

## Mayor Council

Agenda 13280000  
FILE # LU 006592

From: Friday, May 23, 2014 12:29 PM  
Sent: Mayor & Council  
To: Public Hearing - opposition to Delta Zoning Bylaw No. 2750,1977" Amendment Bylaw No.  
Subject: 7331

Andrew Muszynski  
318 Rosehill Wynd  
Delta, BC V4M 3L9

RE: "Delta Zoning Bylaw No. 2750,1977" Amendment Bylaw No. 7331  
Location: 260 55 Street, Delta BC

TYPE: Public Hearing  
DEPT: CP+D  
A.T. #: 121775  
Comments: Project #3  
**May 27/14 PH**

14 MAY-23 PM01:04

Dear Mayor Jackson and Council

I would like to record my strong opposition to the proposed rezoning of 260 55 Street "subject property".

I am the owner of a property at 318 Rosehill Wynd which is adjacent to the property for proposed rezoning. I am very negatively affected by potential rezoning amendments as my property has very big exposure to the new high density strata development.

Here are my immediate concerns:

1. My back yard will loose all the privacy. Problem of privacy is especially amplified because properties are on a very steep slope and proposed 5 new 3 storeys homes on small parcels would be literally sitting on the top of my dwelling. This is not only concerning privacy of my backyard but also privacy of my whole home which was designed and built in RS5 Single Family (550m2) Residential freehold neighborhood in mind. My home was also deliberately purchased with current Zoning Bylaws in mind promising me low density neighborhood with a freehold homes so I am confused why Council would considers changing all that to high density strata developments at my and my family expense.

2. Loss of sunlight which is intensified again by the additional two storeys high existing vertical retaining wall which is already drastically limiting sunlight both in the backyard and in my home. Significantly reduced back-line setbacks combined with three storeys homes on the top of two storeys retaining wall will multiply my problems and will make my back yard completely unusable for me or any potential future owner.

3. Geo-technical and safety concerns. The subject lot is on extremely higher elevation than my property and is separated by very high retaining wall built many years ago with single family dwelling in mind to be constructed on the lot. Constructing 4 homes directly adjacent to the wall with additionally reduced setbacks constitutes serious risk of slide and life threatening disaster which will deteriorate the peace of my living on my property below and will make me feel that our lives are endangered at all the times. ( I do not even want to debate scenarios of heavy rain and flood or a mild earthquake for an enormous risk for a disaster of a slide of this specific extraordinarily sloped subject properties)

4. Devaluation of my property in case of change of subject property to higher density strata development. I purchased and paid adequately high price for my property based on its location in the neighborhood with certain density of dwellings. I relied on Tsawwassen Area Plan and existing land uses for my home purchase and Council should stand behind those Bylaws and support them and not change them for an opportunistic developers. Especially when change is causing harm to other people.

I understand that allowing 5 small houses strata subdivision on subject property will increase density 5 fold. This is such a drastic change that it should be not even considered for dialogue or any serious debate. ( I was informed by Delta Planning Department that at this moment subject property could not be even subdivided into 2 separate parcels without rezoning and bylaw amendments, let alone five I)

Please keep in mind that my financial losses due to the devaluation of my property after rezoning will be furthermore escalated by the drawback of total loss of privacy, loss of sunlight and danger of the failure of the retaining wall. Also due to the fact that we are located in high priced single family homes neighborhood with special character freehold homes valued over 1 million dollars. Rezoning subject property, and building high density strata subdivision of small dwellings will

have understandable destructive impact on value of all properties in the proximity of that development and on the whole character of our freehold low density neighborhood lifestyle.

5. Subject property had an extensive construction and two stories additional brand new home erected just a few years ago. As a result of that construction we experienced considerable damage to our home. Broken concrete slabs, cracks in our building inside and outside, additional uneven settlement of foundation. This is all because disturbance of the slope plate and vibrations from heavy machinery. If Council decides to proceed with development I can assure that this is bound to happen again and intensify new damages because new development will require demolition of two swimming pools sitting few feet away from the retaining wall and much heavier construction activities.

6. Last and the least is my personal observation. Owner of the subject property invested close to the million dollars erecting new buildings, swimming pools and major re-development of his property just a few years ago. He justifies now demolishing all of it if the Council will change the zoning bylaw for him and enables him to achieve great financial profits from it.

Does Council have an intention of encouraging this kind of speculative behaviour and fueling Canadian Real Estate bubble further to this ridiculous point of people wanting to demolish their brand new homes in exchange for opportunistic rezoning?

Thank you for your consideration. Please acknowledge receipt of my opposition so I am assured that it will form part of the public record for this Public Hearing.

Andrew Muszynski  
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