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August 29, 2019
File: SR 2647170

VIA EMAIL

STEVE BLANCHARDS
D G BLANCHARDS GARAGE LTD
51 MAIN ST E
ATHENS ON K0E 1B0
scblanch76@gmail.com

Dear Mr. Blanchards :

Re: Application for a Variance from Clause 5.1.1(a) of the Liquid Fuels Handling Code, Technical Standards & Safety Act R.S.O. 2000 for 51 MAIN ST HWY 42 ATHENS

You have indicated that you are modifying the gas station at the above address and you would like to install the new dispensers in the same location as the existing dispensers which are located eight feet from the property line. Clause 5.1.1(a) of the Liquid Fuels Handling Code 2017 requires dispensers to be at least 3 metres (9 feet 10 inches) from the property line.

The dispenser island is set back from the road way by more than 17 feet. If the new dispenser island is installed closer to the building, the location of the dispensers would contravene clause 5.1.1(c) since they would be less than 4.5 metres from a building opening. Also, it would create a dangerous situation for the public and fuel attendants since they enter the building from the opposite side of the inside fuelling lane, and the space for vehicles and pedestrians would be reduced.

Please be advised that your variance application dated June 25, 2019, has been approved.

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:

- 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;

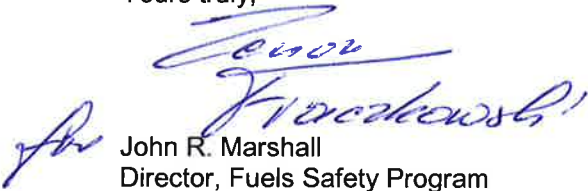
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- The variance process is subject to public access under the TSSA Access and Privacy Code (available upon request). The fact that a variance has been granted, and information about any public conditions, such as a requirement to post a sign, may be 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 will be subject to an inspection to ensure compliance with the terms of the variance. Please contact Mark Hutchinson at 613-537-9963 to arrange for the inspection.

Should you have any questions or require further assistance, please contact Ann-Marie Barker at 416.734.3354, or by e-mail at abarker@tssa.org. When contacting TSSA regarding this file, please refer to the Service Request number provided above.

Yours truly,



John R. Marshall
Director, Fuels Safety Program

- c. Ted Wichers, Triangle Pump Service Ltd., ted@trianglepump.ca
Mark Hutchinson, TSSA, mhutchinson@tssa.org