

SUBMISSIONS

(File No. DP 24-09, 3401 Sundance Drive)

NO.	DATE RECEIVED	TIME RECEIVED	RECEIVED FROM
Submissions included with agenda to Council			
1.	May 22, 2024	2:40 PM	Jones, Rob and Sharon
2.	May 22, 2024	4:21 PM	Momtazian, Arash
Submissions included with late agenda items to Council			
1.	May 26, 2024	7:06 PM	Cai, Lina
2.	May 26, 2024	11:37 PM	Chen, Vicki
3.	May 27, 2024	10:10 AM	Larratt, Ian & Carolyn

From: [Casey Loudoun](#)
To: [Natasha Patricelli](#)
Cc: [Brad Clifton](#)
Subject: FW: Opposition to Maximum Building Height in Development Permit DP 24-09
Date: May 27, 2024 10:35:56 AM

Please see submission for DP 24-09



CASEY LOUDOUN | PLANNING TECHNICIAN | CITY HALL
3731 Old Okanagan Highway, West Kelowna, BC V4T 1K7
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From: dev services <dev.services@westkelownacity.ca>
Sent: Monday, May 27, 2024 10:34 AM
To: Casey Loudoun <Casey.Loudoun@westkelownacity.ca>
Subject: FW: Opposition to Maximum Building Height in Development Permit DP 24-09

Should this go to you or elsewhere?



Mandy Kadziolka/Development Services Assistant/City Hall
3731 Old Okanagan Hwy, West Kelowna, BC V4T 0G7
778.797.8811 | www.westkelownacity.ca

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From: Lina Cai <[REDACTED]>
Sent: Sunday, May 26, 2024 7:06 PM
To: dev services <dev.services@westkelownacity.ca>
Subject: Opposition to Maximum Building Height in Development Permit DP 24-09

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Subject: Opposition to Maximum Building Height in Development Permit DP 24-09

Dear Development Services,

Hi, my name is Lina Cai, and I am the new owner of 1-3404 Sundance Dr, West Kelowna, located directly across from the proposed development at 3401 Sundance Drive.

I am writing to express my opposition to the proposed maximum building height for this development. The overall design is not in keeping with the contemporary aesthetics of other newer developments in the area. My primary concern is the roof design. The over-height area is not even functional living space but simply a high roof that would obstruct the view from our current and future townhomes at 3404 Sundance.

A flat roof or a shed-style roof would provide a better overall design and enhance the proposed development's view of the valley and the lake, especially with a shed roof design featuring larger windows facing the lake. Additionally, a shed roof design would likely cost the same or less for the developer's construction budget.

I believe this current design aims to block our view at 3404 Sundance to better sell their townhome projects, creating unfair competition for our future phases. Therefore, I request that the city reconsider this aspect of the development and ask the developer to revise their design.

Thank you for your attention to this matter.

Best regards,

Lina Cai
1-3404 Sundance Dr
West Kelowna, BC

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Lina Cai



From: [dev_services](#)
To: [Natasha Patricelli](#)
Cc: [Brad Clifton](#)
Subject: FW: Concerns About Building Height and Traffic Impact in DP 24-09
Date: May 27, 2024 10:35:58 AM



Mandy Kadziolka/Development Services Assistant/City Hall

3731 Old Okanagan Hwy, West Kelowna, BC V4T 0G7

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From: i'mvicki [REDACTED]
Sent: Sunday, May 26, 2024 11:37 PM
To: dev_services <dev_services@westkelownacity.ca>
Subject: Concerns About Building Height and Traffic Impact in DP 24-09

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Dear Development Services,

My name is Vicki Chen, and I'm the new owner of 2-3404 Sundance Dr, West Kelowna, directly across from the proposed development at 3401 Sundance Drive. I am writing to express my concerns regarding the proposed maximum building height for this project. The increased height is unnecessary and will obstruct the view from our property at 3404 Sundance, which consists of only one floor of living space on Sundance Dr. This obstruction will negatively impact our enjoyment of the area and could potentially affect property values. Additionally, for a project of this size, it would be beneficial to include another vehicle egress connecting Sundance Drive and Ensign Quay Lane. This would help ease traffic congestion on Shannon Lake Road, improving access and reducing delays for all residents in the area. I urge the city to reconsider the current building height proposal and the potential traffic impact, and to encourage the developer to make these important adjustments. Thank you for considering my concerns.

Sincerely,
Vicki Chen
2-3404 Sundance Dr West Kelowna, BC

From: [REDACTED]
To: [City of West Kelowna Submissions; MayorAndCouncil](#)
Subject: Attn: Corporate Officer DP 24-09
Date: May 27, 2024 10:10:21 AM
Attachments: [DP 24-09.pdf](#)

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Please find attached letter regarding DP 24-09

We are the owners of 3025 ensign lane.

