

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 **Styrofoam™ Weathermate™ Plus - Air Barrier Material** subject to the following terms and conditions:

Ministers Ruling No: 09-06-204 (13013-R)

File No: 08-20

Issued on April 16, 2009

1. MANUFACTURER

Dow Chemical Canada Inc.
122 Arrow Road
Weston, Ontario
M9M 2M2

Tel: 416 744-5612

Fax: 416 744-5601

2. MANUFACTURING FACILITIES

San Luis Potosi, Mexico

3. SPECIFIC CONDITIONS

- (a) The use of **Styrofoam™ Weathermate™ Plus - Air Barrier Material** is approved for use as structural composite lumber in respect of the requirements of Sentence 5.4.2.1.(1) and Appendix A-9.25.3.2. Division B of Ontario’s 2006 Building Code, Ontario Regulation 350/06 (the “Building Code”);
- (b) **Styrofoam™ Weathermate™ Plus - 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) The CCMC 13013-R Evaluation Report does not include the evaluation of the strength required to meet the performance criteria of Sentence 9.25.3.2.(1) of Division B of the Building Code; the principal authority must determine whether the **Styrofoam™ Weathermate™ Plus - Air Barrier Material** meets the requirements of the Building Code;

- (d) The use of the **Styrofoam™ Weathermate™ Plus - Air Barrier Material** must be in accordance with Canadian Construction Materials Centre (the "CCMC") 13013-R Evaluation Report issued on March 19, 2001 and revised on May 28, 2008; provided that the references in that report (including the Appendix of the report) to the model National Building Code of Canada, 2005 including those listed in table 3.(d), column 1 below, shall be deemed references to the Building Code listed in column 2 below, as described in the table 3.(d) below;

Table 3.(d)

model National 2005 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, 9.23.16.2. 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, A-9.25.3.2. Authority Having Jurisdiction (AHJ) NBC 2005	Division A, 1.2.1.1.(1)(b) Division B, 5.4.1.2.(1) Division B, 9.10.16. Division B, 9.23.16.2. 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, A-9.25.3.2. Principal Authority Building Code (2006)
column 1	column 2

- (d) A copy of this Ruling shall be attached to the application for a building permit; and;
- (e) 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 16th Day of April 2009

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