

Guide I: Grant Statutory Right of Way (Legal Component)

Your request for a variance of section 37 of the Elevating Devices Safety Regulation contains both a technical and a legal component. Technical review of your application is now underway.

In addition to technical approval, approval of your variance requires filing legal documents - a statutory right of way ("SRW") must be filed in the Land Title Office granting Technical Safety BC access to the relevant unit(s) (any units where elevator access is through a private suite) for the purpose of inspecting the elevator.

Filing a SRW requires the support of a lawyer or notary. Please provide the following information to your lawyer or notary:

Approval of a variance under s. 37 of the Elevating Devices Safety Regulation requires filing and completing of legal documents. The documents required are the attached **SRW Schedule** and the **Form C**, which is completed electronically.

Please forward the following documents to our legal department, preferably by email to legalreview@technicalafetybc.ca.

1. One black-lined version of the SRW;
2. One clean version of the SRW for execution; and
3. A current title search for any affected property.

Please submit these materials at least seven days before you wish to receive executed copies. Upon successful review and execution of these documents, you will be responsible for filing and subsequently providing Technical Safety BC a registered copy and updated title search.

For questions about the legal component of this application, please contact legalreview@technicalafetybc.ca.

Please note that this is only the legal component of the application. For information on the technical component of the application, refer to Guide II.

Receipt of an executed SRW from Technical Safety BC does not indicate technical approval of the variance application; technical approval will be indicated in separate correspondence. Any technical approval granted is subject to registration of the SRW at the Land Title Office.