

From: [REDACTED]
To: [William Cashin](#)
Cc: [REDACTED]
Subject: FW: File # DP23-14
Date: December 18, 2023 12:24:05 PM

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Dear Mr. Cashin and council members:

We are writing to voice our concerns about the above noted Hillside Development Permit and the Variance applications presented to the City of West Kelowna by Gibson Custom Homes. Our issue is with the requested height variance and the potential placement of a retaining wall.

I have spoken with Jennifer Berkhiem of Gibson Custom Homes who provided me with partial elevations showing the height of the proposed building. It was stated by Ms. Berkhiem that the building will be built to the requested height of 40' either way. The question is, will the builder be required to engineer and install a retaining wall or not? She indicated that with a retaining wall the building will comply with height limitations and without the retaining wall, it requires a variance. They are looking to save the cost of a retaining wall.

My wife and I have lived at 3070 Collens Hill Rd. since 2008. Our property borders the subject property along our south property line. Until approximately 4 years ago the subject property was part of a 7 acre estate with mostly fruit trees and one residence nearer to Thacker Drive. The property has now been developed into a 14 lot subdivision with the three bottom lots being accessed from the new Wales Road (easement) above the properties. The excessive height of the road or easement in relation to the building lot platforms has translated into lots that are very difficult to build on.

Our property is also built on a slope and our home was set into the hillside some 43 years ago when the grade of the subject property was in its natural state. Our access is from the bottom of the property off Collens Hill Rd. The home in question would have its access off Wales Rd. There is a huge elevation change now, between the original Collens Hill Rd building site to the new Wales Rd building site which would make the proposed home tower over our existing home.

The main problem if this build goes ahead, no matter if the variance is approved or not is, we will end up with a 40' high wall, 5' from the property line. Add to that the difference in grades between the two properties, with the proposed home grade already being 14' higher than the ground level grade of our house, and we will be looking at the back wall of a house with a roofline that is at least 54' +/- above our yard and pool deck. That is easily the height of a four story apartment building right beside us.

Further, in the plans we have seen, a retaining wall would (as shown) be right on the property line. We don't agree or find that acceptable especially considering the grade of the land at the property line and how that would effect our property. Ideally we would prefer to see a different building plan or at least a retaining wall that is aesthetically pleasing.

This is a statement taken from the City of West Kelowna website regarding Subdivision Development: "Staff works closely with applicants to ensure projects and proposed subdivisions meet high standards, **complement their surroundings** and meet guidelines contained in bylaws and policies related to development in the City of West Kelowna." In my opinion, the engineering and design of this subdivision and in particular this building lot, should never have been approved if consideration was given as to how it effects the existing neighbors. It absolutely does not complement the surroundings. This build would undoubtedly devalue our property.

If anyone on council would like to see the dilemma we are faced with, and I would encourage you to, I can be reached at [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] please contact Chris Guidi at [REDACTED] for assistance.

Thank you for your consideration.

Tim Guidi

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