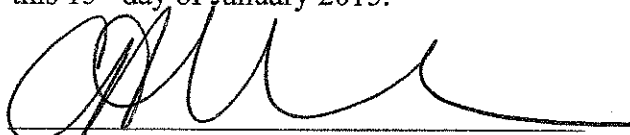


This is **Exhibit "K"** referred to in the
Affidavit of **JEANNINE RITCHOT**
Affirmed before me at the City of Ottawa,
in the Province of Ontario,
this 15th day of January 2015.

A handwritten signature in black ink, consisting of a large, stylized initial 'M' followed by a long, sweeping horizontal line that extends to the right.

A Commissioner for Taking Affidavits

October 1, 2010

**Compliance Verification and Voluntary Compliance Promotion Initiative
Marihuana Medical Access Regulations
Office of Controlled Substances**

In May and June of 2010, Health Canada's Regions and Programs Branch conducted a compliance verification / voluntary compliance promotion initiative under the *Marihuana Medical Access Regulations* (MMAR).

Compliance verification included the counting of marihuana plants at the identified production sites to verify conformity with Section 30 of the MMAR (Maximum Number of Plants); the terms and conditions of the licences, as outlined in Section 24 of the MMAR for personal-use production; and, Section 34(1)(a) of the MMAR for designated-personal production. For each compliance verification conducted, inspectors also provided promotional materials on what constitutes a plant and what is required of the licence holder in reference to the terms and conditions of their licence. In instances where compliance verification was not conducted, inspectors still undertook voluntary compliance promotion with the licensees.

A total of 75 clustered production sites were identified for the initiative, out of a total of 3,439 production sites licensed by Health Canada as per data available in May 2010. 35 sites were located in British Columbia (B.C.) and 40 in Ontario (ON). All the production sites identified for the initiative were considered to pose less risk, i.e., they were licensed production sites for a small number of plants (less than 50) and the licensee has no known law enforcement history per the Marihuana Medical Access Program records.

FINDINGS/OUTCOMES:

British Columbia

Compliance verification and voluntary compliance promotion were conducted at 6 of the 35 production sites and at a further 6 production sites, only voluntary compliance promotion was conducted.

Follow-up letters (monitoring letters) were sent to the 12 licensees visited, 4 of the letters acknowledging a non-compliant production site. As of September 29, 2010, HC has received only 3 written responses from licensees outlining corrective actions taken to achieve conformity to the Regulations. The Department is determining whether further follow-up with the 2 outstanding licensees is required. It is important to note that a response could not be legally compelled and can be voluntarily requested only.

In summary, compliance verification and/or voluntary compliance promotion was conducted at 12/35 (34%) of the identified production sites in B.C.

Ontario

Compliance verification and voluntary compliance promotion were conducted at 9 of the 40 production sites, and at a further 6 production sites, only voluntary compliance promotion was conducted. Follow-up letters (monitoring letters) were sent to the 15

licensees visited, 3 of the letters acknowledging a non-compliant production site. As of September 29, 2010, HC had received a verbal response from one of the non-compliant licensees outlining corrective actions taken to achieve conformity with the Regulations. As above, the Department is determining whether further follow-up with the other outstanding licensees is required.

In summary, compliance verification and/or voluntary compliance promotion was conducted at 15/40 (37.5%) of the identified production sites in Ontario.

Overall

Out of the 75 production sites identified in B.C. and ON, the door was answered at 27 of them, or 36%.

The licensees at 15 of these 27 production sites provided written consent to enter their dwellings to conduct compliance verification and voluntary compliance promotion, 14 of which were personal-use production sites and 1, a designated-person production site. Almost half, or 7 of these 15 licence holders were growing more plants than allowed under their licences. Most of the licensees were aware of the regulations, but did not have a good understanding of Health Canada's definition of a marijuana plant, which could possibly account for the excess number of plants that had been grown. For instance, clones or immature plants were deemed by individuals as not having been accounted for within their licence terms and conditions. In many instances as well, licensees requested further information and an inspection of their electrical wiring. HC informed the licensees in these circumstances that it would be preferable that an electrician or a certified governing body in electricity be contacted as they were not experts in electrical issues.

The number was low in terms of successful answers at the door. This could possibly be because the initiative was conducted during the day, in prime working hours and licensees were not at home; that perhaps many of the licensees were not present at the production site when the initiative was conducted, that awareness was low as the launch of the initiative was not pre-announced, or that social media traffic (blogs) at the time suggested that individuals should not respond. In addition, production sites in apartment buildings and rural areas posed notable technical challenges for the inspectors. The rural production sites also added safety concerns for the inspectors. At 2 of the 75 locations sites, inspectors did not attempt to approach the site as they were uncomfortable in assessing the exterior environment at both places.

Where licensees did open the door, it is important to note that they were generally receptive to the verification and voluntary compliance promotion initiative. Not all of the licensees who were present at the production sites were willing to provide consent for verification of compliance.

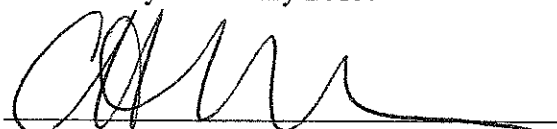
October 1, 2010

COSTS:

The total cost of the initiative was \$119,693. When considering only the production sites where compliance verification and voluntary compliance promotion was conducted, the cost of conducting compliance verification was \$7,980 per production site, at a success rate of 20% (i.e. a total of 15 compliance verification and voluntary compliance promotion activities were performed at the 75 sites identified).

Were this cost extrapolated to conduct compliance verification and voluntary compliance promotion at all 3,439 sites (2,680 sites for personal-use production and 759 for designated-person production sites, as of May 2010), a total of \$27.4 million would be required, assuming that Health Canada was successful in entering each and every dwelling upon the first visit. Increased success rates would also likely only be achieved if visits were conducted during staggered times and later throughout the day or early evening. Cost could be reduced by instituting a 3-year inspection cycle. This would be an annual investment of \$9.1 million per year. Furthermore, taking into account the fact that the number of medical marihuana applicants is increasing at a rate of 50% each year, a risk-based compliance regime would be preferable.

This is **Exhibit "L"** referred to in the
Affidavit of **JEANNINE RITCHOT**
Affirmed before me at the City of Ottawa,
in the Province of Ontario,
this 15th day of January 2015.



A Commissioner for Taking Affidavits



January 12, 2015
File: 0400-20

Health Canada
Office of Medical Cannabis
Attention: Eric Costen, Executive Director
Mail Stop 0300A
K1A 0K9

Dear Mr. Costen:

Re: City of Abbotsford Public Safety Inspection Program

I write in response to your request for information about the City of Abbotsford's Public Safety Inspection Program, including its experience inspecting home-based medical marijuana grow-operations.

The City's Controlled Substance Property Bylaw, 2004 was adopted in 2005 and subsequently replaced with the Controlled Substance Property Bylaw, 2006 ("**the bylaw**") with the intent of regulating and remediating health, safety and nuisance concerns associated with properties in the City of Abbotsford used for the cultivation, production, use, sale or trade of a controlled substance, including the cultivation of marijuana and the production of methamphetamines or dextro amphetamines.

I have been the City Clerk since 2006. As the City Clerk, I am the municipal officer assigned the responsibility of corporate administration for the City of Abbotsford, which includes the following powers, duties and functions under section 148 of the *Community Charter*:

- (a) ensuring that accurate minutes of the meetings of the council and council committees are prepared and that the minutes, bylaws and other records of the business of the council and council committees are maintained and kept safe;
- (b) ensuring that access is provided to records of the council and council committees, as required by law or authorized by the council;
- (c) administering oaths and taking affirmations, affidavits and declarations required to be taken under this Act or any other Act relating to municipalities;
- (d) certifying copies of bylaws and other documents, as required or requested;
- (e) keeping the corporate seal, if any, and having it affixed to documents as required; and
- (f) accepting, on behalf of the council or municipality, notices and documents that are required or permitted to be given to, served on, filed with or otherwise provided to the council or municipality.

As well, the Manager of the City's Bylaw Services Division, which coordinates all bylaw enforcement activities, reports to me.

By way of background to the introduction and adoption of the bylaw, the location of marijuana grow operations, both legal and illegal, are typically not known to the public or municipal authorities. The City is concerned about building, plumbing and electrical alterations being undertaken without permits or inspections and without regard to air quality, fire and other hazards that may result from improper or insufficient:

- hot water, propane burner and furnace ventilation;
- storage of dangerous chemicals;
- construction or installation of safety traps;
- fire stopping to prevent the spread of fire;
- sprinkler systems;
- access to stairs and exits; and
- air gaps or backflow prevention to domestic water supply from fertilizer mixing tanks.

The growing of marihuana typically produces significant heat and humidity, which can result in the growth of mould, fungi and air and water-borne toxins. In addition to the health and safety risks to owners and occupiers, the City is concerned about unsuspecting third parties purchasing or renting such premises and being exposed to health and safety risks from unremediated marihuana grow operations. The City is also concerned about nuisances associated with marihuana production and use, including odours, which affect and result in complaints from neighbours. Among the City's purposes under the *Community Charter* are fostering the economic, social and environmental well-being of the community and providing for services, laws and other matters for community benefit.

Following the adoption of the bylaw the City established a formal inspection team for the sole purpose of conducting safety inspections and carrying out compliance actions under the bylaw. The City's Public Safety Inspection team consisted of a City Bylaw Officer, Building Inspector and Fire Prevention Officer acting under the authority of the *Community Charter*, *Fire Services Act*, *Building Code* and the bylaw. Records of each inspection were kept and I consulted these records in drafting this letter.

In addition to grow-ops that were not authorized under the federal *Controlled Substances Act*, the Public Safety Inspection Program team conducted health and safety inspections of properties licensed by the federal government to grow marihuana for medical purposes under the *Marihuana Medical Access Regulations* (MMAR). In accordance with procedure established under the Program, the team did not inspect such properties to determine compliance with the MMAR licensing requirements. Fees under the bylaw were typically not charged and "No Occupancy" signs were not posted unless inspectors identified a significant violation of the bylaw, *Fire Services Act* or *Building Code*. Similarly, the bylaw requirement for certification by an Industrial Hygienist was not enforced unless inspectors observed mould.

While the formal Public Safety Inspection Team was disbanded in approximately late 2008 or early 2009, the City continues to conduct inspections and take compliance action on a calls-for-service basis. With respect to licensed medical marihuana grow operations, such calls predominantly concern complaints about odours associated with marihuana production. The City has also become aware of grow operations as a result of its regular, proactive water monitoring. Excessive water use can be a sign of a water leak and it is also associated with marihuana production. Complaints with respect to illegal grow operations, as opposed to those licensed to grow medical marihuana, are referred to the Abbotsford Police Department.

Specific health, safety and nuisance issues associated with properties used for the cultivation, production, use, sale or trade of controlled substances, particularly marihuana, that are of concern to the City are delineated under Schedule "C" of the bylaw as follows:

- Structural (load bearing) elements;
- Plumbing, heating and ventilation systems;
- Smoke alarms (to the requirements of the current British Columbia *Building Code*);

- Insulation, vapour barriers and drywall;
- Windows, doors and stairs (to the requirements of the current British Columbia *Building Code*);
- Handrails and guards; and
- Electrical systems.

Medical marihuana grow operations licensed by Health Canada share many of the same health and safety risks as illegal grow operations. According to our inspection records, since the adoption of the bylaw in 2005 to date, the City has conducted eight safety inspections related specifically to licensed medicinal grow operations. In all of these cases the owner or occupant of the property gave the City bylaw enforcement officers permission to conduct the health and safety inspections.

The health, safety and nuisance concerns that were found in the course of inspecting these federally licensed medical marihuana grow-ops are summarized as follows:

Electrical work:

- Unsafe Electrical wiring: wiring not to code, considerable electrical load being drawn, breakers and wiring hot to the touch, subpanel missing panel leaving energized bus bar exposed; electrical branch circuit wiring supplying the grown lights not to code; wiring methods incorrect with many exposed open connections (residential property inspected on 2013 08 14; refer to photos attached as Schedule A);
- Electrical work done without a permit or inspection; and
- Unsafe electrical wiring, safety concern for fire and shock hazard, qualified electrician to restore/upgrade all electrical circuitry to the satisfaction of the electrical inspector (industrial properties inspected on 2014 08 28).

