

Ruling of the Minister
Ministry of Municipal Affairs and Housing
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BUILDING CODE ACT, 1992

RULING OF THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

No. 06-07-151 (11629-R)

May 10, 2006

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 **Super Panel** subject to the following terms and conditions:

1. MANUFACTURER/AGENT

Bed Roc Industries Limited
9188-132 "B" Street
Surrey, British Columbia
V3V 7L5

Tel: (604) 888-8199
Fax: (604) 581-7119

2. MANUFACTURING FACILITIES

102-9555-194A Street
Surrey, British Columbia

3. SPECIFIC CONDITIONS

- (a) The use of the **Super Panel** is approved for use as an exterior backerboard, an interior backerboard and as a rigid-floor underlay for ceramic tile in respect of Articles 9.23.16.2., 9.29.10.4., and 9.30.2.2. of the 1997 Ontario Building Code, Ontario Regulation 403/97 (the "Ontario Building Code") as amended or remade from time to time;
- (b) **Super Panel** shall comply with the *Building Code Act, 1992*; and except as specifically provided otherwise in this ruling, with the Ontario Building Code;
- (c) The use of the **Super Panel** must be in accordance with Canadian Construction Materials Centre (the "CCMC") Evaluation Report No. CCMC 11629-R (the "Evaluation Report") issued on October 28, 1987, re-evaluated December 8, 2004 provided that the references in that report to the National Building Code of Canada, 1995, including those listed in column 1 below, shall be deemed references to the Ontario Building Code listed in column 2 below, as described in the following table;

National Building Code References	Ontario Building Code References
9.10.15. 9.23.10.2.(2) 9.23.16.2. 9.23.17. 9.29.10.4. 9.30.2. 9.30.2.2.	9.10.15. 9.23.10.2.(2) 9.23.16.2. 9.23.17. 9.29.10.4. 9.30.2. 9.30.2.2.
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 reenacted from time to time; or
 - (ii) provides an unsatisfactory level of performance, in situ; or

- (f) any Ontario Building Code provision relevant to this ruling is amended or remade.

DATED AT TORONTO THIS 10 DAY OF MAY 2006.

DAVID BREZER, DIRECTOR (ACTING)