB-1) and to comply with a site specific Land Use Contract that requires an amendment for any changes to the building. The City Planning Department has encouraged the AGGV to rezone the property to a more appropriate zone to apply for a change to the existing Land Use. The proposed zoning designation is site specific 'Comprehensive Development Institutional Zone'.

With vision, leadership and scholarship the AGGV will engage and inspire diverse audiences through exhibitions, interpretation, and stewardship of the collection.

The AGGV serves;

- 75% of visitors who come from a 7 mile radius
- over 200,000 visitors/year
- site admissions 50,000 60,000/year, plus off-site programming of 100,000
- three universities, Camosun College and 5 local School Districts

AGGV Community Programs offers:

- · innovative teaching methods
- expanded the scope, depth, accessibility and number of programs
- the Urbanite program: participants enjoy a fun evening event exploring contemporary exhibitions
- Gallery in the Schools for over 10,000 elementary students
- New Extreme: Artists Mentoring Youth
- the Art Gallery 'Moss Street Paint In' involving over 175 artists, 35,000 visitors and a Gallery Open House

Context and Fit

For the design to be a viable option, it must positively address concerns about the renewed facility's fit within the neighbourhood. LWPAC+MA have studied the history and form of urban development of the Rockland and Fairfield communities. A historic urban development pattern and building scale comparison of over 80 larger mansion buildings reveals a good and consistent fit in scale and massing of a renewed AGGV facility. Historically the area consisted of larger scale mansion type buildings and only more recently since the 1950's has there been infill by smaller scale single family homes. The current design will approximately match the height of the Spencer Mansion.

The design creates a careful and sensible connection to the neighbouring buildings, the site, the Garry oak trees and the Spencer Mansion. The upper new building form is placed behind the tree canopy and a large overhang minimizes site and tree root impact while offering a protected public amenity plaza. This new public forum connects a public amenity plaza through the new lobby to the Asian Gardens on the south side of the Mansion. The concept provides clear positioning and interfaces for both the Spencer Mansion and the transformed new addition. The connection to the mansion is recessed and transparent, similar to the original first modern addition from 1958. The new upper volume is suspended at an elevation that corresponds to the eave line of the mansion and allows for a visual presence of the mansion from Moss Street through the new proposed lobby.

Rezoning:

The neighbourhood context has been analyzed to provide a rezoning proposal that will respect the surrounding neighbourhood character for building height. Additionally, the current setbacks and site trees will be maintained where possible. We intend to provide additional parking on the site, which affects the retention of a few existing trees. To ensure that we are contributing to the neighbourhood tree resource we have engaged an arborist to examine current conditions and advise on the maintenance and protection of existing trees as well as the tree replacement plan. A significant 'recreated Garry oak meadow' is proposed for the site to contribute to the succession of Garry oaks on the site and to replace those designated to be removed.



Government Policies

Excerpts from the Official Community Plan

OCP Goals

To encourage and assist the expansion of exhibition space at the Royal British Columbia Museum and the Art Gallery of Greater Victoria;

OCP Section 21: Rockland Neighbourhood Directions: excerpt

Strategic directions include:

- Location of city wide cultural facilities in the Victoria Art Gallery, Craigdarroch Castle and Government House.
- Supporting mixed use development along the Fort Street frequent transit corridor.
- Conserving the historic architectural and landscape character of the neighbourhood.
- Support the maintenance of existing dwellings and large lot character through sensitive infill that preserves green space and estate features.

Current Zone PB: Public Building

Site setbacks, building height, density to match the most restrictive standards of the adjacent property which is the R1B Zone.

Excerpts from the neighbouring R1B Zone:

- 7.6m in height and 2 stories residential buildings
- 11m in height and 2.5 stories public buildings
- Site coverage (maximum) 40%
- Setbacks Front Yard 7.5m
- Rear Yard 7.5m or 25% lot depth
- Side Yard 3.5m or 10% of lot width

Existing Land Use Contract:

Enacted in 1975 the land use contract requires that any building changes to the Art Gallery require an amendment to the Land Use Contract.

The proposed zoning designation is a Comprehensive Development Institutional Zone. Within that new zone, we propose that the zoning definition continue to respect the height of the neighbouring context. The proposed addition will provide a similar building height to the Mansion Belvedere. Parking has been studied to determine the daily demand for parking and whether the neighbouring off street parking can accommodate the overflow parking needed for programmed events. The site designed parking stall count and arrangement reflects the AGGV daily needs, and strikes a balance of maintaining the existing open site area, the existing Garry oak trees, offers an enhanced site design and provides a significant public outdoor amenity as a forecourt to the building.

Project Benefits and Amenities

The renewal and expansion of the existing facility will expand the community programming at the AGGV and offer the local community an opportunity for extended use of the facility.

Overall, the design goals are to create excitement, engagement, continuity and integration. The following items describe the project design principals:

- Preserve the Garry oak trees.
- Enhance the visibility and prominence of the historic Spencer Mansion.
- Re-orient of the AGGV entrance and public spaces to Moss Street to improve the street presence with transparency and visibility, building profile and arrival experience.
- Provide level entry from Moss Street to the lobby and to the Spencer Mansion for overall improved

AGGV



accessibility.

- Improve access to the Asian Gardens.
- The lobby itself, designed as a great public forum with coffee facilities and continuity to the adjacent outside front plaza and gardens, is to be a space of movement and adaptation, media and the arts. It provides a clear understanding and visual celebration of the key parts of the gallery as a new public place for people. Enlarged public outdoor space that can be used for programmed events (e.g. Moss Street Paint-in) and community use.
- Provide new, larger public engagement and multi-use program spaces.
- Adapt and reuse existing galleries and multipurpose space to provide visual and operational transparency while translating the memory of the past 50 years of art exhibitions to the future.
- The mezzanine and new upper gallery level will provide exciting new possibilities to show case the full spectrum of the rich collections and to accommodate changing exhibitions.
- Improve the storage end exhibit of collected works.
- Connect the mansion on multi-levels to the new spaces.
- Provide a rooftop sculpture garden terrace on the new upper gallery floor.
- Improve access and parking.
- Improve loading facilities.

Integrated Architecture and Landscape Architecture

The natural beauty of the site will be used as a canvas for the architectural expression. A clean, contemporary approach to the landscape architecture will showcase the building, artwork and any other site elements such as seating and lighting. The existing trees will be retained to the greatest extent possible and replaced where removals are required. To provide context for the existing Garry oak trees, the perimeter of the site will be over seeded and maintained to replicate a Garry oak meadow. Key entry points will draw visitors from the perimeter of the site, through the meadow and toward the entry plaza. Providing both covered and uncovered outdoor spaces, the landscape expression of the plaza spaces will visually extend through the building, opening up views to the garden courtyard beyond. Separated by a glass wall, the distinction between indoor and outdoor space will be blurred. The plaza will be used to draw visitors toward the main entry, while the program of the building will be allowed to spill out beyond the building face. The back courtyard will be reconfigured to create a more intimate space for visitors to enjoy the existing shrine. Terraces, dictated by the existing trees and walls, will define outdoor areas and offer places for the indoor activities to spill out into the garden. In addition to sculpture sprinkled around the grounds, a sculpture garden on the upper level will allow visitors to overlook the garden below and take a pause from the gallery environment.

