

BUILDING CODE ACT, 1992

RULING OF THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

No. 99-07-66 (12874-R)

Pursuant to Section 29(1)(a) of the *Building Code Act, 1992*, the Director of the Housing Development and Buildings Branch, as delegate of the Minister of Municipal Affairs and Housing (Minister), hereby approves the use of **Dryvit Outsulation** subject to the following terms and conditions:

1. MANUFACTURER/AGENT

Dryvit Systems Canada, Ltd.
129 Ringwood Drive
Stouffville, Ontario
L4A 8A2

Tel: (905) 642-0444
(800) 668-0305

Fax: (905) 642-0450

2. MANUFACTURING FACILITIES

129 Ringwood Drive
Stouffville, Ontario
L4A 8A2

3. SPECIFIC CONDITIONS

- a) The use of **Dryvit Outsulation** is approved in respect to the requirements as described in Section 9.27 & Article 9.10.6.1. of the Ontario Building Code, Ontario Regulation 403/97 (the "Ontario Building Code"), as amended or remade from time to time;
- (b) The use of **Dryvit Outsulation** must 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 **Dryvit Outsulation** must be in accordance with Canadian Construction Materials Centre (the "CCMC") Evaluation **Report N° CCMC 12874-R**, (the "Evaluation Report") issued on August 28, 1998, provided that references in the Evaluation Report to Section 9.27 & Article 9.10.6.1. of the National Building Code of Canada 1995 shall be deemed to be references to Section 9.27. and Article 9.10.6.1. of the Ontario Building Code;

- d) A copy of this Ruling shall be attached to the application for a building permit; and,
- e) This Ruling is valid only for **Dryvit Outsulation** 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- (d) the Evaluation Report is withdrawn by the CCMC in accordance with the CCMC's General Conditions for Evaluation Reports where, in the opinion of the CCMC: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 4th DAY OF JUNE, 1999.

ANN BOROAH, DIRECTOR
HOUSING DEVELOPMENT AND BUILDINGS BRANCH