

West Vancouver homeowner sues claiming hydro pole drops property value

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March 23, 2016 09:46 AM



file photo Mike Wakefield, North Shore News

A West Vancouver homeowner is suing the District of West Vancouver and the developer of a property on Evelyn Drive, claiming the erection of a new 45-foot power pole next to his house has lowered his property value.

Nelson Ross Young of 425 Keith Road filed the lawsuit in B.C. Supreme Court Feb. 26.

Young, an investment advisor, stated in the lawsuit he met with then district manager David Stuart in 2002 to voice concerns about the municipality approving a development below his property that would obstruct his view.

Young alleged in the lawsuit he was told that wouldn't happen.

So he went ahead and built a new home on the property, completing it in 2003. In the meantime, development of the land directly to the south of him began – first under Millennium Evelyn Properties and later under Onni Taylor Way Properties. Council reports at the time indicated views of homes on Sentinel Hill wouldn't be obstructed, Young stated in court documents, and the developer sent letters to nearby homeowners saying Hydro wires would go underground.

But instead, on Jan. 24, 2013, BC Hydro erected a new 45-foot power pole adjacent to his home, Young stated in the lawsuit, which included several large pieces of equipment attached to it.

In September of 2013, neighbours received another letter from Onni, indicating the previous letter to homeowners had been sent in error and that utility lines would not be going underground.

Since then, Young said he hasn't been able to get an answer from West Vancouver about whether the hydro pole will be temporary or permanent.

After listing his property for sale in September 2015, Young said he received an offer that was significantly below the listing price "with a potential buyer indicating the hydro pole was a major consideration."

"The market value of the Keith Road property has decreased solely as the result of the erection of the hydro pole," the lawsuit stated.

The lawsuit blames the municipality for allowing the power pole to go in and both the district and the developer for misrepresenting their intentions.

Neither the district nor the developer have filed statements of defence in the case.