Need and Demand

The AGGV does not propose to change the use of the building, only increase the programmable space for the gallery and exhibit area. The existing Zone and Land Use Contract do not meet the future needs of the AGGV and require that a site specific zone should be created that allows for an increase in density.

Density:

Building Area Floor Space Ratio

Total Gross Floor Area, Existing: 3,820 sm (41,118sf)

Total Gross Floor Area, Proposed: 5216 sm (56144)

Total Gross Floor Area, Rezoning (incl. entire 2nd floor) 5,662 sm (60,945)

FSR = 0.67

FSR = 0.99

Neighbourhood

The AGGV has been located at this site since 1951 and has grown programmatically offering extensive community programs building a strong relationship with the local community. To remain at this location the AGGV requires improvements to the building that can be accommodated within the existing site, while still respecting the characteristics of the neighbouring context.

Impacts

The immediate neighbours will be offered a design that will celebrate the site and views of the mansion, opening up the mansion façade to Moss St. The proposed additions have significantly changed the relationship of the Mansion with the newer parts of the

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Gallery by creating a greater distance between these two elements. Where previously the Moss Street façade was a brick and concrete aesthetic the proposed building entry will face Moss St. with more transparency and lighter building materials

The 2nd floor roof space that is available for future expansion is programmed as a sculpture terrace and will be acoustically screened. Additional privacy features include the existing tree canopy that surrounds the second storey that will visually and acoustically screen the gallery from the neighbouring properties. New tree plantings along the south property boundary are intended to add to the separation of the gallery to the adjacent property.

Design and Development Permit Guidelines

The AGGV renewal project design is guided by the Rockland Neighbourhood design guidelines, the OCP Policies and Zoning bylaws of the existing site and neighbouring properties.

Permits:

- Rezoning Application.
- Heritage Alteration Permit
- Building Permit, City of Victoria
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Transportation

The City of Victoria parking standards in Schedule C do not specifically provide requirements for art galleries, therefore, the AGGV has engaged a transportation consultant to study the current parking demand and use to develop strategies to meet the future requirements.

Proposed Parking Counts:

- 21 parking stalls
- 5 overflow parking stalls

The parking includes:

- 1 h/c parking stall
- 2 smart car parking stalls
- 3 motorcycle / Scooter Stalls

Parking Key Findings

- 1. The Art Gallery parking lot generally meets the Gallery's day-to-day parking needs.
- 2. On-street parking on Moss Street and Wilspencer Street is unrestricted so that Art Gallery patrons can utilize this parking area when the AGGV parking lot is full, providing contingency in case of spillover.
- 3. Parking demand during special events at the Art Gallery exceeds the site's parking capacity and results in vehicles seeking parking off-site.
- 4. Parking strategies have been provided in the Transportation Plan that manage parking supply, arrange for off-site parking, and reduce parking demand during higher attendance programs.

Strategies:

The following are options to manage parking during higher attended programming:

The following are identified possible options:

- · Arrange for parking on nearby sites
- Provide signs indicating where to find parking
- · Reserved "priority" parking for carpools
- · Encourage employee carpooling by having them sign-up for Jack Bell RideShare
- Encourage employee carpooling with an internal sign-up sheet in the employee room
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- · Offer free transit trip with event ticket
- · Provide employee transit passes
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- Provide on-site end of journey lockers and showers
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Bike racks will be provided adjacent the primary building entrance in two locations. The majority will be along the east building facing adjacent Moss Street. Additional spaces will be provided adjacent the stairwell at the on-site drop-off area. Both locations are appropriate, as they are near key building entrances, under surveillance and weather protected. The City's Bicycle Parking Strategy 2 provides additional guidance on bike rack placement and design.

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- 38 Class 2 bike parking spaces
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1. AGGV Statement of Significance for the Site



Green Building Features

The AGGV Renewal project systems are designed to meet the Canadian Conservation Institute's National Guidelines, to specifically control the temperature and humidity range to preserve the art collection. The system integrates heat pumps, hydronics and displacement ventilation to provide a high efficiency mechanical system while meeting specific needs of the building use.

The design team is currently incorporating Best Sustainable Design Practices in the Renewal project and designing to a LEED Gold equivalency. Some of the project sustainability goals include:

Site Selection and Design:

- Only the public spaces within the building will benefit from the passive solar design.
- The Art exhibition spaces will be protected from direct exposure to UV light, which is one of the most extensive threats to art collections. Using daylight while eliminating direct solar and UV light gains from the exhibit areas and limiting illumination intensity are the two key measures required to protect art exhibits from direct damage as well as assist in effectively controlling the space temperature and relative humidity

Building Retention and Reuse

The AGGV has committed to remaining in the current location and to renovate and expand the existing facility. The
reuse of an existing building/site is an important consideration in sustainability values allowing for a reduction of raw
material use, construction waste, and contributing to the social environmental benefits of the local community.

Infrastructure

The site is fully serviced with the required infrastructure needed to expand the building. See the Appendix Reports for a detailed analysis and illustrations:

1. AGGV Statement of Significance

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• The AGGV existing parking demand and predicted demand has been studied by Boulevard Transportation. As the proposed parking will meet the daily needs of the AGGV, some programmed events require parking spaces that exceed the site's capacity. Transportation Demand Management has been planned with the AGGV support and community infrastructure available to accommodate the parking needs within a reasonable distance of the building. Please see the Appendix A for the Traffic and Parking Studies as well as the Transportation Demand Management Plan.

Energy Efficiency

A high thermal performance building envelope will reduce heat loss and unwanted gains. A Building Envelope
Consultant will provide the energy analysis needed to specify the walls systems. The building envelope thermal
performance shall exceed the thermal minimum requirements of ASHRAE 90.1 – 2010 and MNECB.

· Water

Plumbing fixtures will be selected to meet durable institutional standards, barrier - free design and effectiveness
requirements. There will be a significant reduction in water use over the current existing conditions.

Site Permeability

• The proposed site coverage is 45%, with a preservation/improvement of the open space designed into the landscaped areas. Permeable pavement will cover existing root zones in the new parking lot area.

Landscaping and Urban Forest

- There will be no net loss of trees to the site, 9 trees will be removed and replaced with young native trees that will benefit the site by introducing age and species diversity into the population.
- Many of the existing Garry oak trees will be pruned for long term maintenance and improved tree health.
- New pathways are proposed from Moss Street to the new entrance



 To provide a context for the existing Garry oak trees, the perimeter of the site will be over seeded and maintained to replicate a Garry oak meadow

Thank you for your consideration of this exciting project. We firmly believe that this Renewal project will allow us to continue to be a major cultural resource for the City for many years to come.

We ask for your support for the changes we propose in this Rezoning Application which are necessary to expand and renew this important cultural institution.

Cordially

AGGV



APPENDIX A

- 1. AGGV Statement of Significance
- 2. Drawing Set
- 3. Traffic Impact Assessment
- 4. Transportation Review Parking Study
- 5. Transportation Demand Management Strategy
- 6. Arborist Report: Tree Retention and Construction Damage Mitigation Plan



Jon Tupper
Director
Art Gallery of Greater Victoria
1040 Moss St

Mayor and Council Members City Of Victoria 1 Centennial Square Victoria, BC V8W 1P6 Received City of Victoria

FFB 17 2015

Planning & Development Department Development Services Division

RE: Art Gallery of Greater Victoria Renewal Project, 1040 Moss Street February 13, 2015

To the Mayor and Council of the City of Victoria,

The Art Gallery of Greater Victoria (AGGV) is the second largest public art gallery in the province, with the largest collection both in scope and size, featuring over 18,000 works in the visual arts. Over the years there have been several additions to the facility to accommodate increased exhibition, programming, and art storage. The last addition was done in 1988, 25 years ago. The AGGV has identified a need to expand to keep up with the growing demands of the community, the evolving nature of the art world and the proper maintenance of the art collection.

