



COPY

November 17, 2014

Legislative and
Regulatory Services
Department

Mr. Joshu Bocskei
Ms. Andrea Bocskei
2360 Forbes St.
Victoria, BC
V8R 4B6

Bylaw and Licensing
Services Division

Re: 2360 Forbes St. / Bylaw File #46560

1 Centennial Square
Victoria BC V8W 1P6

Dear Sir/Madam,

This letter is a follow-up to the safety and compliance inspection that was conducted at 2360 Forbes Street on October 30, 2014. The inspection revealed a number of safety issues, and the subsequent search of city records have confirmed that this property is in violation of a number of city bylaws, including but not limited to, the *Zoning Regulation Bylaw*, *Building Bylaw*, and *Electrical Safety Regulation Bylaw*. These bylaw violations will be explained below.

Zoning Regulation Bylaw

This property is zoned R-2, Two Family Dwelling and the legal use of the structure according to City records is single family dwelling (SFD). The inspection revealed that what would originally have been an unfinished basement area has been developed with the installation of a one bedroom self-contained dwelling unit. Although found to be unoccupied during the inspection on October 30th, the suite was previously observed to have been occupied.

A person must not use or occupy, or allow or permit another person to use or occupy land or a building in contravention of the approved use as per Schedule B, Part 2.1, Sec. 2 of the *Zoning Regulation Bylaw*. This is an offence for which the penalty is a fine of \$200 per day for each day that the offence continues. Further, having an illegal suite is also a violation of Schedule B, Part 2.1, Sec. 2 of the *Zoning Regulation Bylaw*. The penalty for this additional offence is a fine of \$300 per day for each day that the offence continues.

Building Bylaw

The discovery of a self-contained dwelling unit in the basement revealed bylaw violations and safety hazards related to a substantial amount of building work that appears to have been done without the required building, plumbing, and electrical permits and/or inspections. The enclosed report from the Building Inspector details the issues found in the basement and provides some options for correcting them. In addition, the report addresses additional unpermitted work to construct a rear deck.

To Contact

Telephone: 250.361.0215

Fax: 250.361.0205

E-Mail: bylawenforcement@victoria.ca

Web: www.victoria.ca

Completing work and/or changing the occupancy of a building without a building permit is an offence for which the penalty is a fine of \$400 per day as per Sec. 2.2(1) of the *Building Bylaw*. Occupying or permitting the occupancy of a building without an approved occupancy permit is an offence with an additional fine of \$400 per day as per Sec. 2.2(2) of the *Building Bylaw*.

Electrical Safety Regulation Bylaw

The inspection revealed a number of safety issues and violations related to a substantial amount of electrical work that has been done without permit and/or inspection. The Electrical Inspector has already provided you with a copy of his certificate of inspection and ordered you to retain a certified Electrician to conduct an electrical safety survey of the structure and correct all deficiencies. Electrical permits and follow-up inspection will be required as 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*.

Notwithstanding the order that has already been given you by the Electrical Inspector and/or the Fire Inspector, you are hereby directed to take the following action:

1. Make application for and obtain the building, plumbing, and/or electrical permits required to make legal the current conditions by February 27, 2015.
2. Ensure that the "use" of the structure remains single family dwelling by not allowing occupancy of the un-permitted basement suite until such time as it is made legal.

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 and/or the placing of a notice on land title.

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: Don Kitchen, Senior Building Inspector
Mike Staples, Electrical Inspector
Lt. Brad Sifert, Fire Inspector
Karen Brown, Coordinator – Permits/Office Administration

November 5, 2014

BOCSKEI, JOSHU S
BOCSKEI, ANDREA M
2360 FORBES ST
VICTORIA BC V8R 4B6

RESPOND

On October 30, 2014, an inspection was done at 2360 Forbes St. The site has a two storey single family dwelling (SFD) which was built in 1949. The Plumbing permit taken out at that time indicated that there was one full bath and a laundry tub in the basement. As is often the case in homes built in this era, the basement was most likely unfinished with laundry facilities plumbed.

There have been no subsequent permits obtained for plumbing or building since that date with the exception of a permit obtained in 1964 to install a furnace.

The home appears to be all original construction on the upper/main floor. The lower/basement level has been developed with a one bedroom, one complete bath, kitchen, living room and laundry room.

There do not appear to have been any permits for the downstairs to be completed into what could be used as a self contained secondary suite. Plumbing/Building Permits will have to be obtained to review all plumbing and construction that has been undertaken in the lower level. Should the owners elect to have this area legitimized as a secondary suite, issues of fire separations and Exiting will have to be addressed to meet the requirements of 9.36 BC Building Code.(BCBC)

The bedroom on the lower level has a window that does not meet the requirements for egress as set forth in the BCBC.

Should the lower level be returned back for use as part of the single family dwelling, then the plans will have to be reviewed for compliance with the Zoning Bylaw and requirements.

A separate plumbing permit will be required to address the water service to the home, and all new plumbing in the basement. As an added note, there has been a solar panel installed on the roof, that will require both building and plumbing permits to address roof loading, water connections and newly installed hot water tank.

There is what appears to be a newer constructed deck on the rear of the home, approximately 12' X 12' in size with a 4' X 4' landing attached to access the rear door to the main level of the home. There were no permits indicated in the City's computer system to indicate that any permits had been taken out to build the deck. A Building permit will be required to be obtained to legitimize the construction. The deck will be reviewed for compliance with Zoning and Building Bylaws and BCBC. As the deck is complete, a structural engineer will be required to review the foundations and structure for compliance to BCBC and that the deck is safe for the intended use.

I have sketched a floor plan of both levels of the home for reference. The floor plan is not scaled and is to be used only for reference. Sizes of rooms and spaces are approximate, as are locations of windows and doors.

Should there be any questions in regard to the comments contained herein, please contact me at;

Don Kitchen

Senior Building Inspector
Sustainable Planning and Community Development
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