Plumbing, heating and ventilation systems:

- Hot water tank disconnected and venting into the grow room leaving the occupants of the house in danger of carbon monoxide poisoning (residential property inspected on 2013 08 14; refer to photos attached as Schedule A);
- Numerous serious plumbing code violations, including direct connection of domestic water lines to fertilizer mixing tanks without proper air gaps or backflow prevention, which poses a serious health risk to the City's domestic water system (industrial properties inspected 2014 08 28);
- Unvented propane burners installed in grow up rooms (industrial properties inspected 2014 08 28);
- Insufficient vent clearance to combustibles (residential property inspection 2014 09 04); and
- need to install cap on b vent (residential property inspected on 2014 10 01).

Building Code including structural elements:

- Wall stud removed in one of the interior bearing walls; door installed at bottom of the interior stairs leading to the basement. A landing is required in front of this door (residential property inspected on 2013 08 14; refer to photos attached as Schedule A);
- No inter-connected smoke alarms; no fire extinguishers (residential property inspection 2014 09 16);
- Occupants made structural changes without permits to three industrial units in same building; No sprinkler system in grow room as required, no access ladder or stairs for service to mezzanine floor (industrial properties inspected 2014 08 28); and
- Plumbing and partition walls were installed without building permit (residential property inspected 2014 09 04).

Nuisance

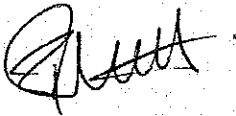
- Complaint of very strong smell of growing marihuana inside dwelling (inspection conducted 2010 02 04);
- Neighbour complaint that "Harvested about 3 weeks ago, odour overpowering" (complaint received 2014 07 28; bylaw enforcement officer wrote to property owner about complaint 2014 07 31; complainant advised that odour still very strong especially when outside 2014 08 18; new complaints about odour received from different neighbours 2014 09 03; called home owner 2014 09 08; inspection notice delivered 2014 09 13; bylaw enforcement officer attended residential property and concluded strong odours due to filters not being installed or changed often enough 2014 09 16);
- Complaint of strong odour of marihuana emanating from house especially when the weather gets hot (complaint received and processed 2014 07 29);
- Complaint of overpowering odour causing illness; might be due to improper filtration on mechanical system (residential property complaint received 2014 09 22); further complaint from different neighbour about house emit[ting] "a bad pot smell almost continually; smell described as "overpowering" when walking near home (2014 09 22); inspection suggested ozone machine and ozone scrubber (residential inspection 2014 10 03).

The owners are responsible for payment of required permits and any remediation required for those properties that require them. The City charges a fee of \$1000 when an owner requests an inspection by the City to provide an occupancy permit once an MMGO has been dismantled and all remediation including clean up by hygienist and electrical work has been completed.

Attached for your reference is information from our files regarding inspections noted above.

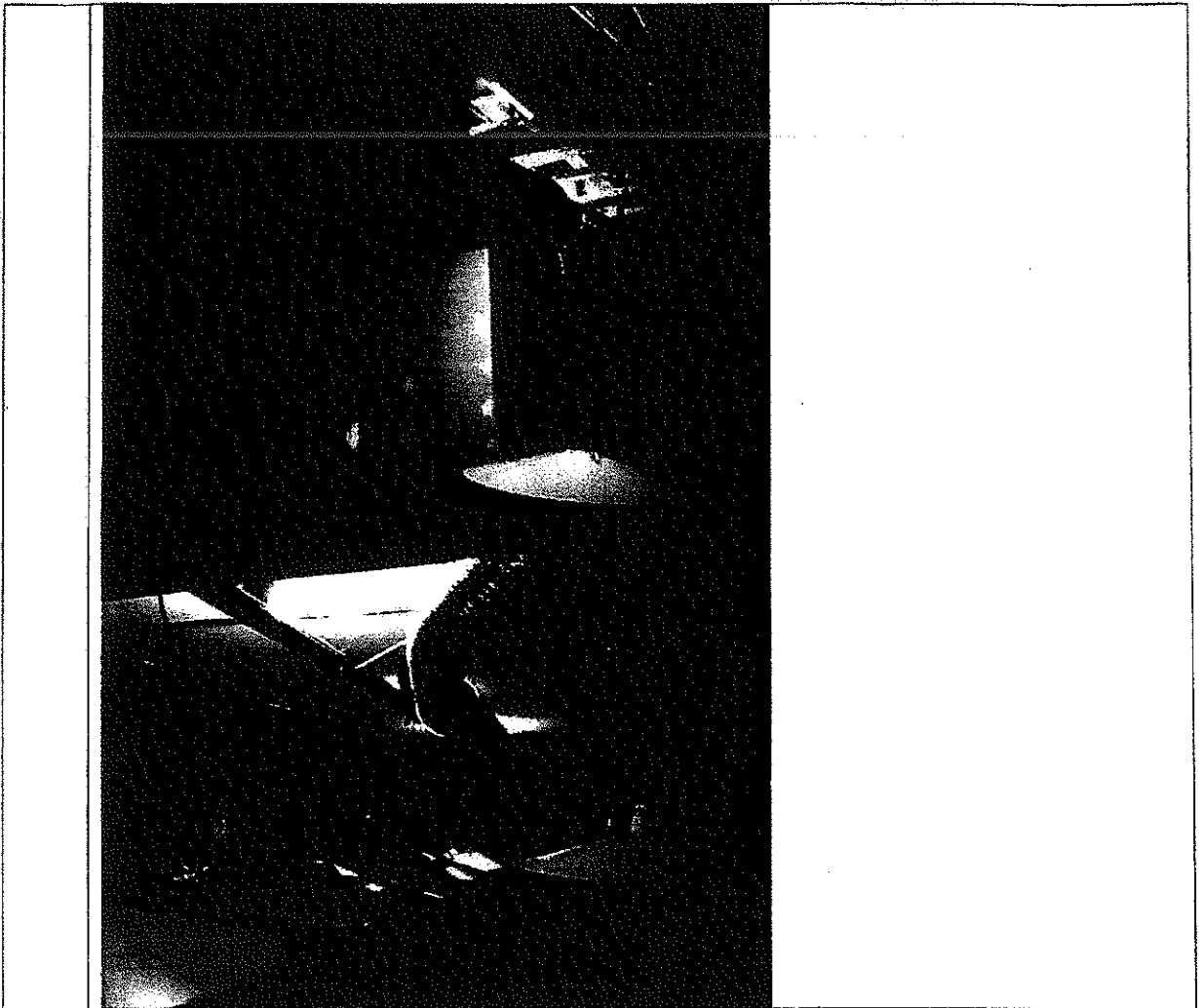
Should you require anything further in this regard, please contact me as necessary.