The AGGV evolved in direct response to community need and continues to have a strong community response. The AGGV was formed in 1945, and in 1951 it moved into the Spencer mansion on Moss Street where it currently resides. For more than 60 years the AGGV has presented the best of the arts, enhancing the quality of life of the community and providing a valuable art resource to residents of Greater Victoria and tourists alike.

Some of the significant components of the collection include:

- 18,000 plus pieces of art from Emily Carr to Andy Warhol on display, in storage or on tour;
- Significant selection of Vancouver Island, British Colombian and Canadian, artwork;
- One of the largest and finest Asian collections in North America it is the second largest in Canada containing individual, world-class collections.

APPLICATION FOR REZONING

Project Description

This summary of the design work undertaken by LWPAC+MA was created in dialogue with the AGGV management staff and Facilities Committee, project manager, consultant team, City of Victoria planning staff, and community at several Renewal neighbourhood open house events at the Art Gallery site. Our team hosted 2 Community Open Houses plus the Rockland Neighbourhood Community Association Meeting.

The architects and the team of consultants have studied multiple design scenarios for the AGGV Renewal. One scenario has emerged as a preferred option to best harmonize the project objectives, the intentions of the functional program and the project budget.

The proposed design strikes a careful balance between the benefits of adaptive reuse of the existing facilities including the historic mansion with a strategic placement of new additions to best meet the AGGV's objectives and yet maintain compatibility with the neighbourhood.

This rezoning application incorporates both the current renewal project and the potential for additions to the second floor to allow for future growth. The intention is to seek approval by the City of Victoria for this possible future completion of the entire second AGGV

February 13, 2015



floor gallery level within a new Zoning Bylaw specific to this site. The existing zoning is designated as PB – Public Buildings and requires the AGGV to match the adjacent property zoning requirements (RB-1) and to comply with a site specific Land Use Contract that requires an amendment for any changes to the building. The City Planning Department has encouraged the AGGV to rezone the property to a more appropriate zone to apply for a change to the existing Land Use. The proposed zoning designation is site specific 'Comprehensive Development Institutional Zone'.

With vision, leadership and scholarship the AGGV will engage and inspire diverse audiences through exhibitions, interpretation, and stewardship of the collection.

The AGGV serves;

- 75% of visitors who come from a 7 mile radius
- over 200,000 visitors/year
- site admissions 50,000 60,000/year, plus off-site programming of 100,000
- three universities, Camosun College and 5 local School Districts

AGGV Community Programs offers:

- innovative teaching methods
- expanded the scope, depth, accessibility and number of programs
- the Urbanite program: participants enjoy a fun evening event exploring contemporary exhibitions
- Gallery in the Schools for over 10,000 elementary students
- New Extreme: Artists Mentoring Youth
- the Art Gallery 'Moss Street Paint In' involving over 175 artists, 35,000 visitors and a Gallery Open House

Context and Fit

For the design to be a viable option, it must positively address concerns about the renewed facility's fit within the neighbourhood. LWPAC+MA have studied the history and form of urban development of the Rockland and Fairfield communities. A historic urban development pattern and building scale comparison of over 80 larger mansion buildings reveals a good and consistent fit in scale and massing of a renewed AGGV facility. Historically the area consisted of larger scale mansion type buildings and only more recently since the 1950's has there been infill by smaller scale single family homes. The current design will approximately match the height of the Spencer Mansion.

The design creates a careful and sensible connection to the neighbouring buildings, the site, the Garry oak trees and the Spencer Mansion. The upper new building form is placed behind the tree canopy and a large overhang minimizes site and tree root impact while offering a protected public amenity plaza. The connection to the mansion is recessed and transparent, similar to the original first modern addition from 1958. The new upper volume is suspended at an elevation that corresponds to the eave line of the mansion and allows for a visual presence of the mansion from Moss Street through the new proposed lobby.

Rezoning:

The neighbourhood context has been analyzed to provide a rezoning proposal that will respect the surrounding neighbourhood character for building height. Additionally, the current setbacks and site trees will be maintained where possible. We intend to provide additional parking on the site, which affects the retention of a few existing trees. To ensure we are contributing to the neighbourhood tree resource we have engaged an arborist to examine current conditions and advise on the maintenance and protection of existing trees as well as the tree replacement plan. A partial 'recreated Garry oak meadow' is proposed for the site to contribute to the succession of Garry oaks on the site and to replace those designated to be removed.



Government Policies

Excerpts from the Official Community Plan

OCP Goals

To encourage and assist the expansion of exhibition space at the Royal British Columbia Museum and the Art Gallery of Greater Victoria:

OCP Section 21: Rockland Neighbourhood Directions: excerpt

Strategic directions include:

- Location of city wide cultural facilities in the Victoria Art Gallery, Craigdarroch Castle and Government House.
- Supporting mixed use development along the Fort Street frequent transit corridor.
- Conserving the historic architectural and landscape character of the neighbourhood.
- Support the maintenance of existing dwellings and large lot character through sensitive infill that preserves green space and estate features.

Current Zone PB: Public Building

Site setbacks, building height, density to match the most restrictive standards of the adjacent property which is the R1B Zone.

Excerpts from the neighbouring R1B Zone:

- 7.6m in height and 2 stories residential buildings
- 11m in height and 2.5 stories public buildings
- Site coverage (maximum) 40%
- Setbacks Front Yard 7.5m
- Rear Yard 7.5m or 25% lot depth
- Side Yard 3.5m or 10% of lot width

Existing Land Use Contract:

Enacted in 1975 the land use contract requires that any building changes to the Art Gallery requires an amendment to the Land Use Contract.

The proposed zoning designation is a Comprehensive Development Institutional Zone. Within that new zone, we propose that the zoning definition continue to respect the height of the neighbouring context. The proposed addition will provide a similar building height to the Mansion Belvedere. Parking has been studied to determine the daily demand for parking and whether the neighbouring off street parking can accommodate the overflow parking needed for programmed events. The site designed parking stall count and arrangement reflects the AGGV daily needs, and strikes a balance of maintaining the existing open site area, the existing Garry oak trees and offers an enhanced site design.

Project Benefits and Amenities

The renewal and expansion of the existing facility will expand the community programming at the AGGV and offer the local community an opportunity for extended use of the facility.

Overall, the design goals are to create excitement, engagement, continuity and integration. The following items describe the project design principals:

- Preserve the Garry oak trees.
- Enhance the visibility and prominence of the historic Spencer Mansion.
- Re-orient of the AGGV entrance and public spaces to Moss Street to improve the street presence with transparency and visibility, building profile and arrival experience.
- Provide level entry from Moss Street to the lobby and to the Spencer Mansion for overall improved accessibility.