Thank you,

Ian and Carolyn Larratt

[REDACTED]

Ian & Carolyn Larratt

[REDACTED]

[REDACTED]

May 27, 2024

City of West Kelowna

2760 Cameron Rd

West Kelowna, BC V1Z 2T6

Attn: Corporate Officer

Dear Mayor and Council,

We are the owners of 3025 Ensign Lane.

Thank you for rejecting DP 22-26 last fall, we appreciate the City's commitment to ensuring that development within our community is built safely and responsibly.

As for DP 24-09, we acknowledge that it appears far more reasonable than the prior application. However, we still have a number of concerns.

If the development is to be built, we hope to ensure that it can be done safely and without damage to the surrounding properties.

Our concerns are as follows:

1. Rockfall

The previous owner of 3033 Ensign Lane told us that his motorhome sustained thousands of dollars of damage due to rockfall that occurred when the bin blocks were placed above.

There has been at least one other instance of damage from rockfall at other neighbouring properties as well.

The likelihood of further damage throughout the development is very high. The neighbours I have spoken with are all planning to install cameras on their properties to monitor for damages.

2. Blasting

If blasting is required for this development, it will be in very close proximity to existing homes. Our home (3025 Ensign Lane), is built from insulated concrete forms (ICF) all the way to the roof, and as such, will not dampen blasting shock waves as well as stick frame construction. We are concerned about damage to our building.

3. Drainage/slope stability

Does the construction plan adequately provide solutions for drainage both during and after construction? The existing drainage for the laneways below is marginal at best.

The geotechnical report included in the information package is from the previous DP application, not the currently proposed design. As these two designs are substantially different, a new geotechnical report should be prepared.

Further comments and questions:

How will the City ensure the developer's construction plan adequately protects the safety of downslope properties?

We expect the City to thoroughly vet any construction plan prior to approving it. We also expect the City to ensure that neighbouring properties will receive adequate compensation should their properties be damaged.

The City should require the developer to post a bond similar to the landscaping security to cover damages should they arise. This is common practice in other municipalities.

Based on past experiences, we do not trust the developer at all (see appendix 1 for newly discovered information, and please see our previous letters regarding DP 22-26). Because of this lack of trust, we do not want ANY development built behind us without guarantees that our interests will be protected in the event of damage or other issues. Thus our request that the City require a sizeable bond for damages.

We believe that the issuance of a DP should be delayed until the following items are completed:

1. A construction plan from the developer showing how they intend to build safely and without disruption to neighbours.
2. An updated geotechnical report that evaluates the new proposed design - not the previous.
3. A bond of sufficient size to cover damages to neighbouring properties should they arise.

We appreciate your considerations,

Sincerely,

Ian Larratt



Carolyn Larratt

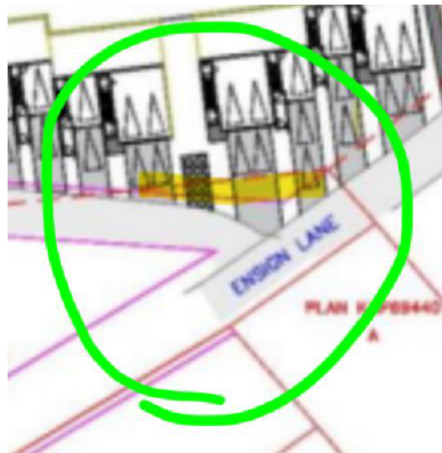


Appendix 1.

Drawing from DP 24-09 information package dated **June 2021** properly displaying all easement and property boundaries.



Figure Three: Proposed development for 3401 Sundance Drive.



Drawing dated **February 24, 2023** omitting the easement boundaries for the area of private property the developer intended to use (circled in red). Note that the other easement boundaries are still present (circled in green).



While the little triangular area in question may seem minor and inconsequential, it is actually a key reason why the original design could not be built. It not only restricted legal access to units 52-56, but prevented the driveway from being widened to meet the access requirements for multifamily development. Therefore, it actually restricted access to units 39-56. If the original proposal was built, our team estimates that it would have decreased our property value by over \$200,000, not to mention the decreased enjoyment of use from having to share our driveway with 15+ additional units. The developer never had any legal right to build their original design, and we were been put in a position that required us to defend our property.

When contacted, neither the planning department nor the developer admitted to having any prior knowledge of this issue. We believed, at the time, that it was an honest mistake.

We would like the City to investigate the developer's sequential iterations of drawings to determine

- 1) when the correct boundaries were and were not depicted and
- 2) whether or not there is evidence of fraudulence in the original DP application and/or in drawings sent to neighbouring properties.