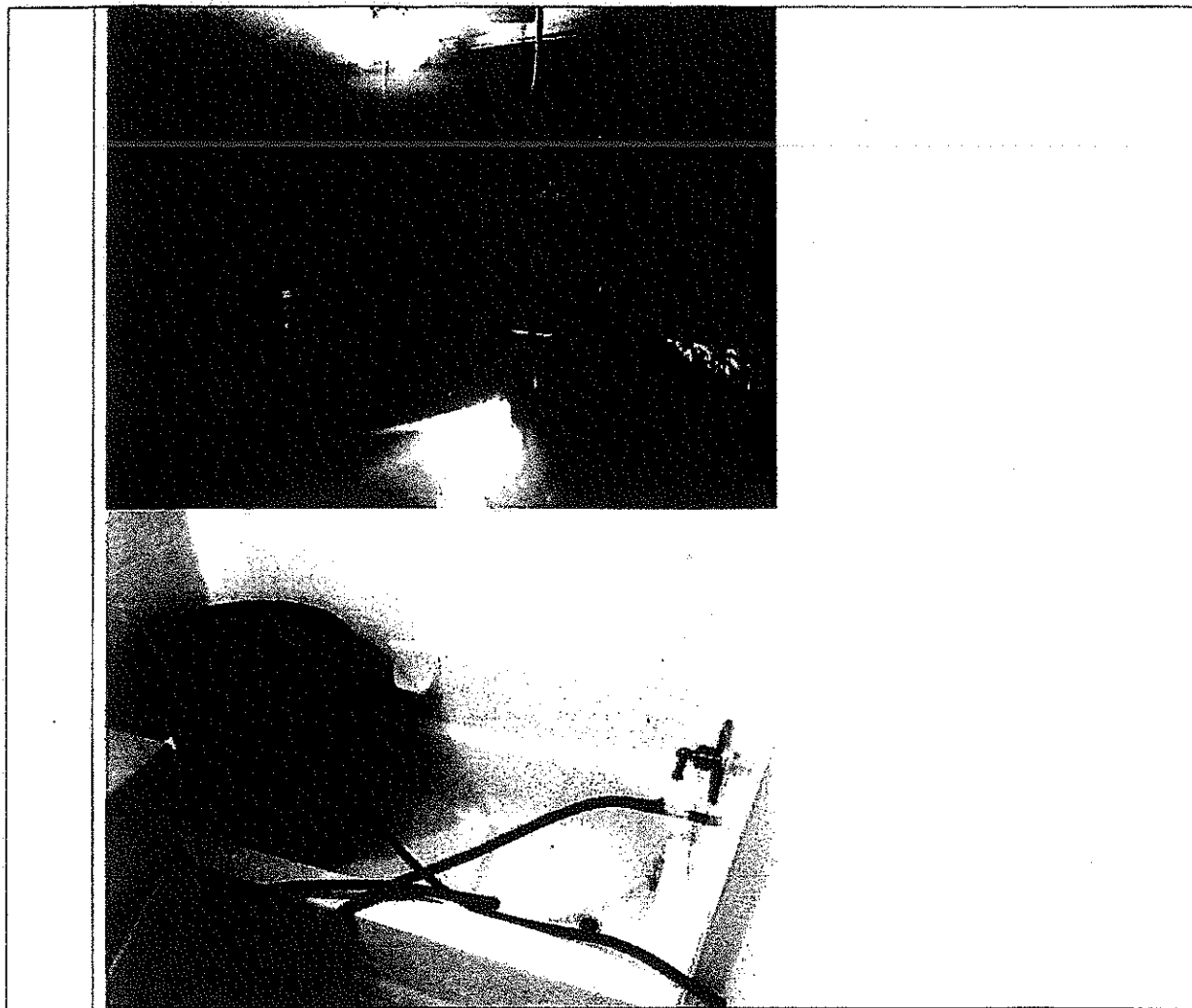
Yours truly,

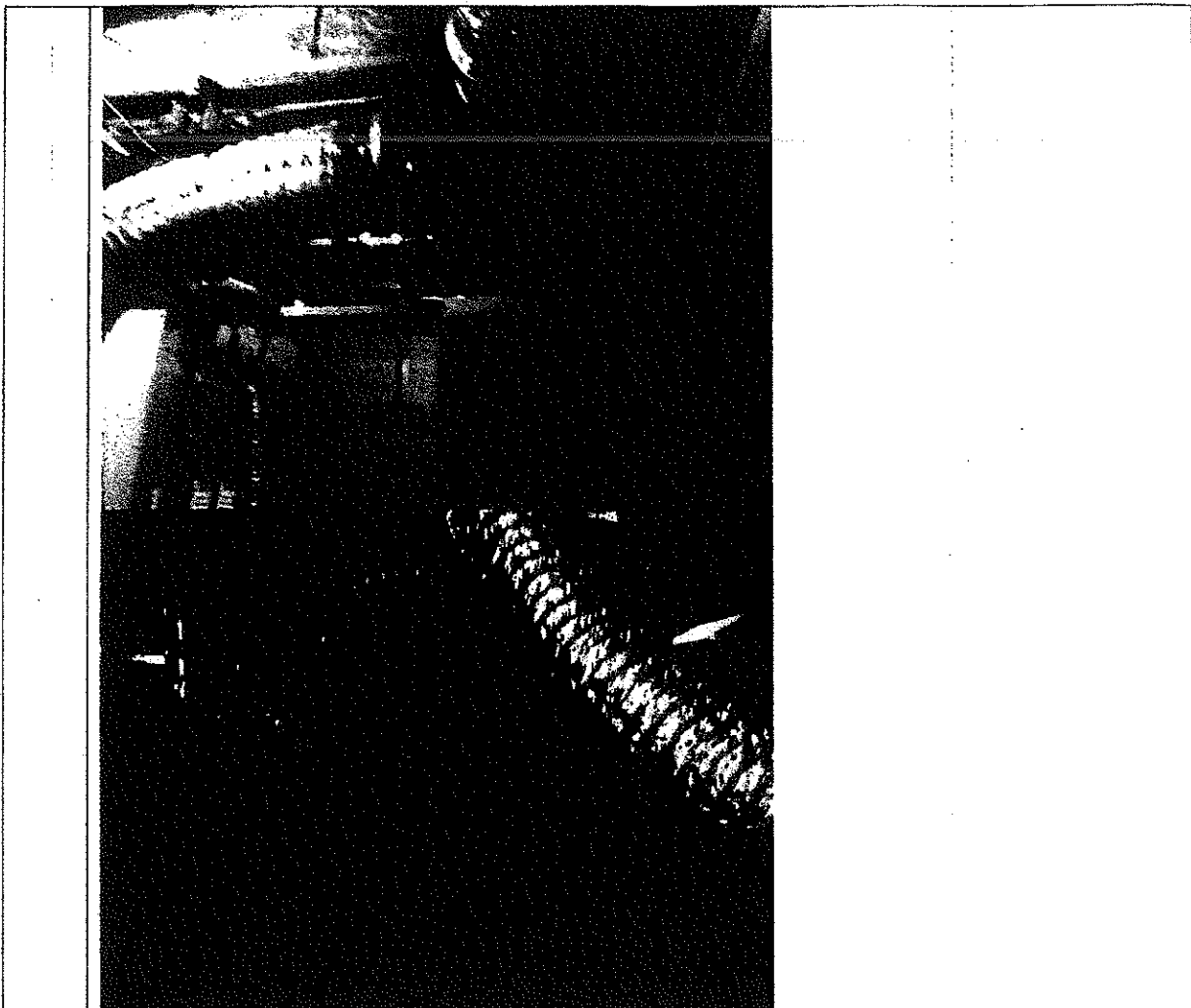


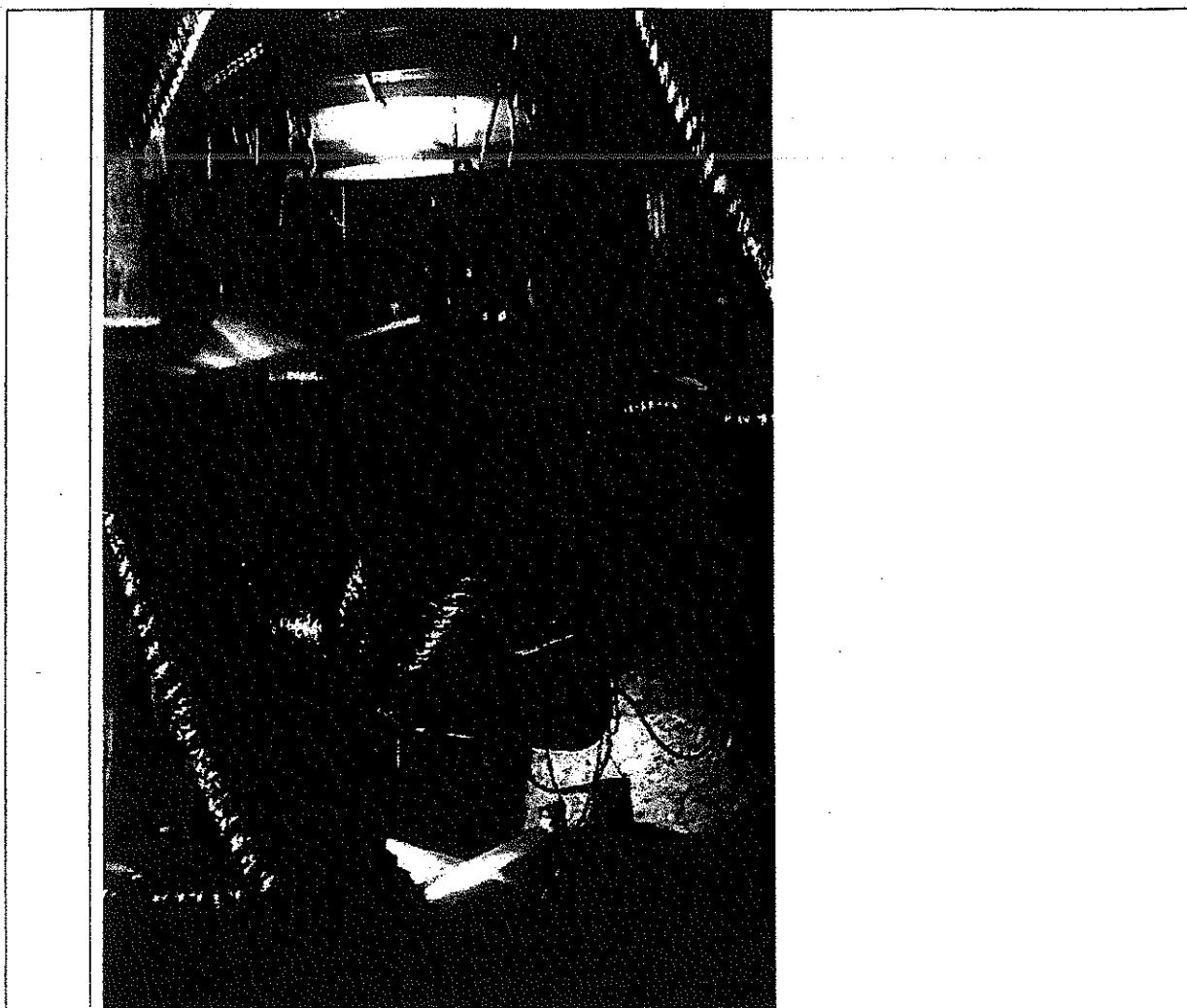
Bill Flitton
Director, Legislative Services/City Clerk

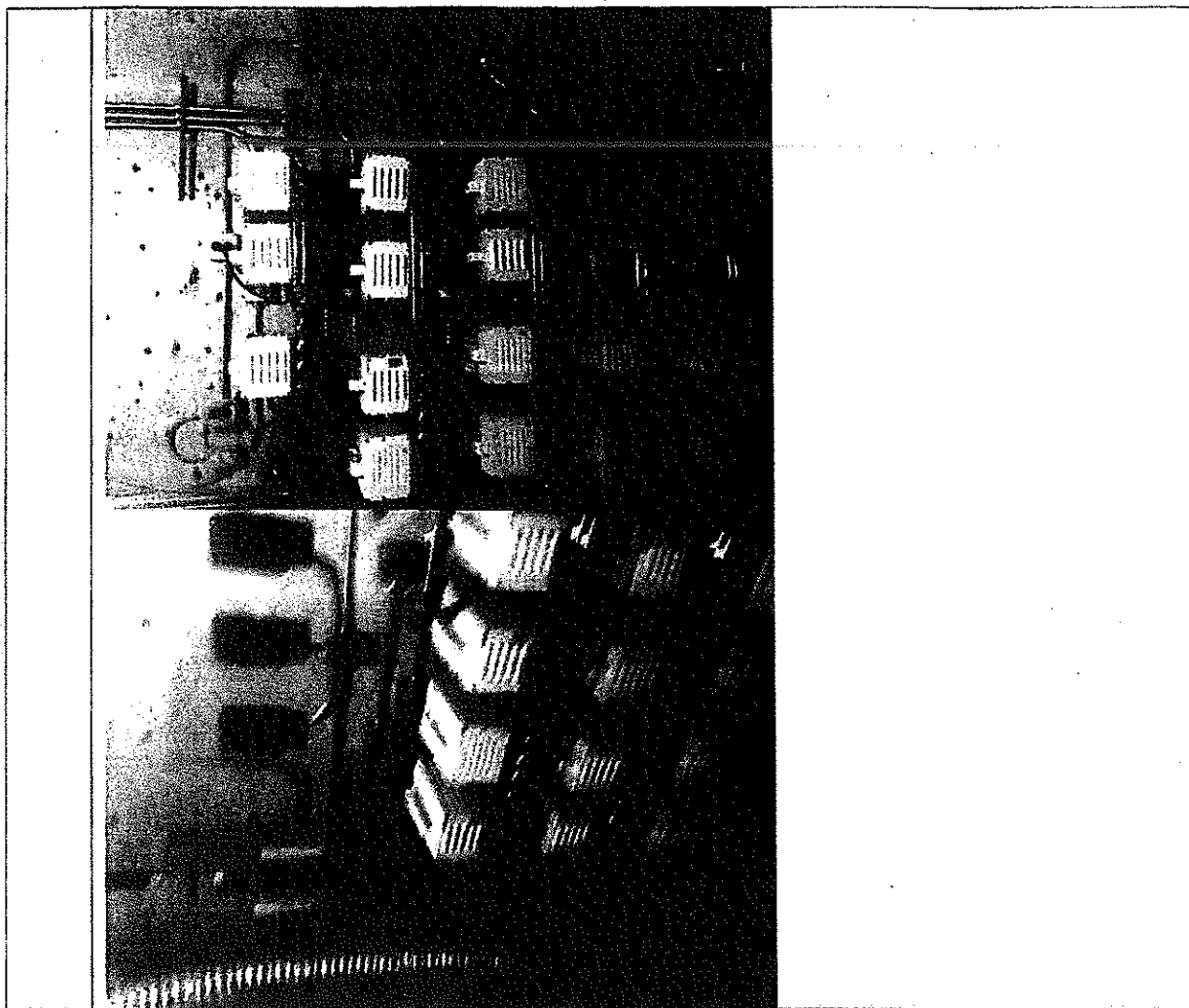
c. J. Rudolph, Deputy City Manager
City of Abbotsford