AGGV



- Improve access to the Asian Gardens.
- The lobby itself, designed as a great public forum with coffee facilities and continuity to the adjacent outside front plaza and gardens, is to be a space of movement and adaptation, media and the arts. It provides a clear understanding and visual celebration of the key parts of the gallery as a new public place for people. Enlarged public outdoor space for can be used for programmed events (e.g., Moss Street Paint-in) and community use.
- Provide new, larger public engagement and multi-use program spaces.
- Adapt and reuse existing galleries and multipurpose space to provide visual and operational transparency while translating the memory of the past 50 years of art exhibitions to the future.
- The mezzanine and new upper gallery level will provide exciting new possibilities to show case the full spectrum of the rich collections and to accommodate changing exhibitions.
- Improve the storage end exhibit of collected works.
- Connect the mansion on multi-levels to the new spaces.
- Provide a rooftop viewing deck and sculpture garden on new upper gallery floor.
- Improve access and parking.
- Improve loading facilities.

Landscape Architecture

The natural beauty of the site will be used as a canvas for the architectural expression. A clean, contemporary approach to the landscape architecture will showcase the building, artwork and any other site elements such as seating and lighting. The existing trees will be retained to the greatest extent possible and replaced where removals are required. To provide context for the existing Garry oak trees, the perimeter of the site will be over seeded and maintained to replicate a Garry oak meadow. Key entry points will draw visitors from the perimeter of the site, through the meadow and toward the entry plaza. Providing both covered and uncovered outdoor spaces, the landscape expression of the plaza spaces will visually extend through the building, opening up views to the garden courtyard beyond. Separated by a glass wall, the distinction between indoor and outdoor space will be blurred. The plaza will be used to draw visitors toward the main entry, while the program of the building will be allowed to spill out beyond the building face. The back courtyard will be reconfigured to create a more intimate space for visitors to enjoy the existing shrine. Terraces, dictated by the existing trees and walls, will define outdoor areas and offer places for the indoor activities to spill out into the garden. In addition to sculpture sprinkled around the grounds, a sculpture garden on the upper level will allow visitors to overlook the garden below and take a pause from the gallery environment.

Need and Demand

The AGGV does not propose to change the use of the building, only increase the programmable space for the gallery and exhibit area. The existing Zone and Land Use Contract do not meet the future needs of the AGGV and require that a site specific zone should be created that allows for an increase in density.

Density:

Building Area Floor Space Ratio

Total Gross Floor Area, Existing: 3,820 sm (41,118sf)

FSR = 0.67

Total Gross Floor Area, Proposed: 4,570 sm (49,199sf)

FSR = 0.802

Total Gross Floor Area, Rezoning (incl. entire 2nd floor) 5,249 sm (56,499sf)

FSR = 0.92

Neighbourhood

The AGGV has been located at this site since 1951 and has grown programmatically offering extensive community programs building a strong relationship with the local community. To remain at this location the AGGV requires improvements to the building that can be accommodated within the existing site, while still respecting the characteristics of the neighbouring context.

Impacts

The immediate neighbours will be offered a design that will celebrate the mansion views opening up the mansion façade to Moss St. Where previously the Moss Street façade was a brick and concrete aesthetic the proposed building entry will face Moss St. with more transparency and lighter building materials.

AGGV February 13, 2015



The 2nd floor roof space that is available for future expansion is programmed as a sculpture garden and will be acoustically screened. Additional privacy features include the existing tree canopy that surrounds the second storey will visually and acoustically screen the gallery from the neighbouring properties. New tree plantings along the south property boundary are intended to add to the separation of the gallery to the adjacent property.

Design and Development Permit Guidelines

The AGGV renewal project design is guided by the Rockland Neighbourhood design guidelines, the OCP Policies and Zoning bylaws of the existing site and neighbouring properties.

Permits:

- · Rezoning Application.
- Heritage Alteration Permit
- · Building Permit, City of Victoria
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Transportation

The City of Victoria parking standards in Schedule C do not specifically provide requirements for art galleries, therefore, the AGGV has engaged a transportation consultant to study the current parking demand and use to develop strategies to meet the future requirements.

Proposed Parking Counts:

- 24 parking stalls
- 5 overflow parking stalls

The parking includes:

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- 1. The Art Gallery parking lot generally meets the Gallery's day-to-day parking needs.
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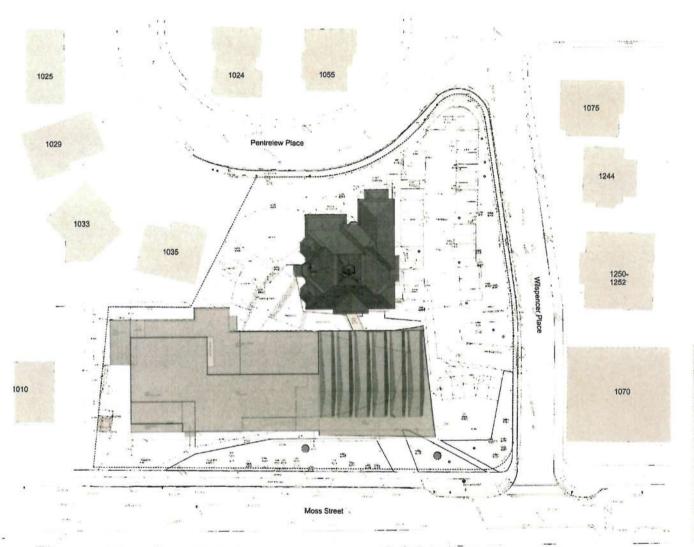
Jon Tupper



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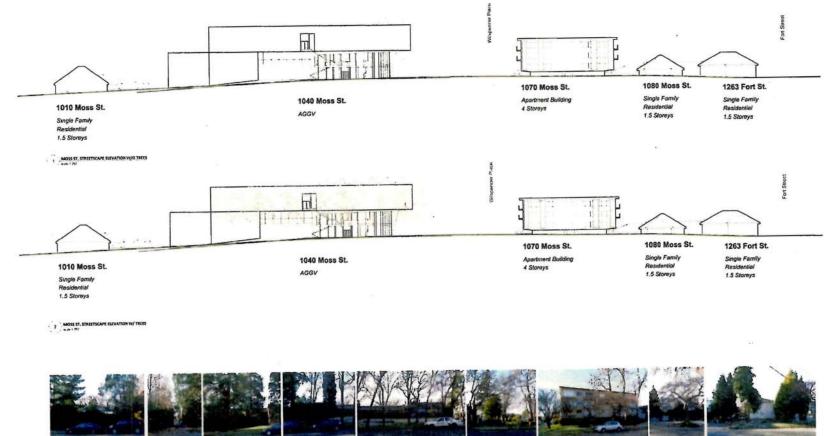
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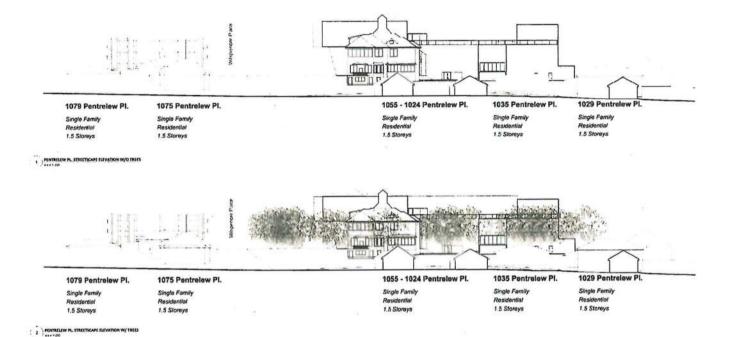
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Planning & Development Department Development Services Division Project

