

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 **Delta® -MS Clear/Maxx Foundation Wrap** subject to the following terms and conditions:

**Minister Ruling Number: 11-09-267 (13093-R)**

**File No: 11-36**

**Issued: September 13, 2011**

### 1. MANUFACTURER

Cosella Dorken Products Ltd.  
4655 Delta Way  
Beamsville, Ontario  
L0R 1B4

Tel: 905 563-3255

Fax: 905 563-5582

### 2. MANUFACTURING FACILITIES

Beamsville, Ontario

### 3. SPECIFIC CONDITIONS

- (a) The use of **Delta® -MS Clear/Maxx Foundation Wrap** is approved for use as dampproofing in respect of the requirement of Subsection 9.13.2. of Division B, of Ontario’s 2006 Building Code, Ontario Regulation 350/06 (the “Building Code”);
- (b) **Delta® -MS Clear/Maxx Foundation Wrap** shall comply with the *Building Code Act, 1992*; and except as specifically provided otherwise in this Ruling, with the Building Code;
- (c) The use of the **Delta® -MS Clear/Maxx Foundation Wrap** must be in accordance with Canadian Construction Materials Centre (the “CCMC”) Evaluation Report No. CCMC 13093-R (the “Evaluation Report”) issued on November 15, 2002 and re-evaluated on March 2, 2011; provided that the references in that report to the model National Building Code of Canada, 2010 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 2010 Building Code References	Ontario's 2006 Building Code References
Division A, 1.2.1.1.(1)(b) Division B, 9. Division B, 9.13.2. Division B, 9.14. National Building Code 2010 (NBC 2010)	Division A, 1.2.1.1.(1)(b) Division B, 9. Division B, 9.13.2. Division B, 9.14. Building Code
column 1	column 2

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

#### 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 13<sup>th</sup> day of September 2011.

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Denise K. Evans  
Director, Building and Development Branch