

Ruling of the Minister  
 Ministry of Municipal Affairs  
 and Housing  
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Ministère des Affaires municipales  
 et du Logement  
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<b>RULING 09-33-231 (13329-R)</b>	
<b>Minister's Ruling File Number</b>	<b>MR 12-42</b>
<b>Ruling Issued</b>	<b>December 2, 2009</b>
<b>Ruling Revised</b>	<b>October 11, 2012</b>
<b>Master Format</b>	<b>07 27 09.02</b>
<b>Corresponding CCMC Evaluation Report</b>	<b>CCMC 13329-R issued on August 25, 2008, re-evaluated on November 15, 2011, and revised on September 6, 2012</b>

Pursuant to Section 29(1)(a) of the *Building Code Act, 1992*, the Director of the Building and Development Branch, as delegate of the Minister of Municipal Affairs and Housing (the "Minister"), hereby approves the use of **FLEXGARD ASPIRE™**, **PERMAGUARD™**, **PERMAGARD™**, **DRI-SHIELD™ II**, **XMARK HOUSEWRAP**, and **GRIP-RITE® HOUSEWRAP – AIR BARRIER MATERIAL** subject to the following terms and conditions:

1.	MANUFACTURER	2.	MANUFACTURING FACILITIES
	Intertape Polymer Corp. 50 Abbey Avenue Truro (Nova Scotia) Canada B2N 6W4		Truro (Nova Scotia) Canada
	Tel: 902 895-1686 Fax: 902 893-4790		
	E-mail: <a href="mailto:info@itape.com">info@itape.com</a> Web: <a href="http://www.intertapepolymer.com">www.intertapepolymer.com</a>		

### 3. SPECIFIC CONDITIONS

- (a) The use of **FLEXGARD ASPIRE™**, **PERMAGUARD™**, **PERMAGARD™**, **DRI-SHIELD™ II**, **XMARK HOUSEWRAP**, and **GRIP-RITE® HOUSEWRAP – AIR BARRIER MATERIAL** is approved for use as an air barrier material in respect of the requirements of Sentence 5.4.1.2.(1) of Division B of Ontario's 2006 Building Code, Ontario Regulation 350/06 (the "Building Code");

- (b) **FLEXGARD ASPIRE™, PERMAGUARD™, PERMAGARD™, DRI-SHIELD™ II, XMARK HOUSEWRAP**, and **GRIP-RITE® HOUSEWRAP – AIR BARRIER MATERIAL** shall comply with the *Building Code Act, 1992*; and except as specifically provided otherwise in this Ruling, with the Building Code;
- (c) A copy of this Ruling and the Canadian Construction Materials Centre Evaluation Report No. 13329-R issued on August 25, 2008, re-evaluated on November 15, 2011, and revised on September 6, 2012 (the “CCMC Evaluation Report”) shall be submitted in connection with each application for a building permit;
- (d) The use of the **FLEXGARD ASPIRE™, PERMAGUARD™, PERMAGARD™, DRI-SHIELD™ II, XMARK HOUSEWRAP**, and **GRIP-RITE® HOUSEWRAP – AIR BARRIER MATERIAL** must be in accordance with the CCMC Evaluation Report; provided that the references in that report to the model National Building Code of Canada, 2010 including those listed in column 1 below, shall be deemed references to Ontario’s 2006 Building Code listed in column 2 below, as described in the following table;

model National 2010 Building Code References	Ontario’s 2006 Building Code References
Division A, 1.2.1.1.(1)(b) Division B, 5.4.1.2.(1) Division B, 9.10.16. Division B, 9.25.3.1. Division B, 9.25.3.2. Division B, 9.25.3.2.(1) Division B, 9.25.3.3. Division B, 9.25.4.2.(1) Division B, 9.25.4.2.(2)  Division B, 9.25.4.2.(3) Division B, 9.25.4.2.(4) Division B, 9.25.4.2.(5) Division B, 9.25.4.2.(6) Division B, 9.25.5.2. Authority Having Jurisdiction (AHJ) NBC 2010	Division A, 1.2.1.1.(1)(b) Division B, 5.4.1.2.(1) Division B, 9.10.16. Division B, 9.25.3.1. Division B, 9.25.3.2. Division B, 9.25.3.2.(1) Division B, 9.25.3.3. Division B, 9.25.4.2.(1) Division B, 9.25.4.2.(2) Division B, 9.25.4.2.(3) Division B, 9.25.4.2.(4) Division B, 9.25.4.2.(5) Division B, 9.25.4.2.(6)  Division B, 9.25.1.2.(2) Principal Authority Ontario’s 2006 Building Code
column 1	column 2

- (e) This Ruling is valid only for products manufactured at the facilities outlined in Section 2. (Manufacturing Facilities) of this Ruling.

#### 4. GENERAL CONDITIONS

- (a) The Manufacturer specified in Section 1 shall notify the Ministry of Municipal Affairs and Housing without delay of any change made to the CCMC Evaluation Report. A change to the CCMC Evaluation Report includes the CCMC Evaluation Report having expired or having been revised, re-evaluated, amended, rendered void, or withdrawn.
- (b) The Minister or his/her delegate may amend or revoke this Ruling if:
- (i) the Manufacturer specified in Section 1 fails to notify the Ministry of any change made to the CCMC Evaluation Report, as required by Section 4.(a);
  - (ii) the Evaluation Report is revised, re-evaluated, or amended by the CCMC;
  - (iii) the Evaluation Report expires in accordance with the CCMC's General Conditions for Evaluation Reports;
  - (iv) the Evaluation Report is rendered void in accordance with the CCMC's General Conditions for Evaluation Reports;
  - (v) the Evaluation Report is withdrawn;
  - (vi) the Minister or his/her delegate determines that the use of the material, system or building design authorized by this Ruling:
    - 1) will not comply with the *Building Code Act, 1992* or any relevant law as they may be amended or re-enacted from time to time;
    - 2) provides an unsatisfactory level of performance, in situ; or
    - 3) may pose a danger to health or safety; or
  - (vii) any provision of the Building Code relevant to this Ruling is amended or remade.

Dated at Toronto this 11<sup>th</sup> day of October 2012,

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Brenda Lewis  
Director, Building and Development Branch

The official version of this Ruling of the Minister of Municipal Affairs and Housing is the signed original in the Ministry's file. In the event of a question about content, the original in the office file takes precedence.