

November 1, 2019

Questions for ALC - Nicole Mak

20411 Westminster Highway, Richmond – Has ALR Restrictions but is currently zoned ASSY and accommodates a school campus buildings.

1. Typically, how long does a Non-Farm Use application take to be processed because we can't move forward with our application until we have a letter from the ALR stating that the application is supported ?
2. Which Dept/Org reviews Non-Farm Use applications within the ALC?
3. Which Dept/Org reviews Non-Farm Use applications within the City? We have heard from the City Planner, Mr DeSousa, that regardless of Richmond Planning's support for an application the ALR makes an independent ruling based on its own criteria – is there any coordination between the two government agencies?
4. Once an application has been submitted, is there anything we should do to help support the process?
5. Do you see many ALC vs City zoning conflicting issues similar to ours, or are we unique? – It appears that the error of letting the previous owners build a non-farm use building on the site (as opposed to the adjacent West lot which they also owned) was made by the City of Richmond in about 1982.

Is this the case or was the clause (more than one property on the title from 1963 to 1977) that technically disqualifies the site from ALR approval added since this date?

6. When did Cities begin requiring agricultural land restriction confirmation letters relating to permit applications?

7. We hear that the ALR is being very strict in maintaining the status quo on restrictions and zoning of ALR properties – is it likely that our unique problem gives us a fighting chance of success and does the second adjacent lot which does meet ALR criteria for non farm use offer any benefit or opportunity?

Should we simply go back to Richmond and ask to locate the final +/- 3,000 ft² allowed by the Assembly Zoning on the West lot on the East lot instead?

Is the ALR interested in a City rezoning application when we have a lot that is excluded from ALR Regulations? Would any of this affect the current use of the existing site which is obviously a non-compliant use but would be considered “Existing, Non-conforming” in most municipal regulations and not retroactively prohibited but also not allowed to be added to by way of additional Floor space and use?

8. Are there any other potential remedies you can suggest that may solve our problem? Ms. Lawson seemed to suggest that the ALR Commissioner Chair, Ms Dyson, has the authority to approve applications like ours where an obvious error has been made which has been carried forward until now. Is this the case or is the only way forward the Non-Farm use application that you are directing us towards?