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April 14, 2021

SCOTT CAIN  
PRIDE MARINE GROUP LTD  
1785 BEAUMONT DR PO BOX 2580  
BRACEBRIDGE ON P1L 1X2  
[scain@pridemarinegroup.com](mailto:scain@pridemarinegroup.com)

**FS-LF Variance**  
**Service Request No.: 3025920**  
**FS Marina**  
**Installed at: 1785 Beaumont Dr, Bracebridge**

Dear SCOTT CAIN,

**Re: Application for a Variance from Clause 4.5.2.5 of the Liquid Fuels Handling Code, O. Reg. 217/01**

This is in response to your variance application for the above address.

Your variance request is to install Omega Flex piping from an aboveground storage tank to a dispenser on the dock. The pipe would transition from aboveground to underground without the aid of a transition sump in contravention of clause 4.5.2.5 of the Liquid Fuels Handling Code. Pride Marine Group is proposing to install the Omega Flex piping from a new aboveground fuel tank and have the piping transition underground (under a walkway) to a shutoff valve aboveground. Aboveground steel piping would run from the shutoff valve to a dispenser on the dock.

Please be advised that your variance application has been approved because Omega Flex Double Trac stainless steel double containment piping is flexible double-wall pipe that is certified by the Underwriters' Laboratories of Canada (ULC) for both aboveground and underground installation. It has an ultra-violet stabilized Nylon 12 outer layer that provides resistance to weathering and has also been tested to withstand wave action. Since this pipe may be installed underground and aboveground, it does not require a transition sump.

**Please be advised that this variance will not take effect until 15 days from the date of posting the decision on the environmental registry. This decision of the Director is subject to a right of appeal, under the Environmental Bill of Rights, if such an appeal is filed within 15 days from date of posting. In the event an appeal is filed, this decision of the director may be subsequently stayed, disallowed or significantly altered. Notice of an appeal will be placed on the Environmental Bill of Rights registry.**

This variance is allowed under the authority of subsection 36.(3)(c) of the *Technical Standards and Safety Act, 2000*, (the "Act") and subject to such conditions as may be specified herein, being that:

- The installation/system/appliance dealt with in this variance must be inspected and may be periodically audited by TSSA. Please contact Norm Levesque at 705-715-5707 or [nlevesque@tssa.org](mailto:nlevesque@tssa.org) to arrange for the initial inspection;
- Non-conformity with the conditions specified shall thereby cause the allowed variance to become null and void;

- The applicant accepts full responsibility for any and all damages resulting from the use of the thing to which the variance applies. The applicant further accepts full responsibility for any impacts to the health and safety of any person in consequence of the allowance of the variance or of non-conformity with the conditions specified. The Technical Standards and Safety Authority accepts no responsibility for any such damages or impacts;
- In the event of any claims against the Technical Standards and Safety Authority arising from allowance of the variance or non-conformity with the conditions specified, the applicant agrees to indemnify the Technical Standards and Safety Authority and agrees to hold it harmless from such claims and attendant costs;
- The variance process is subject to public access under the TSSA Access and Privacy Code (available upon request). The fact that a variance has been granted and information about any public conditions, such as a requirement to post a sign, may be released on request. Subject to law and the TSSA Access and Privacy Code, proprietary information will not be subject to release;
- The applicant shall pay the fee associated with the review of the variance; and
- A copy of the variance letter shall always be kept readily available and permanently legible in the vicinity of the appliance/equipment.

This variance only relates to the Act and regulations made thereunder and does not exempt you from compliance with other applicable regulatory requirements. The installation may be subject to an inspection to ensure compliance with the terms of the variance.

Should you have any questions or require further assistance, please contact Ann-Marie Barker at 416-734-3354 or by email at [abarker@tssa.org](mailto:abarker@tssa.org). When contacting TSSA regarding this file, please refer to the Service Request number provided above.

Yours truly,

*Zenon Fraczkowski*

Zenon J. Fraczkowski, P. Eng.  
 Manager, Fuels Safety Engineering  
 Delegated Authority under section 36(3) (c) of TSS Act

c: Steve Leslie, Muskoka Petro-Tech ([steve@muskokapetrotech.ca](mailto:steve@muskokapetrotech.ca))  
 Norm Levesque, TSSA ([nlevesque@tssa.org](mailto:nlevesque@tssa.org))  
 Mark Schubert, TSSA ([mschubert@tssa.org](mailto:mschubert@tssa.org))

<p>A legible copy of this letter shall be kept readily available near the appliance/equipment.          This variance is not valid unless all variance conditions in this letter have been met.</p>
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