



Application for a Variance

under the Technical Standards and Safety Act, 2000

General	1	Applicant (Name and Address)				
	2	Work No.:		Contact persons name :		
		Mobile No.:		Contact persons email:		
	3	Type of Device or Component				
	4	Additional details of Device or Component				
	5	Relation to Installation (New, Existing, Repeat Deviation & equivalency)		If existing provide Installation or Permit Number(s)		
	6	Applicant's reference (Name or number)				
	7	Device location or Building Address				
8	Building function					

Variance Scope	Identification of proposed Variance (s)				
	9	From which requirement is a variance proposed? (Specify the publication and section)	i.e. Ontario Regulation, Code Adoption Document, Code, Standard, - Section No. or Clause No. or Director's Order No.:		
	10	Provide a concise description of the proposed variance(s).			
	11	Provide a list of supporting document and/or drawings.	0.1	Variance Proposal	see completed page 2 of variance application
0.2			Letters, drawings, photos		

Review by TSSA	Terms & Conditions of Review				
<p>Per the provisions of the Technical Standards and Safety Act, 2000:</p> <p>A director may, in writing, subject to such conditions as he or she may specify, allow a variance from any regulation or Minister's order made under this Act if, in his or her opinion, the variance would not detrimentally affect the safe use of the thing to which the regulation or Minister's order applies or the health or safety of any person. 2000, c. 16, s. 36 (3).</p> <p>Where adopted codes do not address all issues regarding design, manufacture, installation, operation, maintenance, testing, and inspection, it is the responsibility of the user to establish appropriate safety practices.</p> <p>Where a variance is granted:</p> <p>Non-conformity with the conditions specified shall cause the allowed variance to lapse.</p> <p>The applicant accepts full responsibility for damages resulting from the use of the thing, to which the Technical Standards and Safety Act or other documents under the Act as the case maybe, applies to the health or safety of any person in consequence of allowance of the variance or non-conformity with the conditions specified, to the complete exclusion of Technical Standards and Safety Authority.</p> <p>In the event of third-party claims against the Technical Standards and Safety Authority arising from allowance of the variance or non-conformity with the conditions specified, the applicant accepts - on demand - to indemnify the Technical Standards and Safety Authority and to hold it harmless from such claims and attendant costs.</p> <p>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, could be released on request. Proprietary and/or competitive information would not be subject to release.</p> <p>TSSA reviews variance related only to devices associated with the Technical Standards & Safety Act and Regulations made thereunder, as the case may be, and does not exempt you from compliance to other applicable jurisdictional requirements.</p>					

Fees	12	Fees			
		Refer to fee schedule online at www.tssa.org			

Variance Proposal

Applicant's Reference (Name or Number)	
--	--

Variance Identification	20	Identification of the variance(s), the related regulation, standard, code, or Director's Order, and the relevant clauses(s) or reference number(s). Explanation of what special circumstances/reasons lead to this proposal:		
Risk Assessment	Demonstrate that granting the Variance will meet or exceed regulatory expectations with respect to public safety.			
	21	Provide an assessment of the risk associated with leaving the device / installation in a state which is not in compliance with current regulations, codes, standards or Orders. (Assessment must be based on safety engineering principles, recognized industry practice, or methodologies that conform to internationally recognized codes of practice or standards).		
Mitigating Measures	22	Proposed measures to make the installation/device equivalent in safety, or to the same level of conformance required by the regulations, code, standards, or Orders:		
Applicant's Statement	Where a variance is allowed, the applicant accepts full responsibility for all damages and the health or safety of any person that may arise in consequence of allowance of the variance or non-conformity with the conditions specified, to the complete exclusion of the Technical Standards and Safety Authority and indemnifies the Technical Standards and Safety Authority and holds it harmless from third-party claims and attendant costs.			
	34 Date	35 Printed Name	36 Signature	37 Official Capacity