RENEWAL

Client:

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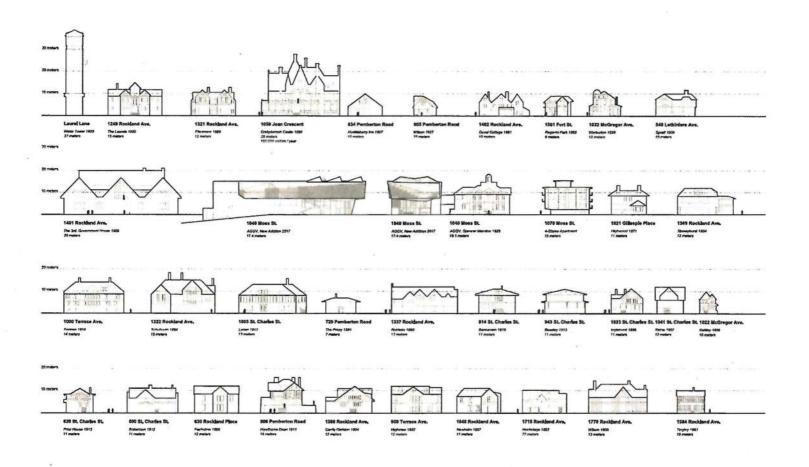


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BULDING HEIGHTS DIAGRAM

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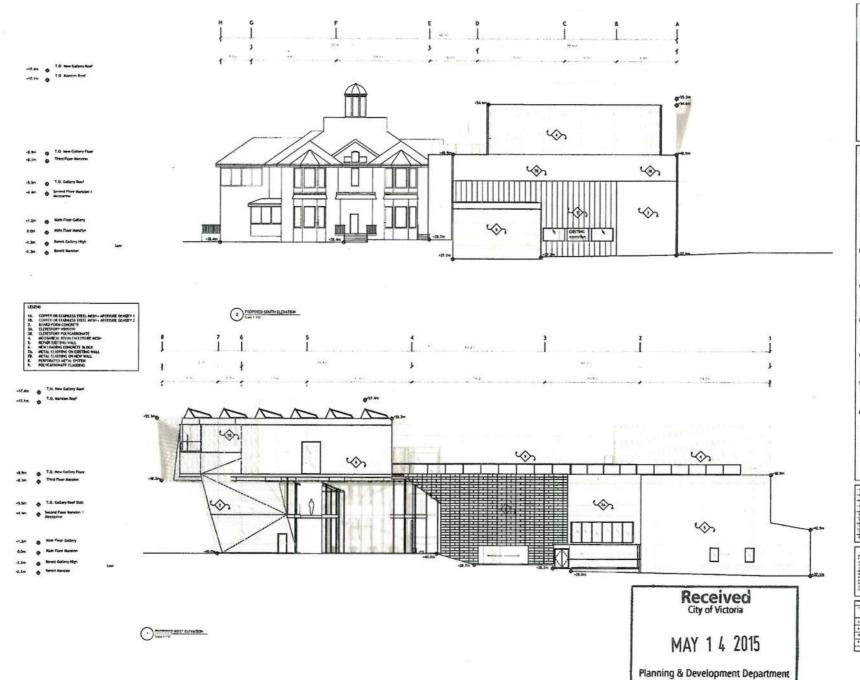
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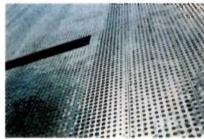
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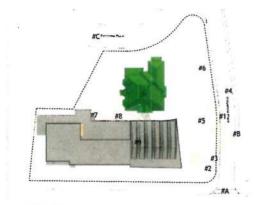
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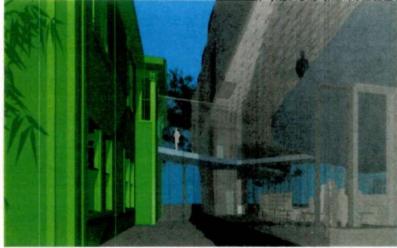
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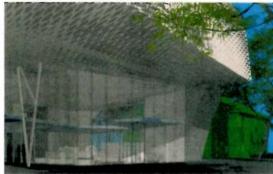
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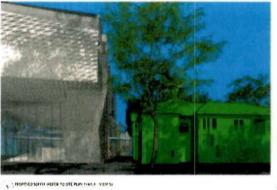








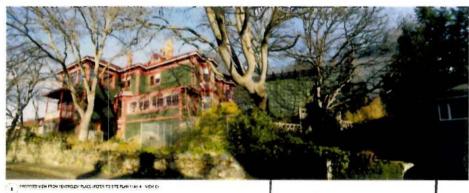












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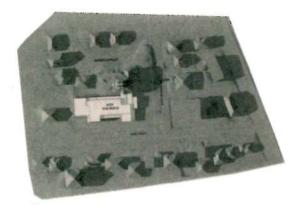
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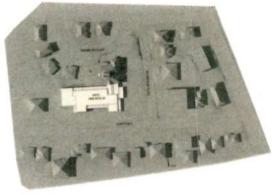
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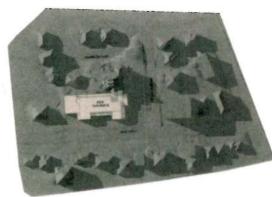


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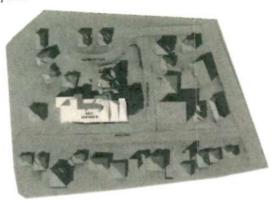
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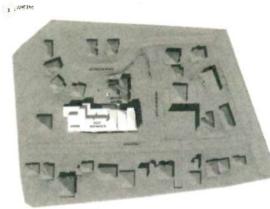
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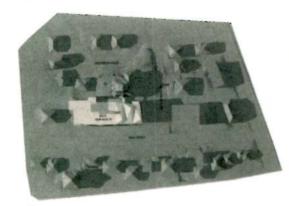
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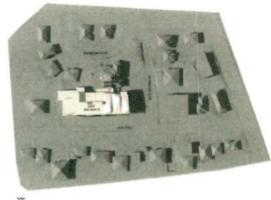
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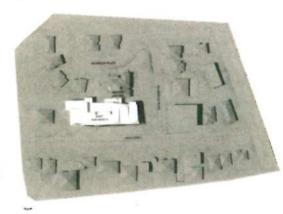
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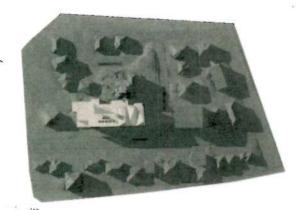


