Ruling of the Minister
Ministry of Municipal Affairs
and Housing
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Ontario

## 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 **FlexGard® Aspire ™, PermaGuard™, PeramGard™, Dri-Shield™ II, Xmark Housewrap - Air Barrier Material** subject to the following terms and conditions:

**Minister Ruling Number: 09-33-231(13329-R)**
**File No: 10-44**
**Issued on December 2, 2009**
**Revised December 30, 2010**

### 1. MANUFACTURER

Intertape Polymer Corporation
50 Abbey Avenue
Truro, Nova Scotia
B2N 6W4

Tel: 902 895-1686
Fax: 902 895-8138
Web: www.ecpinfo.com

### 2. MANUFACTURING FACILITIES

Truro, Nova Scotia

### 3. SPECIFIC CONDITIONS

(a) The use of **FlexGard® Aspire ™, PermaGuard™, PeramGard™, Dri-Shield™ II, Xmark 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 Regulation 350/06 (the "Building Code"),

(b) Although the Appendix of the Building Code is not considered a requirement for construction, as the CCMC Evaluation Report has tested the **FlexGard® Aspire ™, PermaGuard™, PeramGard™, Dri-Shield™ II, Xmark Housewrap - Air Barrier Material** to National Building Code Appendix A-9.25.3.2., for the purposes of this Ruling Appendix A-9.25.3.2. shall be considered a requirement;

(c) **FlexGard® Aspire ™, PermaGuard™, PeramGard™, Dri-Shield™ II, Xmark 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;

(d) the use of the **FlexGard® Aspire ™, PermaGuard™, PeramGard™, Dri-Shield™ II, Xmark Housewrap - Air Barrier Material** must be in accordance with Canadian Construction Materials Centre (the ”CCMC”) Evaluation Report No. CCMC 13329-R (the “Evaluation Report”) issued on August 25, 2008 and revised on December 9, 2009; 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 A, 1.2.1.1(1)(b)<br>Division B, 5.4.1.2.(1)<br>Division B, 9.10.16.<br>Division B, 9.23.16.2.<br>Division B, 9.25.3.1.<br>Division B, 9.25.3.2.<br>Division B, 9.25.3.2.(1)<br>Division B, 9.25.3.3.<br>Division B, 9.25.4.2.(1)<br>Division B, 9.25.4.2.(2)<br>Division B, 9.25.4.2.(3)<br>Division B, 9.25.4.2.(4)<br>Division B, 9.25.4.2.(5)<br>Division B, 9.25.4.2.(6)<br>Appendix A-9.25.3.2.<br>Authority Having Jurisdiction (AHJ)<br>National Building Code of Canada (NBC 2005) | Division A, 1.2.1.1(1)(b)<br>Division B, 5.4.1.2.(1)<br>Division B, 9.10.16.<br>Division B, 9.23.16.2.<br>Division B, 9.25.3.1.<br>Division B, 9.25.3.2.<br>Division B, 9.25.3.2.(1)<br>Division B, 9.25.3.3.<br>Division B, 9.25.4.2.(1)<br>Division B, 9.25.4.2.(2)<br>Division B, 9.25.4.2.(3)<br>Division B, 9.25.4.2.(4)<br>Division B, 9.25.4.2.(5)<br>Division B, 9.25.4.2.(6)<br>Appendix A-9.25.3.2.<br>Principal Authority<br>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 30th Day of December 2010.

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Denise K. Evans
Director, Building and Development Branch