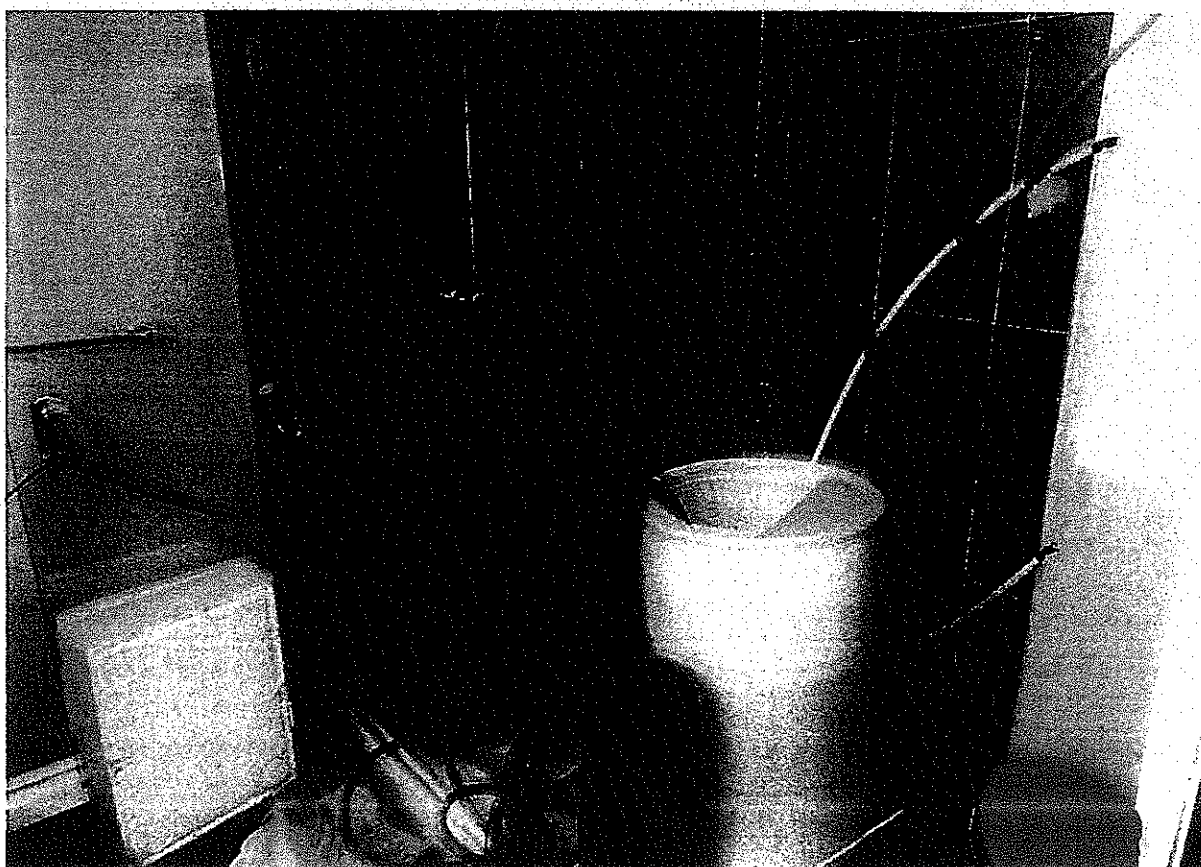
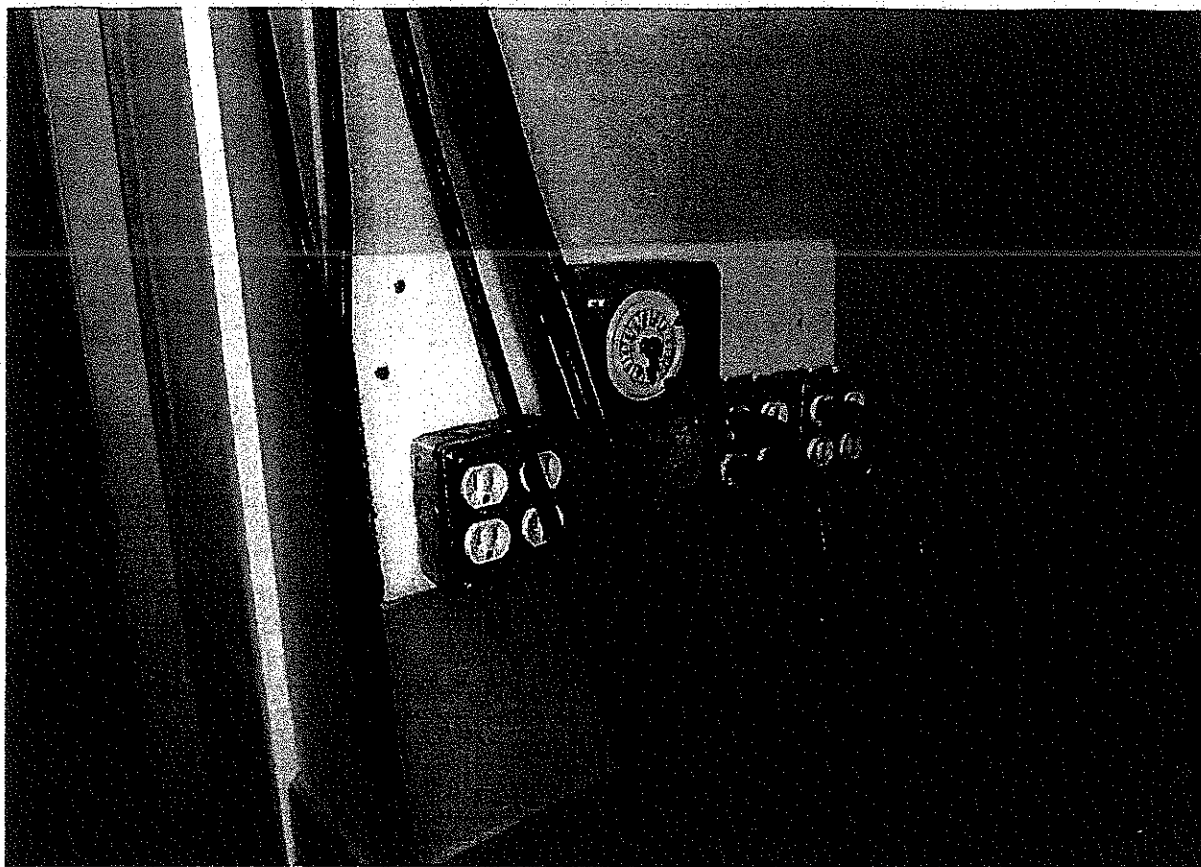


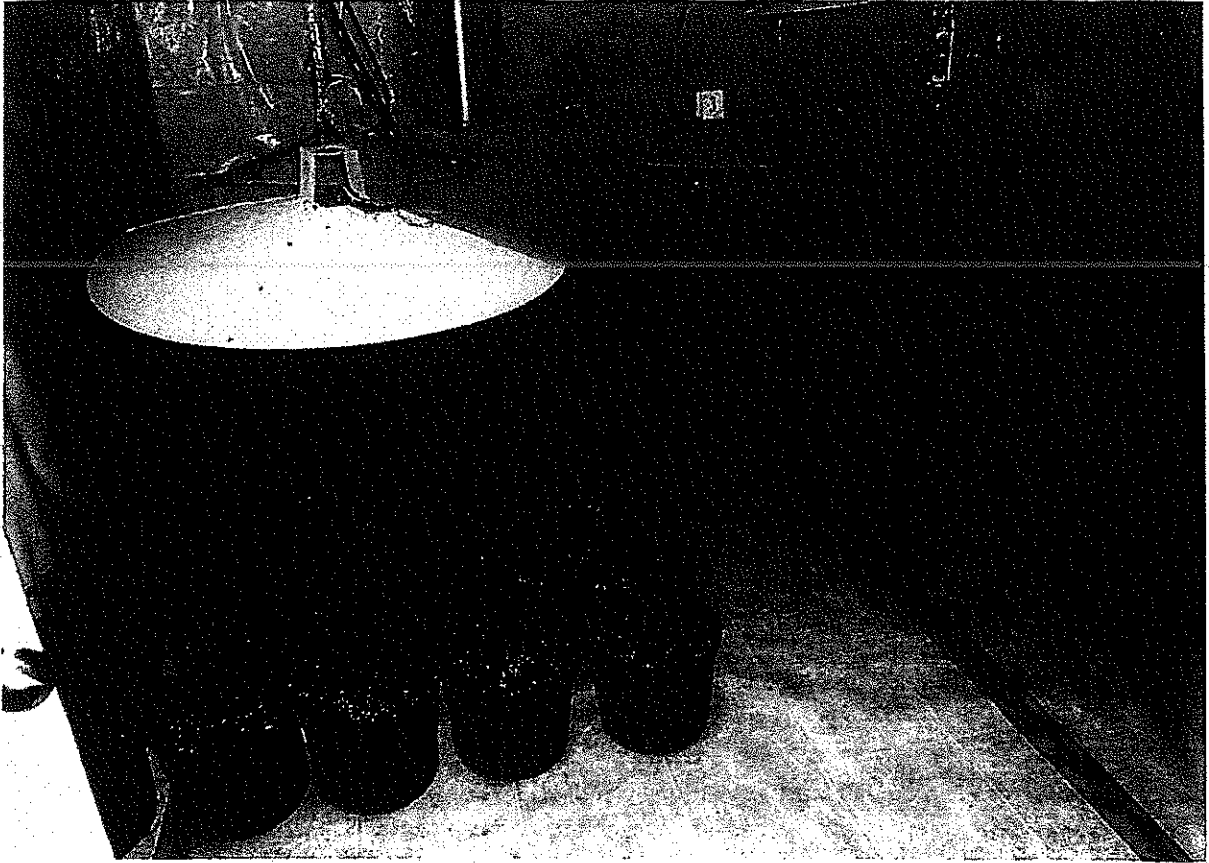


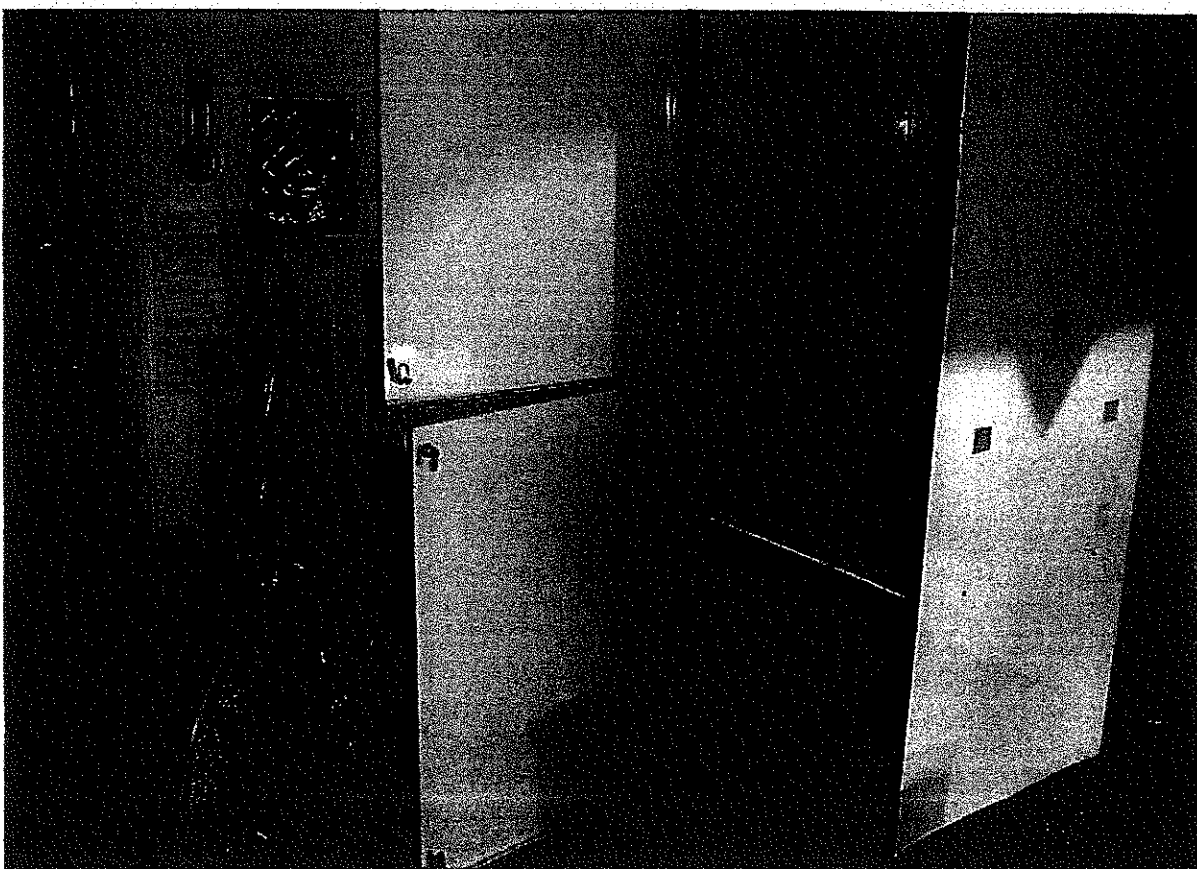
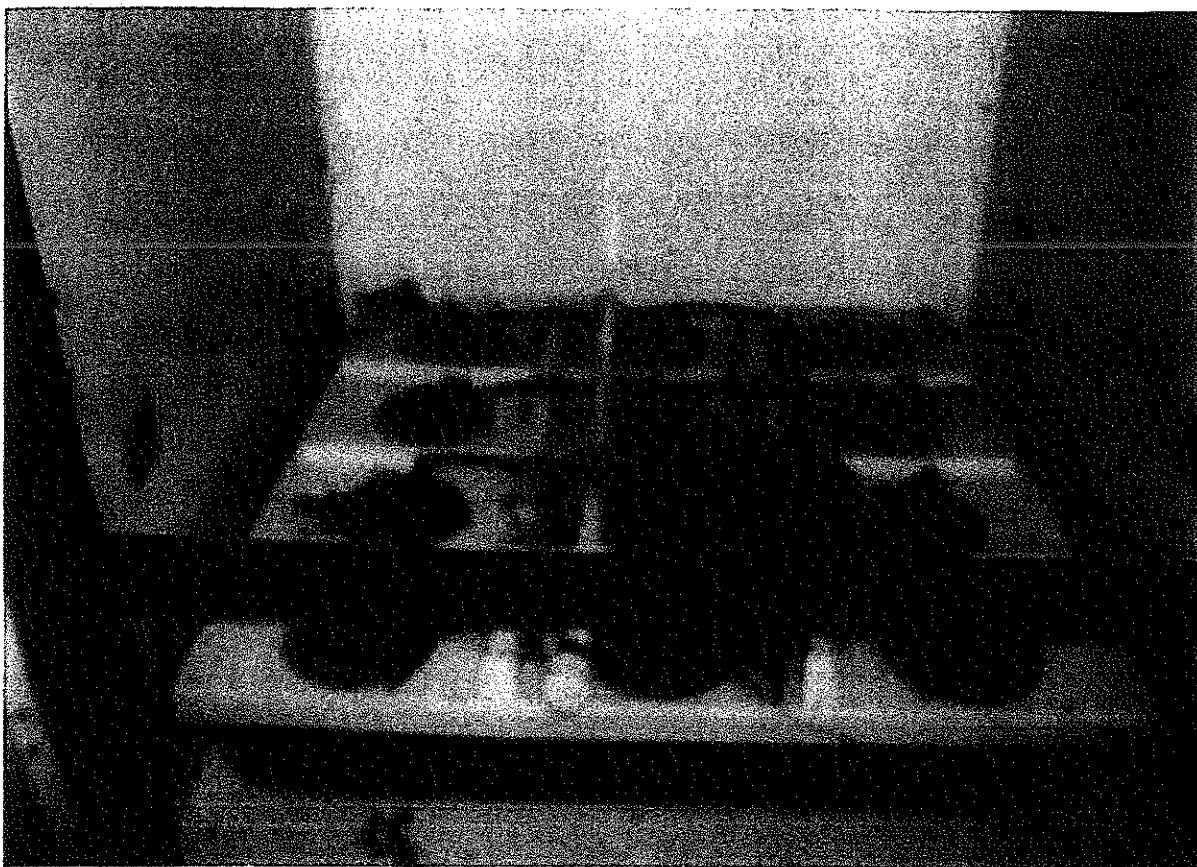


