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November 13, 2020  
SR 2938830

VIA EMAIL

Brian Gray  
City Of Mississauga  
135 Lakefront Promenade Marina  
Mississauga ON  
L5E 3G9

Email: [brian.gray@mississauga.ca](mailto:brian.gray@mississauga.ca)

Dear Mr. Gray,

**Re: Application for a Variance from Clause 5.5.4 of the Liquid Fuels Handling Code, Technical Standards & Safety Act R.S.O. 2000 for 135 Lakefront Promenade Marina, Mississauga**

You have requested permission to install two gasoline dispensers and one diesel dispenser with under dispenser leak monitored sumps on a floating fueling dock.

The City is installing a new floating dock at the marina; because of the shallow water, the dock needs to extend 150 feet from the seawall to be allow boats enough draft to access the dock to fuel. The new floating dock (steel pontoon dock anchored by chains to concrete blocks on the lakebed) is much less expensive to build than a stationary dock of this size.

The City of Mississauga is proposing to install Omega Flex Double Trac stainless steel double containment piping from the existing fuel tank to new dispensers on the floating dock.

Omega Flex Double Trac pipe is a flexible double-wall pipe that has been certified by the Underwriters' Laboratories of Canada (ULC) to ANSI/CAN/UL/ULC 1369:2018 for aboveground installation. It has an ultra-violet stabilized Nylon 12 outer layer that provides resistance to weathering. It has also been tested to withstand wave action.

The Omega Flex piping will be installed underground from the tanks to the lake wall. At the lake wall, each product pipe will have a Double Trac designed isolation ball valve. From there, the Double Trac piping will be mounted under the deck of the new floating dock and fueling dock to the new dispensers.

Your variance application dated October 1, 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 as part of the modification of the marina, to ensure compliance with the terms of the variance. Please contact Debbie Danek 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](mailto: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. Dave Ledingham, Petroleum Technical Services ([dgleding@eol.ca](mailto:dgleding@eol.ca))  
Debbie Danek, TSSA ([ddanek@tssa.org](mailto:ddanek@tssa.org))