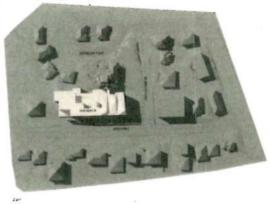














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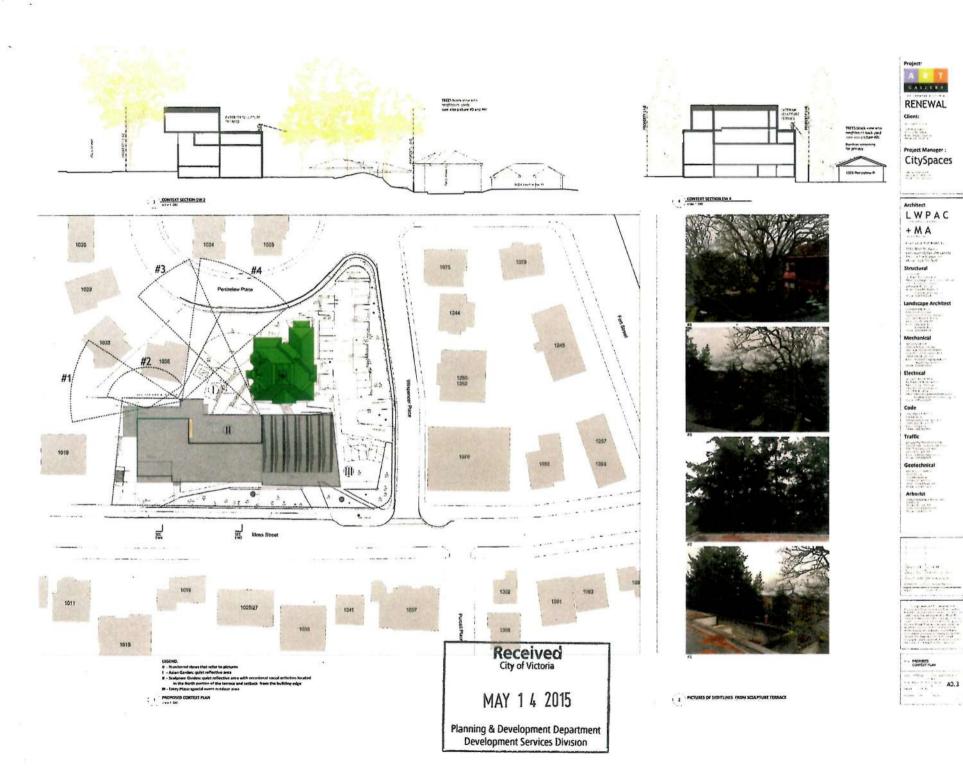
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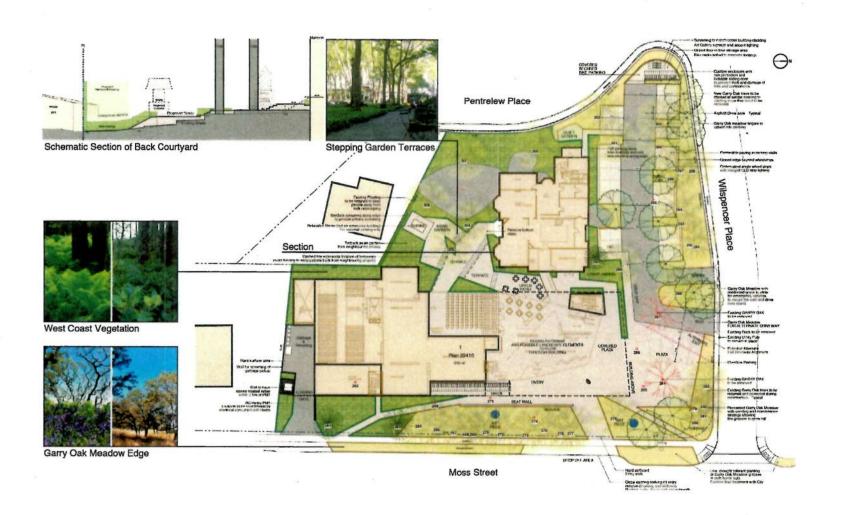
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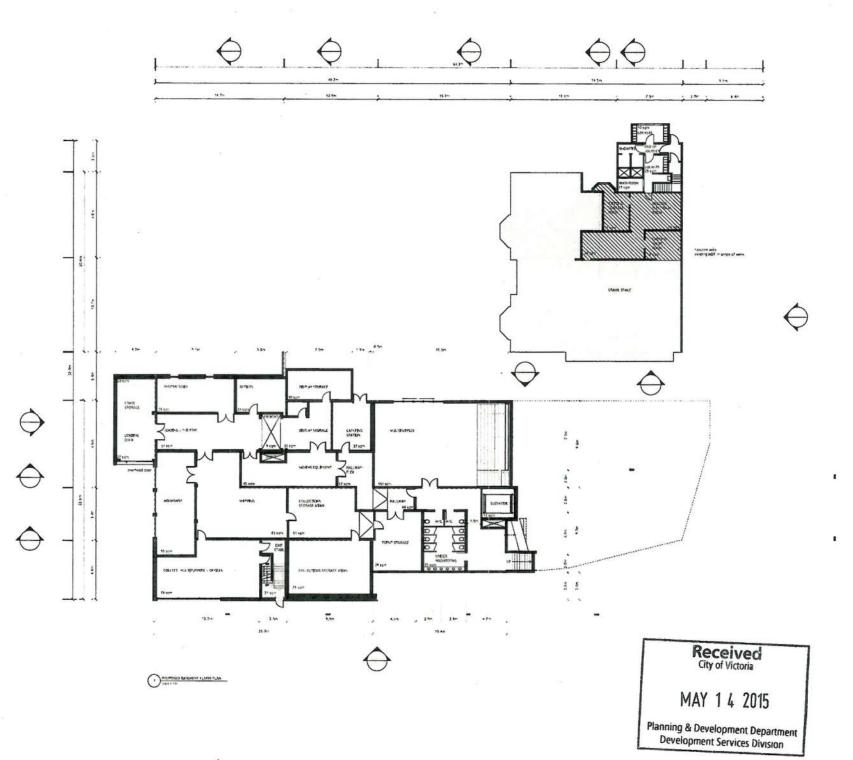
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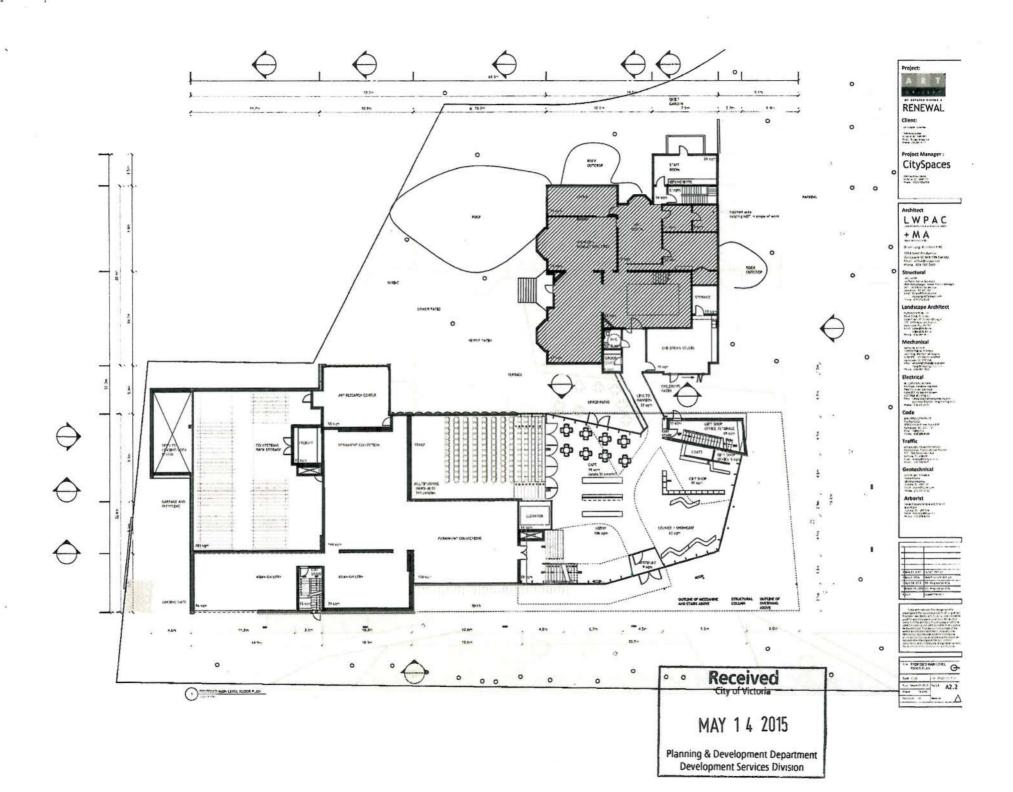