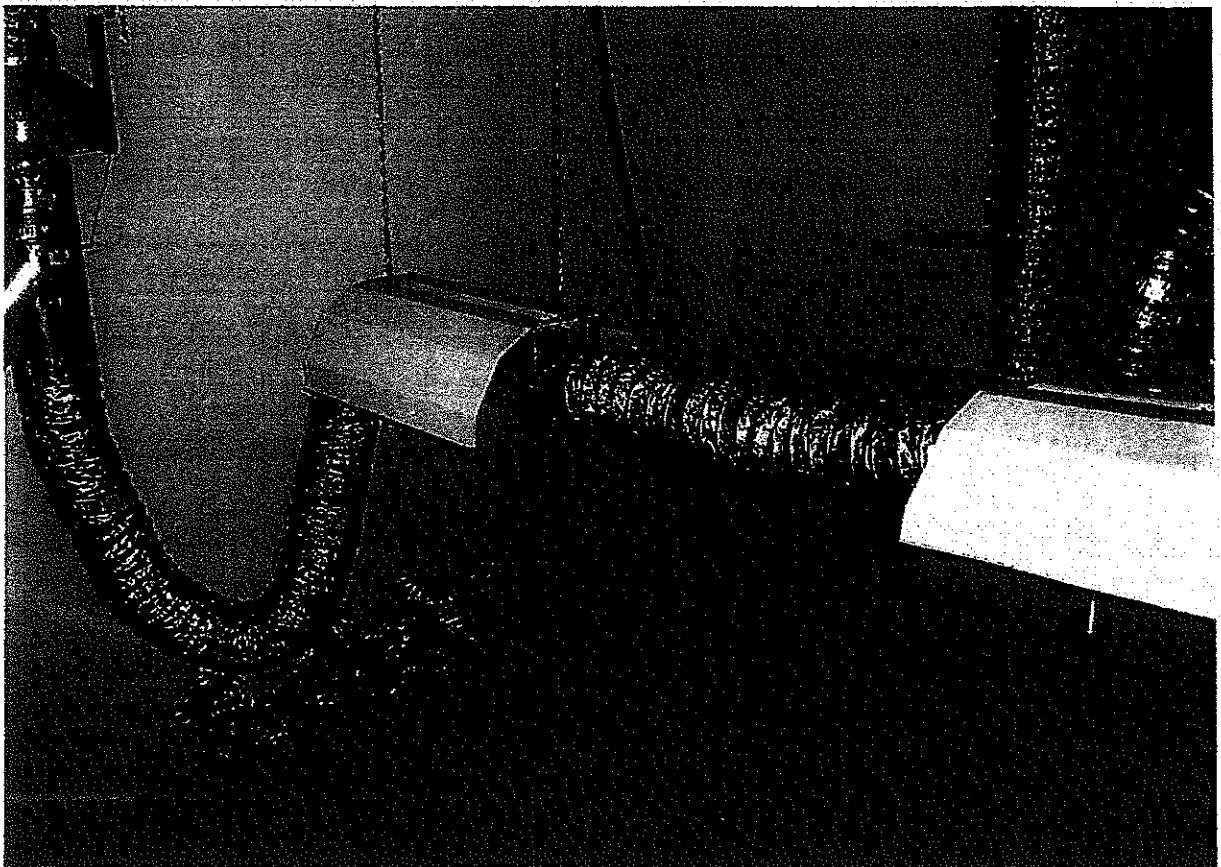
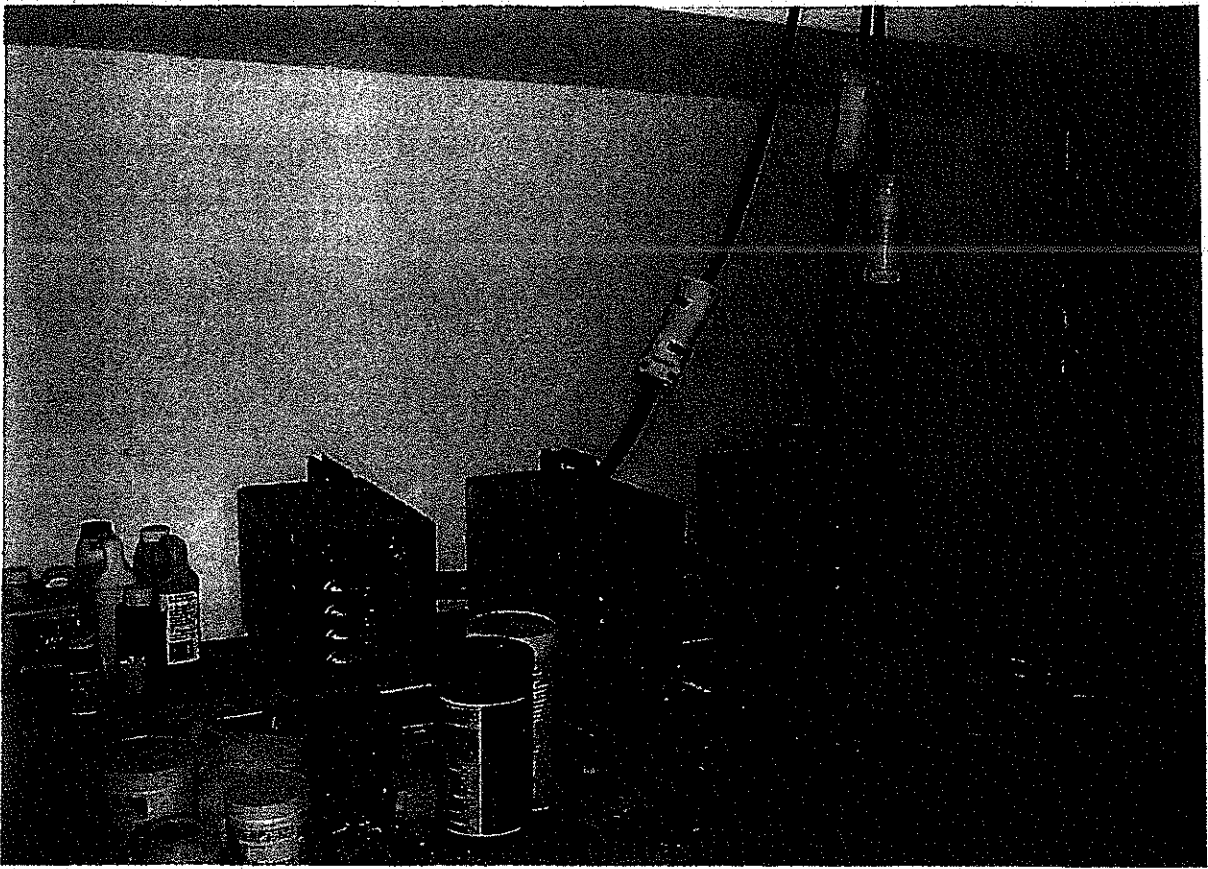


