

# Office of the Fire Commissioner

## Inspection and Technical Services Manitoba

### Variance Approval Program



Date Issued: August 25, 2014  
OFC ITSM 14 – 003

The Variance program offered by the Inspection and Technical Services Manitoba (ITSM) section of the Office of the Fire Commissioner (OFC) provides for the approval of equipment regulated by ITSM, which does not exactly meet the requirements of the governing regulations or referenced codes and standards. Please note that the program is not intended to circumvent the normal procedure of certification of appliances, equipment and components by designated testing organizations.

Applications for Variance approval will only be considered in the following instances:

- The proposed method or design is equivalent to, or exceeds the requirements of the code/standard/regulation; or,
- Due to unique design requirements or limitations, the applicable regulations or referenced codes and standards cannot be achieved in whole or in part.

The Variance program is valid only for the original intended purpose. Any change to the application or equipment as specified on the original application, would require the submittal of a new application for the altered appliance or equipment.

Modifications may be required as a result of our application review or site inspection. The Application for Variance must be submitted to the OFC on the approved application form, complete with the required documentation.

A separate application must be submitted for each non-identical piece of equipment, and for each individual location at which an appliance, equipment or a component is going to be installed. A submission will be reviewed only after receipt of an application.

All supporting variance documentation must be supported and stamped by a Professional Engineer and must be submitted with the application by email, fax, mail or in person at 500-401 York Avenue in Winnipeg, MB.

The following engineered documentation must be submitted with each application form:

- A cover letter indicating the specific request or proposal for a variance, signed by the applicant;
- A letter indicating the specific code references to which the variance is being applied against;
- A completed Application for Variance of Gas and Oil Equipment form and Assurance of Professional Design and Commitment for Inspection form; and,

500—401 York Avenue  
Winnipeg Manitoba R3C 0P8  
T: 204 945-3373  
F: 204 948-2309  
Toll Free: 1-866-888-8186 (in Manitoba only)  
24 Hour Emergency Line: 204 931-2192  
Website: [www.firecomm.gov.mb.ca](http://www.firecomm.gov.mb.ca)



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- Any supporting documentation, including drawings or schematics to support the request for variance.

Upon receipt of an application, the submission will be reviewed by the ITSM Engineering Unit to ensure that it is complete. If additional information is required, it will be requested from the applicant. Subsequent review will consist of a detailed examination by an ITSM Engineer. Upon completion of the review, we will advise the applicant to obtain an installation permit, if not already obtained, and to book an inspection using the OFC's central dispatch to arrange for a site inspection and testing of the appliance or equipment.

### Site inspection

The purpose of the site inspection is to verify that:

- The appliance or equipment has been constructed in accordance with the supporting documentation reviewed and accepted by the ITSM Engineer, is compliant with CSA B149 codes; and;
- The appliance or equipment has been installed in accordance with the supporting documentation reviewed and accepted by the ITSM Engineer, is compliant with CSA B149 codes; and;
- All safety tests required in accordance with the supporting documentation reviewed and accepted by the ITSM Engineer, and applicable codes have been verified.

The Inspector will require the owner of the appliance or equipment to perform or cause to be performed tests deemed to be necessary to verify proper operation of the appliance being approved.

It will be necessary for qualified personnel to be present during the site inspection and to have the necessary test equipment on hand.

Upon completion of site inspection and testing, the Inspector will provide inspection paperwork indicating successful completion, indicating that the appliance is safe to operate, or will provide Orders to Remedy, identifying further deficiencies that must be addressed.

Upon successful completion of site the inspection and testing, the inspector will issue a written confirmation of the appliance approval to the applicant's representative present on the site. The applicant will be invoiced for all time on site following each site visit or consultation.

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### Fees

The fees under this program are:

- Installation Permit Fees – Based on BTU's as described in the Gas and Oil Burner Regulation; and;
- Site inspection of \$90.00/hr.

### Forms

- Application for Variance of Gas and Oil Equipment Form
- Assurance of Professional Design and Commitment for Inspection Form