



345 Carlingview Drive
Toronto, Ontario M9W 6N9
Tel.: 416.734.3300
Fax: 416.231.1626
Toll Free: 1.877.682.8772

www.tssa.org

February 19, 2020
File: SR 2760782

VIA EMAIL

CLINTON SMIT
LIGHTHOUSE VARIETY INC
425 TISDELLE DR
TILBURY ON N0P 2L0
lhcvariety@gmail.com

Dear CLINTON SMIT,

Re: Application for a Variance from Clause 3.2.1.4 of the Liquid Fuels Handling Code, Technical Standards & Safety Act R.S.O. 2000 for 425 TISDELLE DR TILBURY

You have requested permission to install two 4,400 litre double wall tanks within 14 metres of a ditch that drains into a canal at the back of the property. The Liquid Fuels Handling Code 2017 (LFHC) requires that aboveground tanks be located at least 30 metres from a waterway.

The above site is small so that any tank on the property will be less than 30 metres from the ditch. As an equivalent safety, you have proposed to install each tank inside a Hassco Secondary Containment Unit (i.e. a dike certified to ULC 142.20). This will provide triple-wall containment. In addition, the tanks will be installed on a 12-foot by 14-foot cement pad.

Your variance application dated January 15, 2020, 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;
- 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 Kevin Abbott 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. Kevin Abbott, TSSA, kabbott@tssa.org