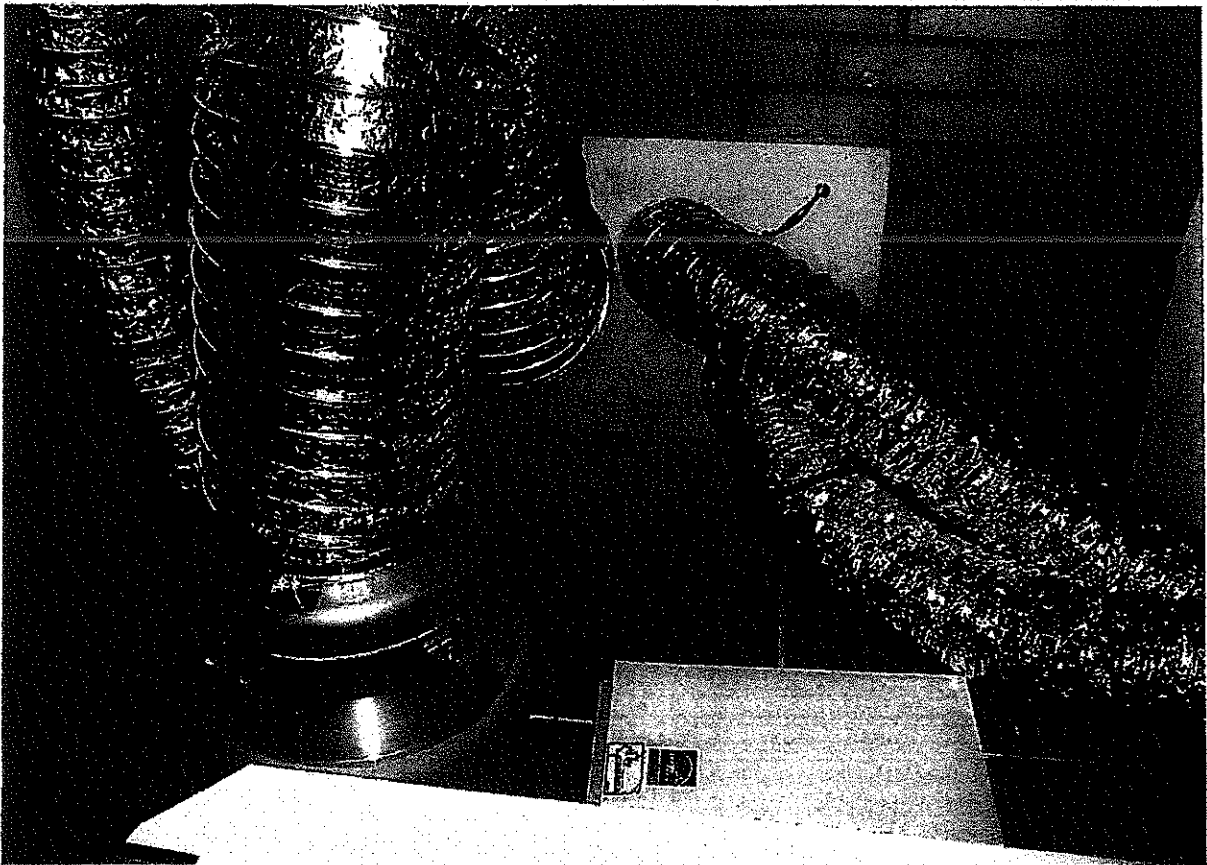


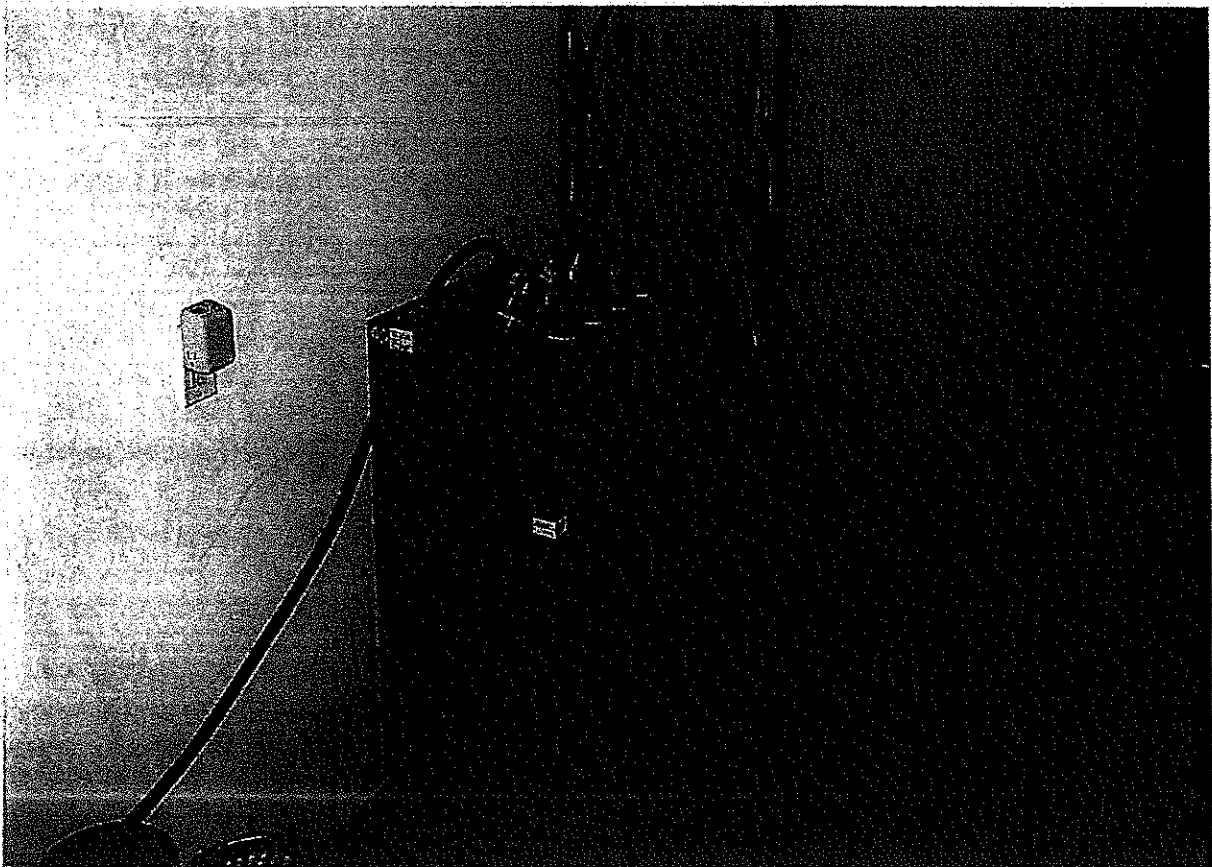






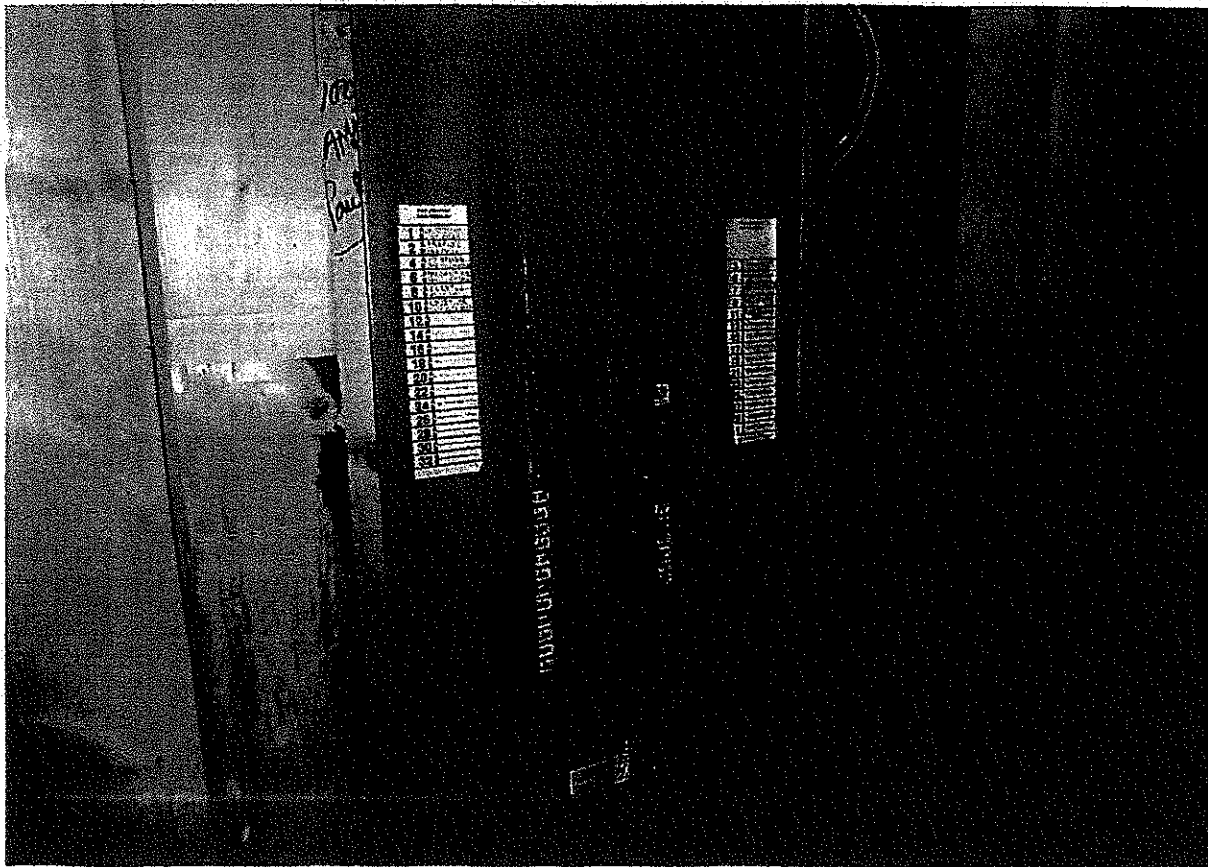


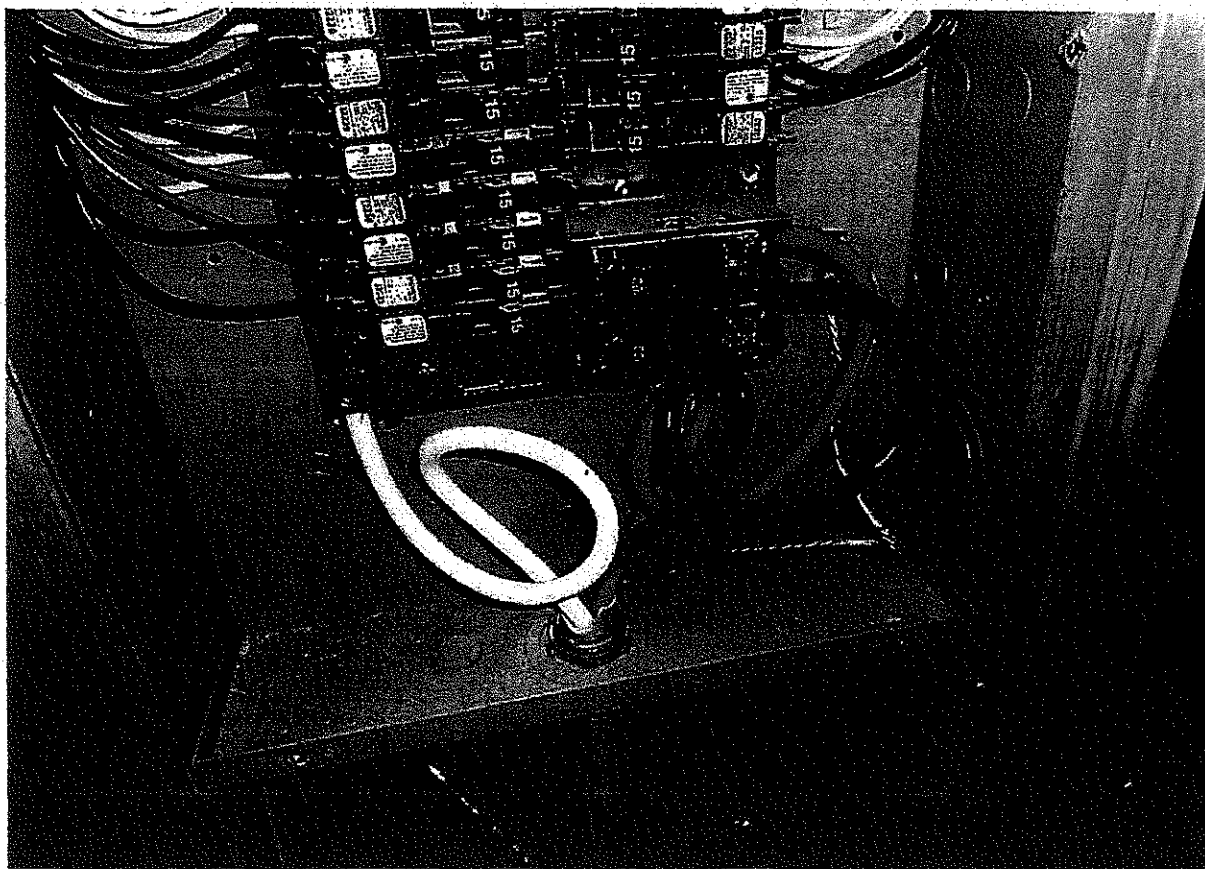
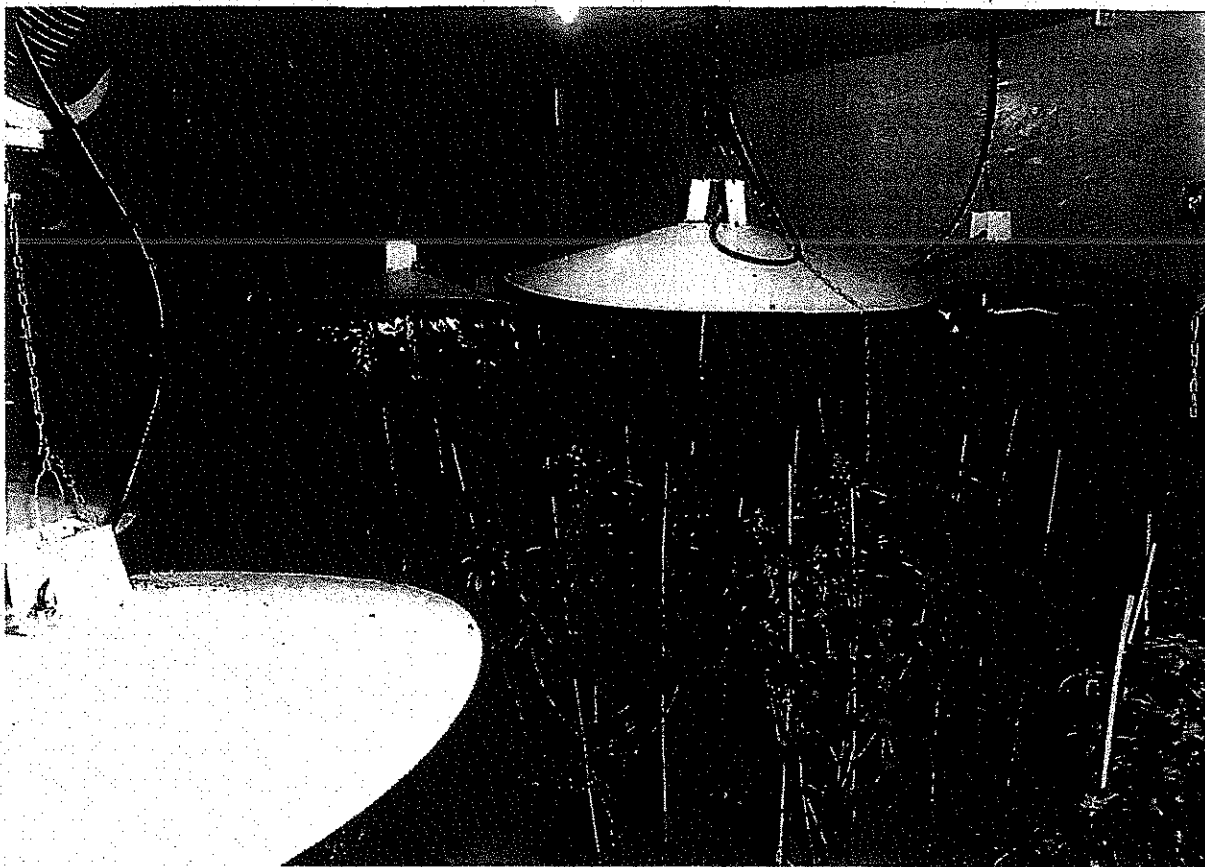