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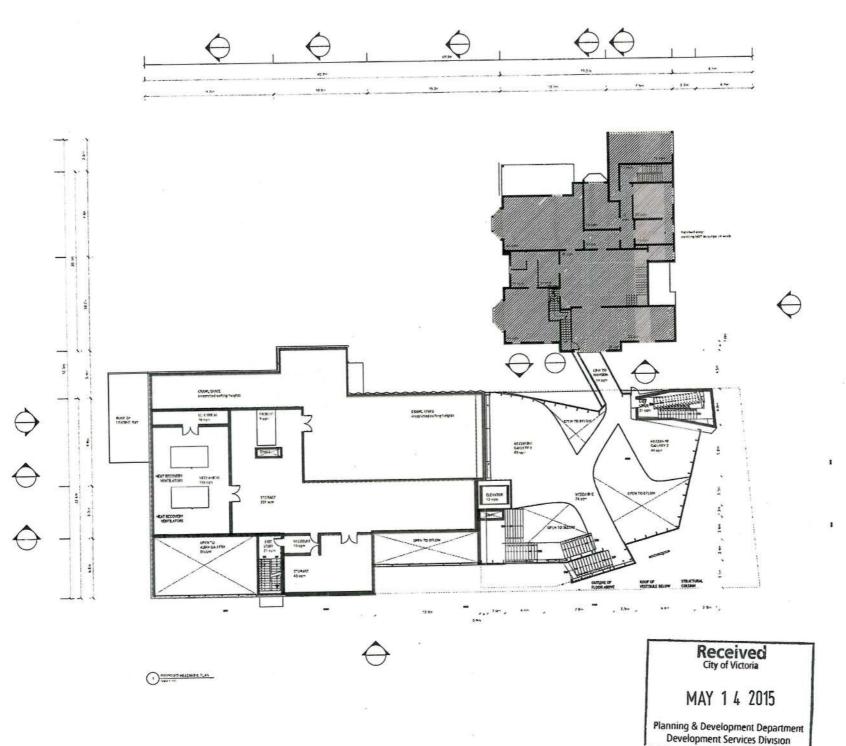
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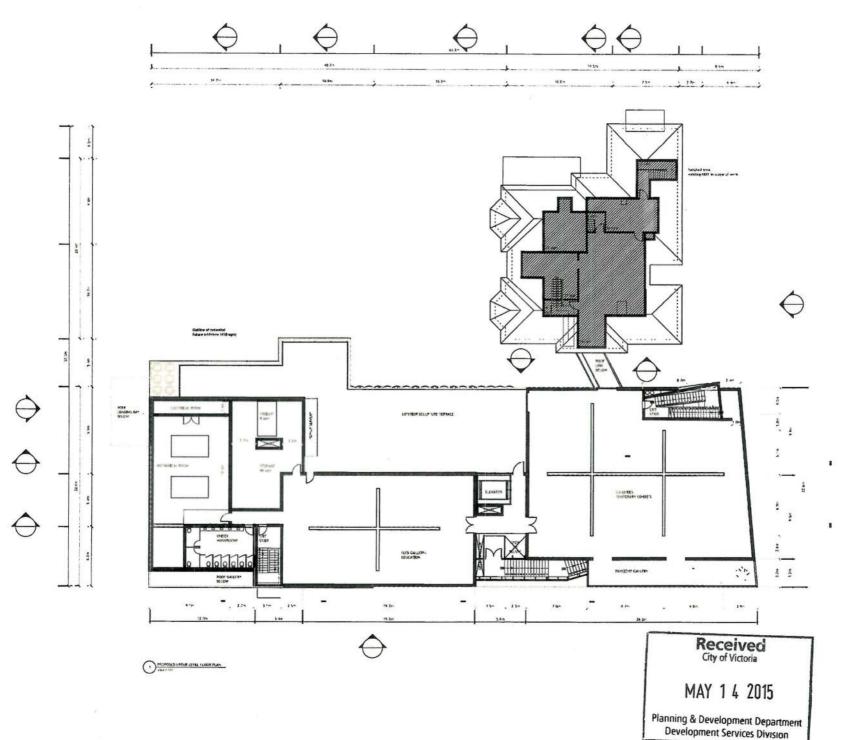
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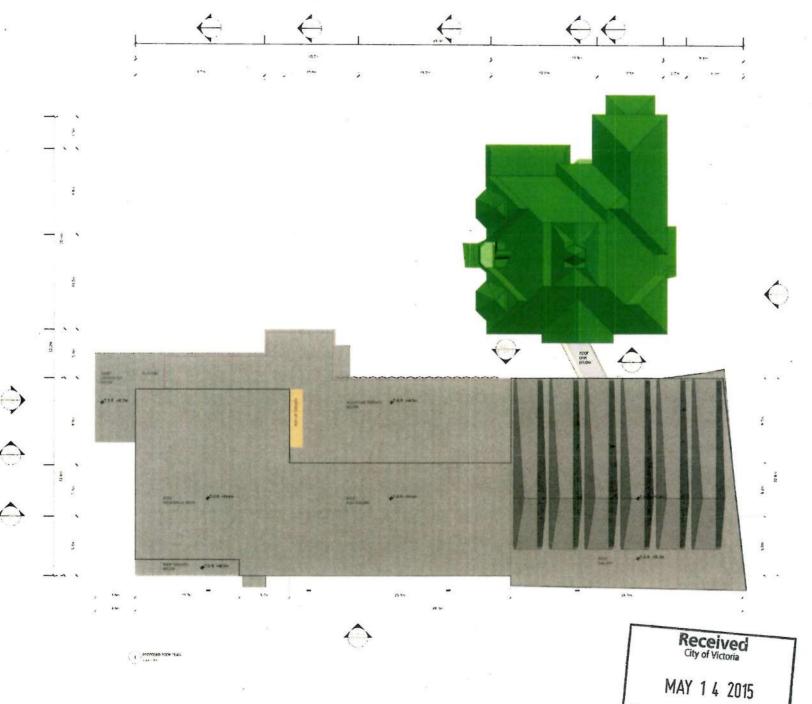
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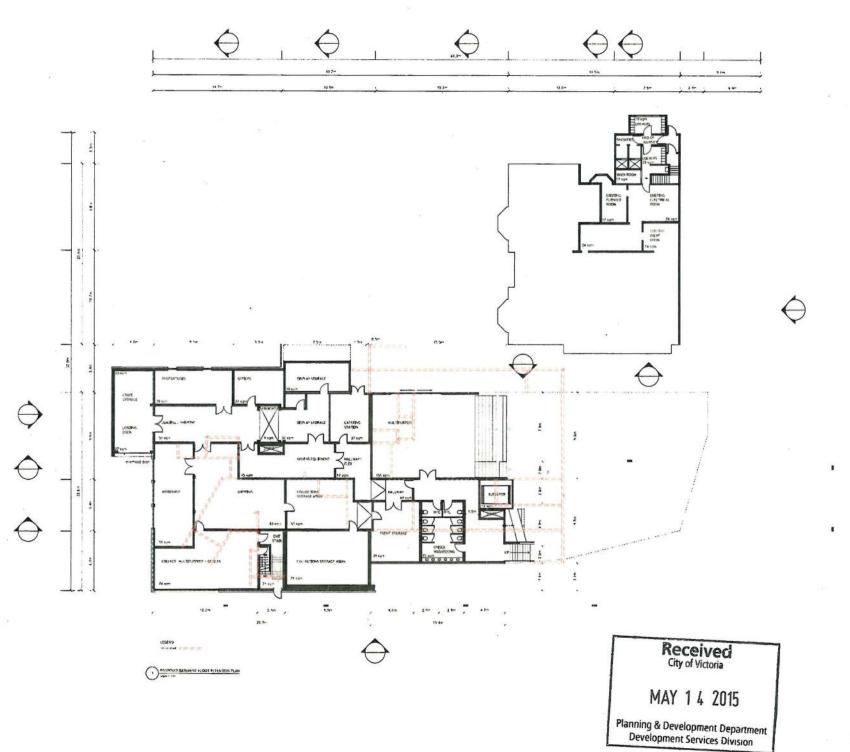
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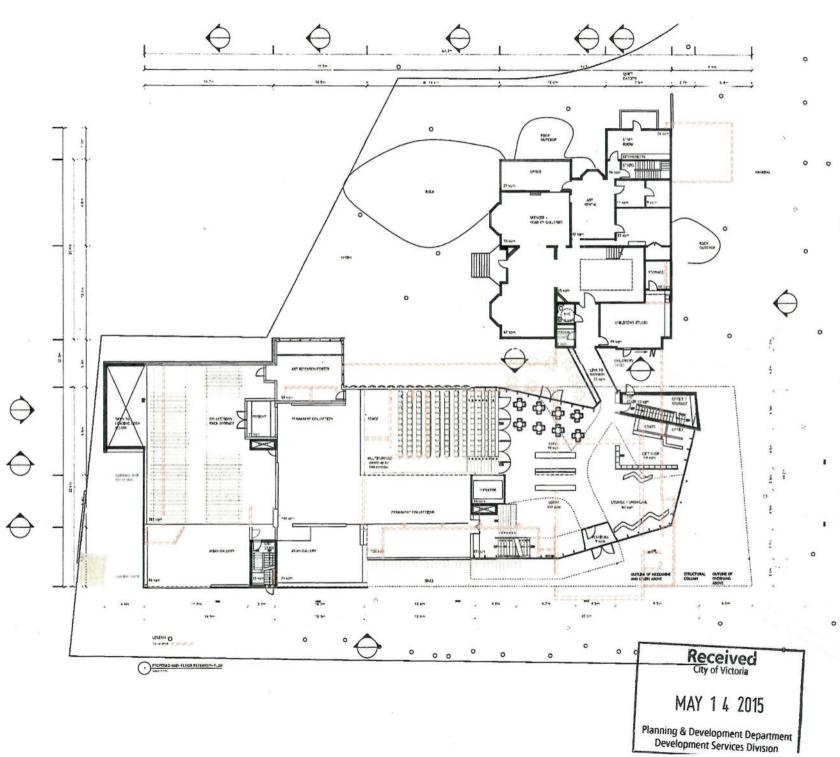
