

Ruling of the Minister
Ministry of Municipal Affairs
and Housing
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RULING OF THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

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 **In-Wall** subject to the following terms and conditions:

Minister Ruling Number 09-11-209 (13285-R)
File No: 08-45
Issued on May 19, 2009

1. MANUFACTURER

269367 Ontario Limited
1912 South Orr Lake Road
Elmvale, Ontario, L0L 1P0

Tel: 705 322-0874
Fax: 705 322-0874

2. MANUFACTURING FACILITIES

Orillia Precast Concrete Limited
2085 South Sparrow Lake Road
Severn Bridge, Ontario

3. SPECIFIC CONDITIONS

- (a) The use of **In-Wall** is approved for use as a foundation wall in respect of the requirements of Section 9.15, and Subsections 9.3.1., 9.3.3., and 9.4.4. of Division B, of the 2006 Building Code, Ontario Regulation 350/06 (the “Building Code”) as amended or remade from time to time;
- (b) **In-Wall** shall comply with the *Building Code Act, 1992*; and except as specifically provided otherwise in this ruling, with the Building Code;
- (c) This Ruling does **not** include a review or confirmation of the heat transfer, air leakage and condensation control performance of the **In-Wall** system; compliance with the requirements of the Building Code shall be submitted to the Principal Authority for consideration and approval;

- (d) the use of the **In-Wall** must be in accordance with Canadian Construction Materials Centre ("CCMC") Evaluation Report No. CCMC 13285-R (the "Evaluation Report") issued on August 31, 2007 and revised on July 18, 2008; provided that the references in that report to the model National Building Code of Canada, 2005 including those listed in column 1 below, shall be deemed references to Ontario's Building Code listed in column 2 below, as described in the following table;

model National 2005 Building Code References	Ontario's 2006 Building Code References
Division B, 9. Division B, 9.3.1. Division B, 9.3.3. Division B, 9.4.4. Division B, 9.13.2. Division B, 9.13.3. Division B, 9.13.4. Division B, 9.14.2. Division B, 9.15. Division B, 9.15.3. NBC 2005	Division B, 9. Division B, 9.3.1. Division B, 9.3.3. Division B, 9.4.4.1.(1) Division B, 9.4.4.2. Division B, 9.4.4.3. Division B, 9.4.4.4.(1) Division B, 9.4.4.6. Division B, 9.13.2. Division B, 9.13.3. Division B, 9.13.4. Division B, 9.14.2.1.(1) Division B, 9.14.2.1.(3) Division B, 9.15. except for Division B, 9.15.1.1.(3) Division B, 9.15.1.1.(4) Division B, 9.15.3. Building Code 2006
column 1	column 2

- (e) A copy of this Ruling shall be attached to the application for a building permit; and;
- (f) This Ruling is valid only for products manufactured at the facilities outlined in Section 2. (Manufacturing Facilities) of this Ruling.

4. GENERAL CONDITIONS

The Minister or his/her delegate may amend or revoke this Ruling if:

- (a) the Evaluation Report is amended by the CCMC;
- (b) the Evaluation Report expires in accordance with the CCMC's General Conditions for Evaluation Reports;

- (c) the Evaluation Report is rendered void in accordance with the CCMC's General Conditions for Evaluation Reports by reason of alterations to the product or relocation of manufacturing facilities, described in the Evaluation Report, without prior agreement by the CCMC;
- (d) the Evaluation Report is withdrawn by the CCMC in accordance with the CCMC's General Conditions for Evaluation Reports where, in the opinion of the CCMC:
 - (i) the level of performance, in-situ, of the product described in the evaluation Report is unsatisfactory;
 - (ii) the proponent of such product fails to fulfil its obligations as set out in the CCMC's General Conditions for Evaluation Reports; or
 - (iii) such product may pose any danger to the health or safety of the user of such product;
- (e) the Minister or his/her delegate determines that the use of the material, system or building design authorized by this Ruling:
 - (i) 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; or
 - (ii) provides an unsatisfactory level of performance, in situ; or
- (f) any provision of the Building Code relevant to this Ruling is amended or remade.

Dated at Toronto This 19th Day of May 2009.

David Brezer, P.Eng, MBA
Director, Building and Development Branch