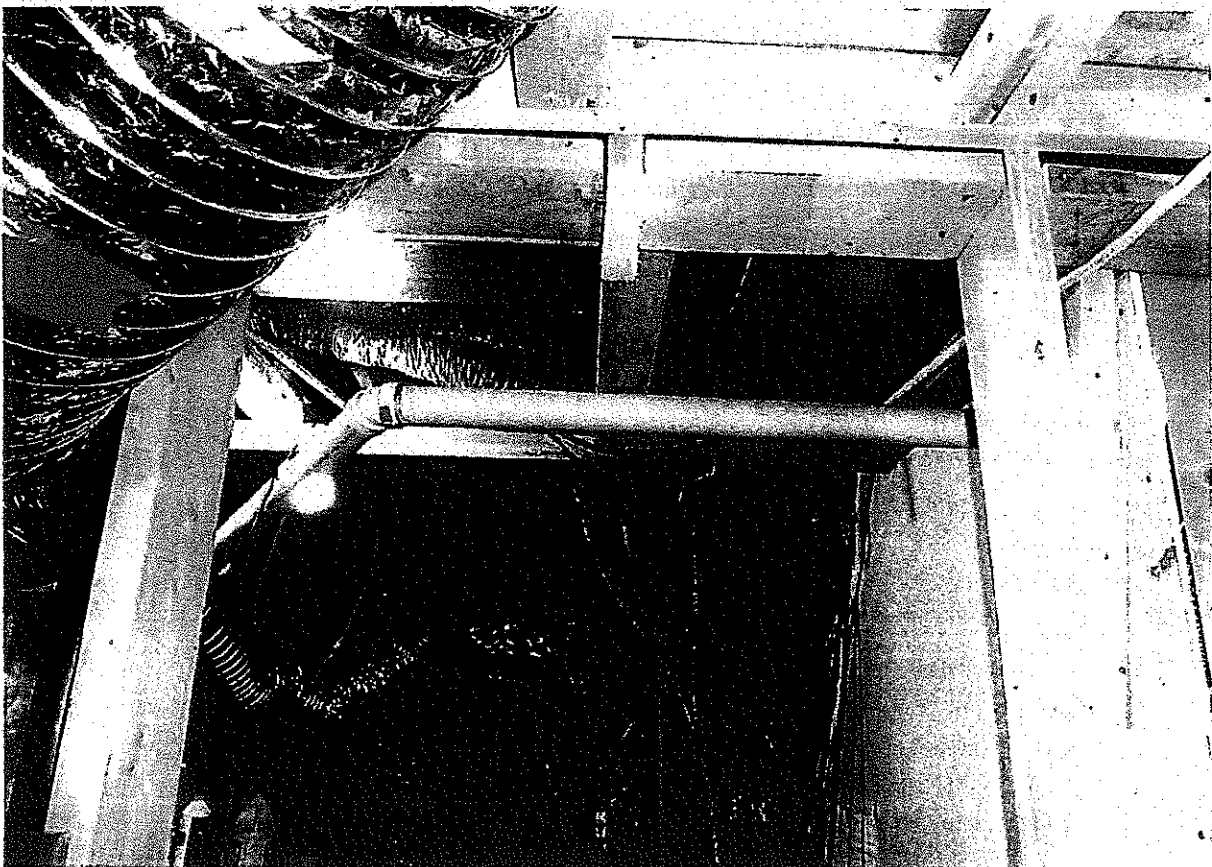


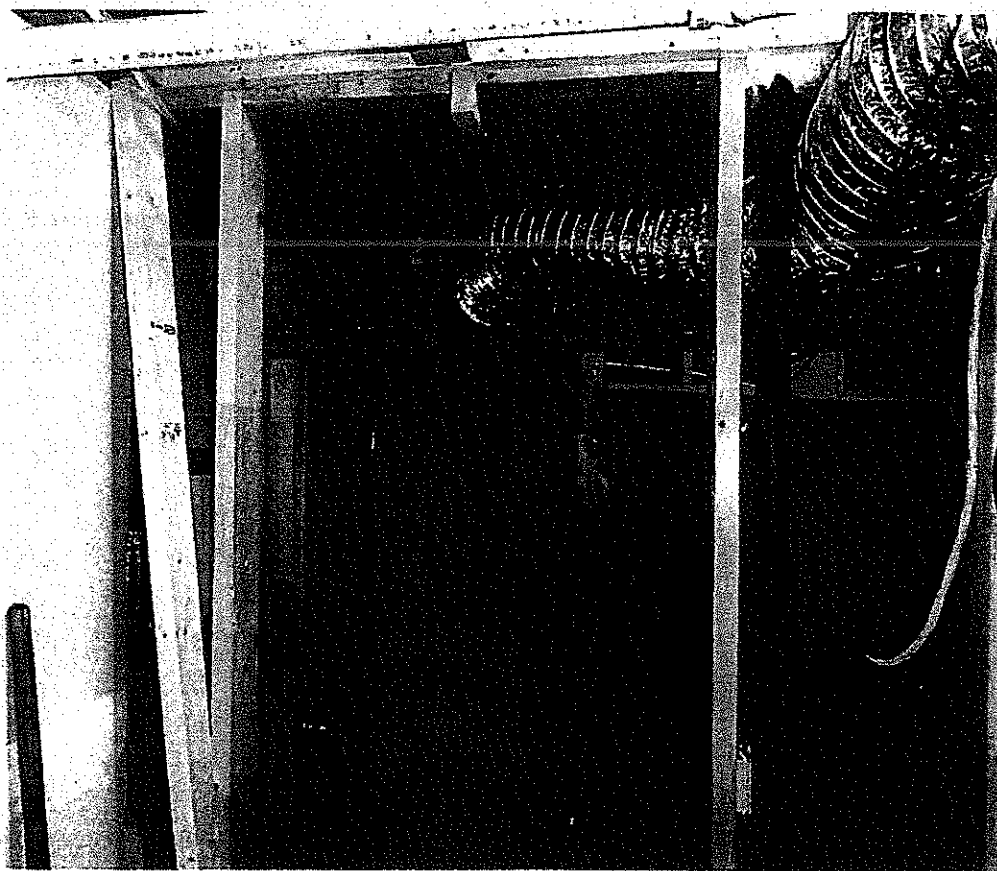


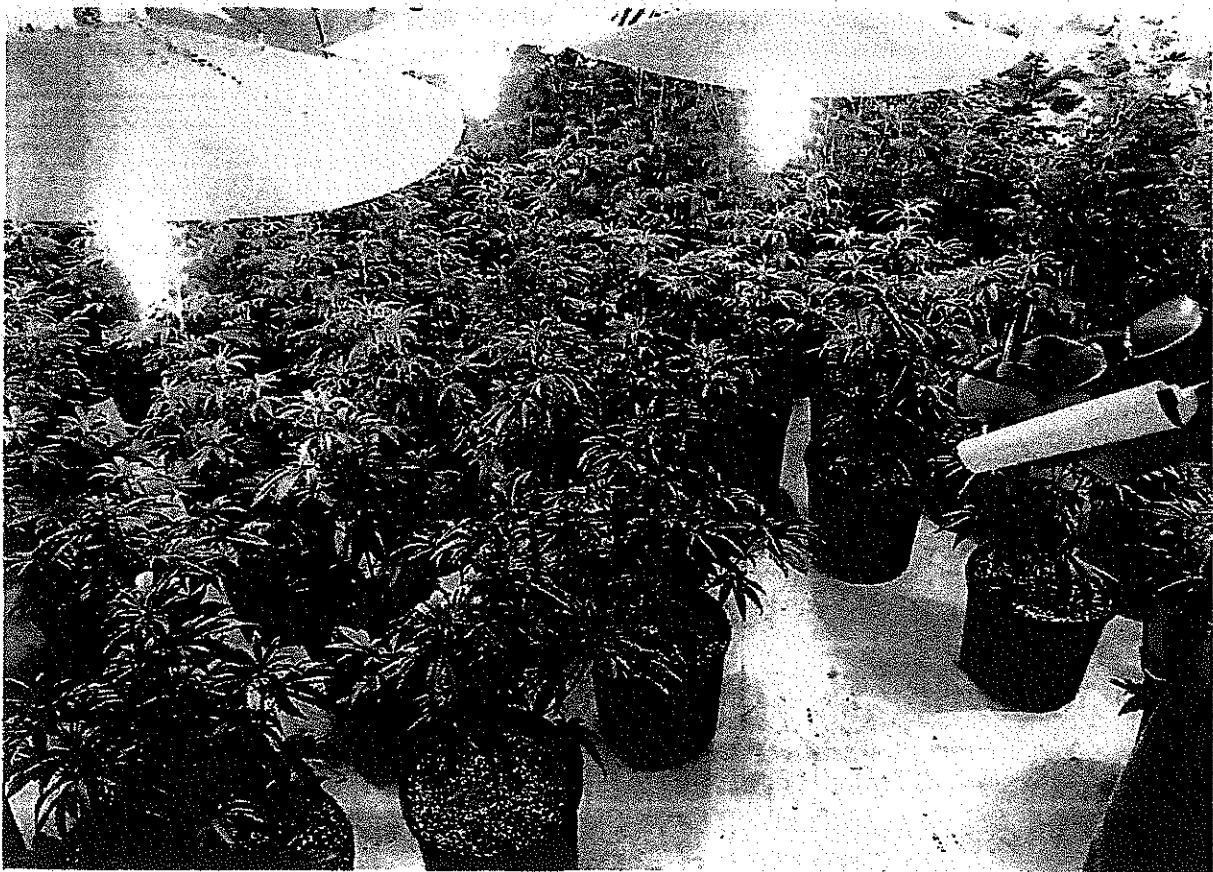
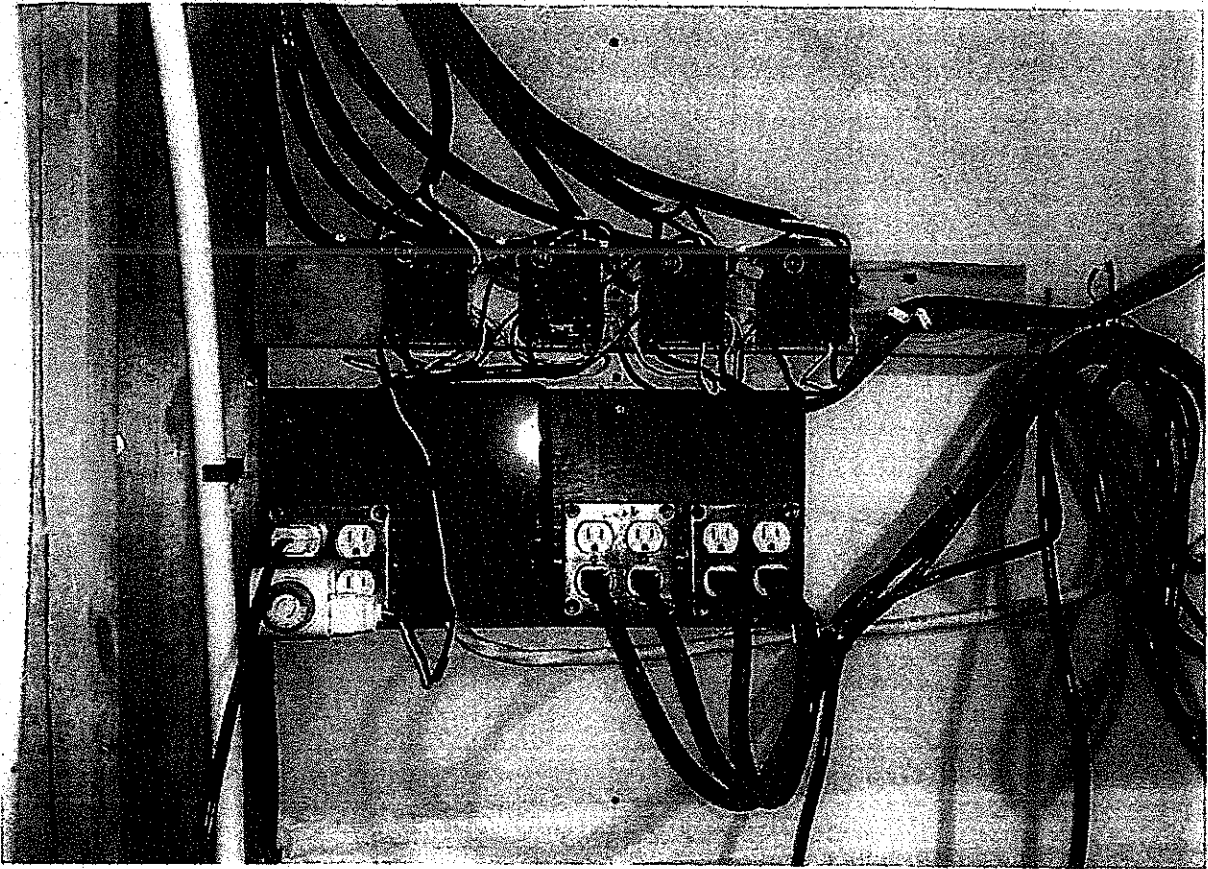