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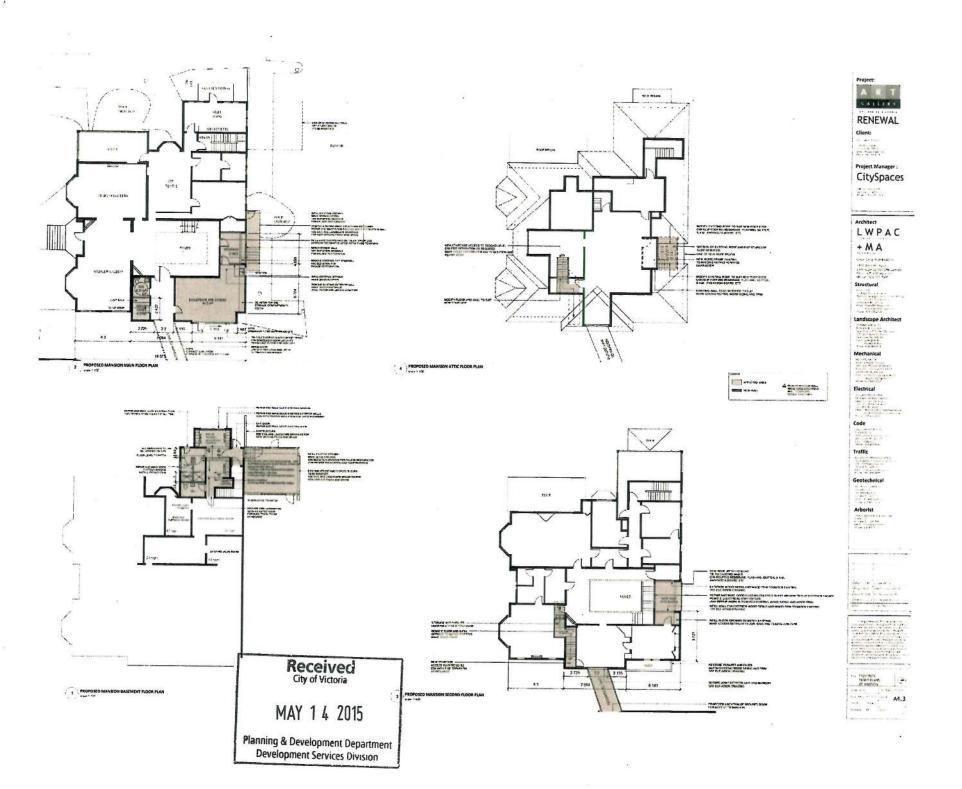
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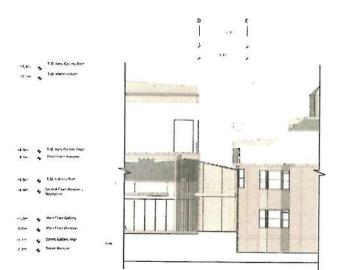
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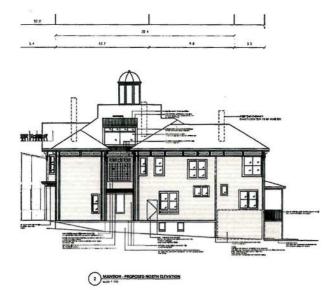
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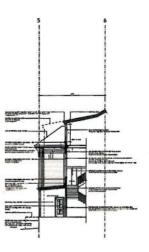
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