



October 12, 2016

COPY

Legislative and
Regulatory Services
Department

Ms. Alyson Culbert
1450 Hamley St.
Victoria, BC V8S 1N1

Re: 1162/1164 Kings Rd. / Bylaw File #76126

Bylaw and Licensing
Services Division

Dear Ms. Culbert,

1 Centennial Square
Victoria BC V8W 1P6

This letter is a follow-up to the safety and compliance inspection that was conducted at 1162/1164 Kings Road on September 22, 2016. The inspection of the main structure and the accessory building at the rear of the property revealed a number of safety concerns. The subsequent search of city records have confirmed that this structure and the property is in violation of a number of city bylaws including, but not limited to; the *Zoning Regulation Bylaw*, the *Building Bylaw*, *Electrical Safety Regulation Bylaw*, and the *Business License Bylaw*.

Zoning Regulation Bylaw

The property located at 1162/1164 Kings Road is zoned R-2, two family dwelling and the approved use of the main structure according to City records is "duplex". As such, only 2 dwelling unit are permitted on the property and those are located within the main structure; units 1162 and 1164. The inspection revealed that there are in fact 4 separate self-contained dwelling units on the property; the third being located in the basement of the main structure, and the fourth within the accessory building. There is no record of the accessory building, however, it appears that it may have originally been a coach house and/or horse stable. Neither the basement of the main structure, nor the accessory building would have been intended and/or approved for occupancy. As a result, the 2 additional dwelling units are considered illegal suites and constitute an illegal use of the property. These are violations for which the penalty are fines in the amount of \$200 and \$300 per day respectively, as per Schedule B Part 2.1 Section 2 of the *Zoning Regulation Bylaw*.

Building Bylaw and Plumbing Bylaw

Upon inspection, the Building/Plumbing Inspector found significant discrepancy between the current layout of the main structure and the layout that is shown on the approved building plans. Records indicate that both the main structure and the accessory building contain work without permit throughout. Notes on the plumbing cards from 1985 indicate the existence of illegal/unpermitted plumbing in the "coach house", in the basement of the main structure, and on the first floor of the main structure. The Inspector observed the following;

- **Accessory Building** – All building and plumbing work has been done without permit and there are no records indicating that approval was granted for occupancy and/or a self-contained suite.
- **Main structure basement** - All building and plumbing work has been done without permit and there are no records indicating approval was granted for a self-contained suite.
- **Main structure first floor** – Kitchen and both bathrooms have been relocated without building or plumbing permit.
- **Main structure second floor** – Kitchen has been relocated without building or plumbing permit.

To Contact

Telephone: 250.361.0215

Fax: 250.361.0205

E-Mail: bylawenforcement@victoria.ca

Web: www.victoria.ca

City of Victoria, British Columbia, Canada. We are a diverse and inclusive community. In addition to our traditional territories we live and work in, we also have a presence in the "Hay swx qa" area.

Please be advised that that completing work without a building permit and/or changing the occupancy of a building without a building permit are an offence for which the penalty is a fine of \$400 per day as per Sec. 2.2(1) of the *Building Bylaw*. Completing work without a plumbing permit is an offence for which the penalty is a fine of \$400 per day as per Sec. 6(1) of the *Plumbing Bylaw*.

Electrical Safety Regulation Bylaw

The inspection revealed a number of safety issues and violations related to electrical work that has been done throughout the main structure and the accessory building without permit and/or inspection. As the work is unpermitted it is deemed unsafe. The Electrical Inspector issued you a Certificate of Electrical Inspection which requires you to retain a certified Electrician to conduct an electrical safety survey and correct all deficiencies. Electrical permits and follow-up inspection will be required. Completion of an electrical safety survey including a load calculation will in no way legitimize the use and is just intended to address any possible safety issues arising from unpermitted work. Completing electrical work without a valid electrical permit is an offence for which the penalty is a fine of \$400 per day as per Sec. 5(1) of the *Electrical Safety Regulation Bylaw*.

Business License Bylaw

A business license is required for rental accommodation. Currently, you have 4 unlicensed rental suites. Operating a business without a valid license is an offence for which the penalty is a fine of \$250 per day as per Section 4(a) of the *Business License Bylaw*.

In addition to having an electrical safety survey completed for the Electrical Inspector, you are hereby directed to take the following action:

1. Make application for, and obtain approved building, plumbing, and/or electrical permits necessary to bring the property/structure into compliance with City bylaws within 90 days of the date of this letter.

It is recommended that you hire a qualified home design professional and/or licensed contractor to assist you in this process. Once the required building, plumbing, and/or electrical permits are approved and issued, they are considered valid for a period of 1 year. This should allow you suitable time within which to have the required work completed, and pass a final inspection. **FAILURE TO COMPLY WILL RESULT IN THE ISSUANCE OF FINES, THE PLACING OF A NOTICE ON THE LAND TITLE, AND/OR FURTHER LEGAL ACTION.** If you have any questions or require additional information please don't hesitate to contact me directly at 250.361.0578 or by email at adolan@victoria.ca

Regards,



Andrew Dolan
Senior Bylaw Officer
Bylaw & Licensing Services
City of Victoria

Cc: Reed Cassidy, Building Inspector
Andy Wilson, Plumbing Inspector
Philip Corby, Electrical Inspector
Kim Ferris, Business License Inspector
Chris Kelly, Fire Inspector
Karen Brown, Coordinator / Permits & Inspections
Bylaw File #74282