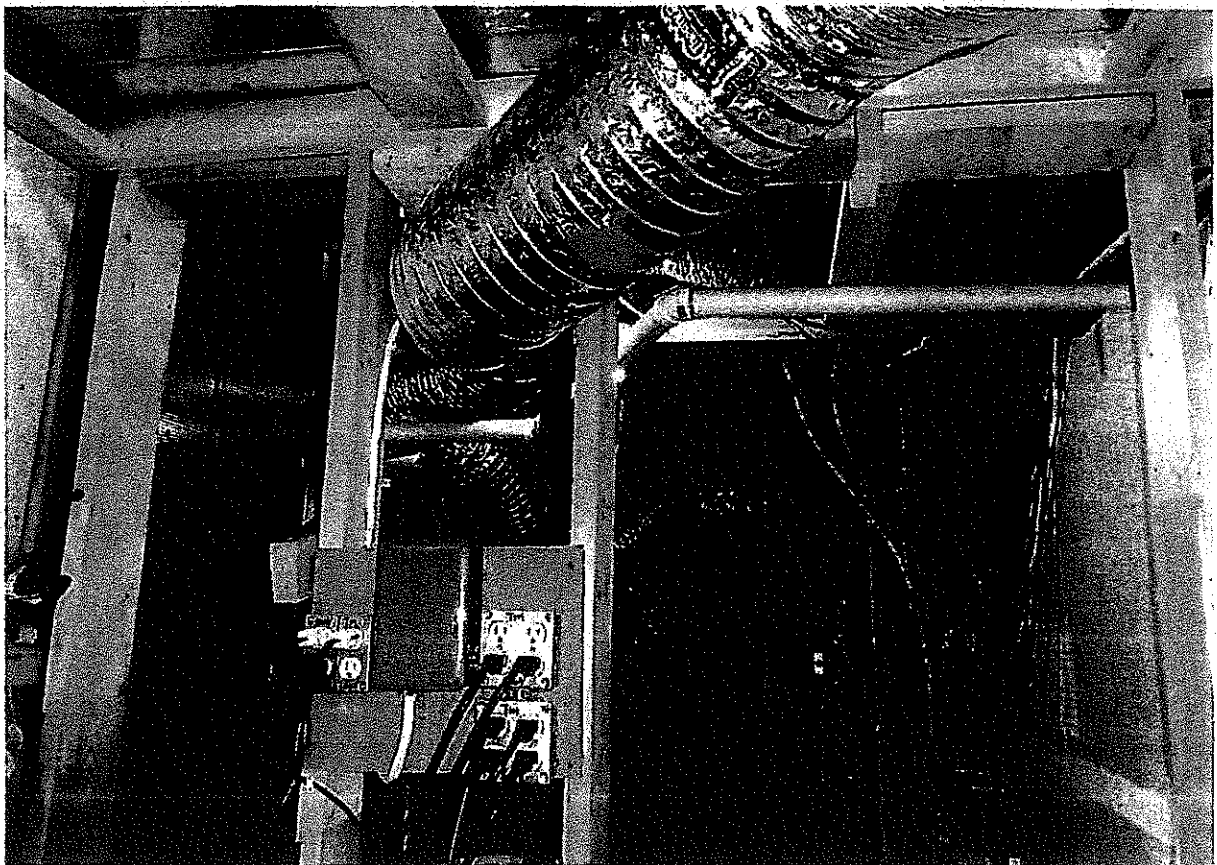
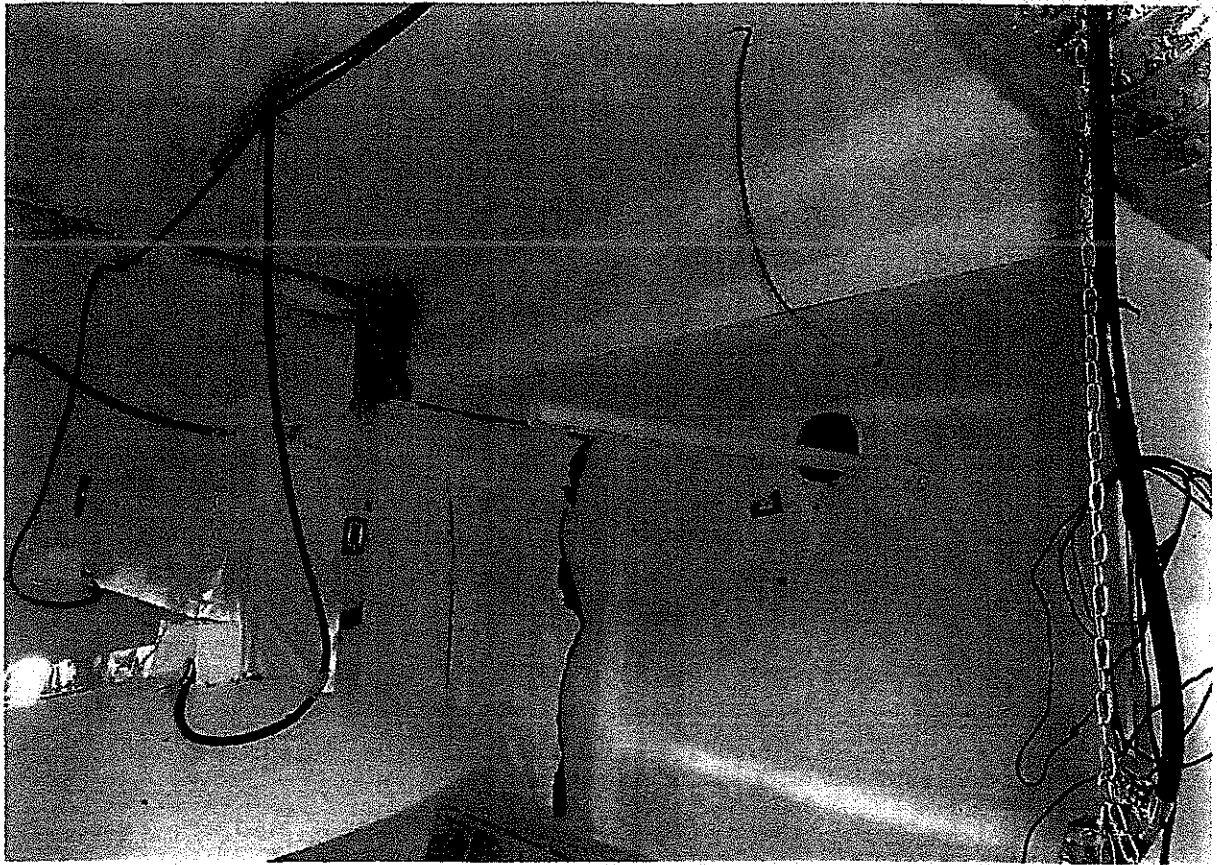




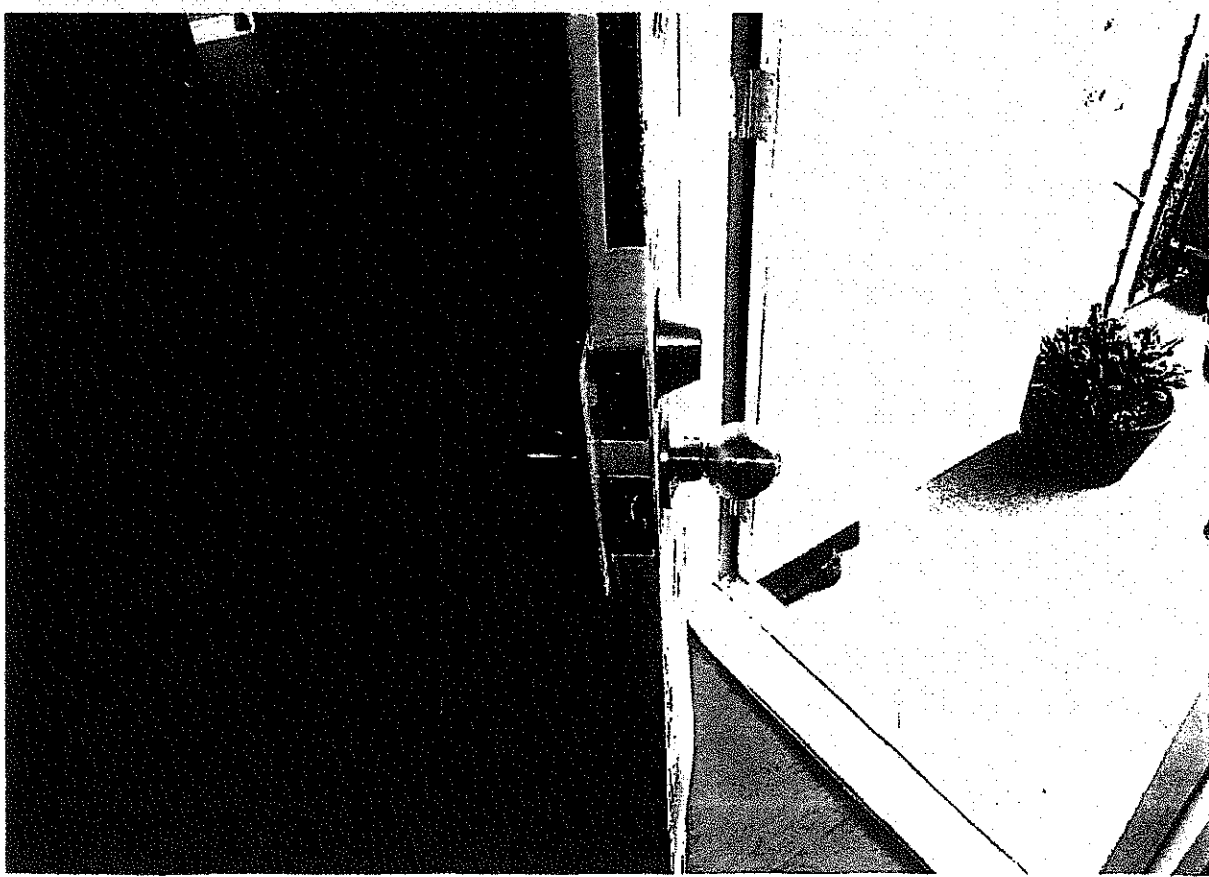
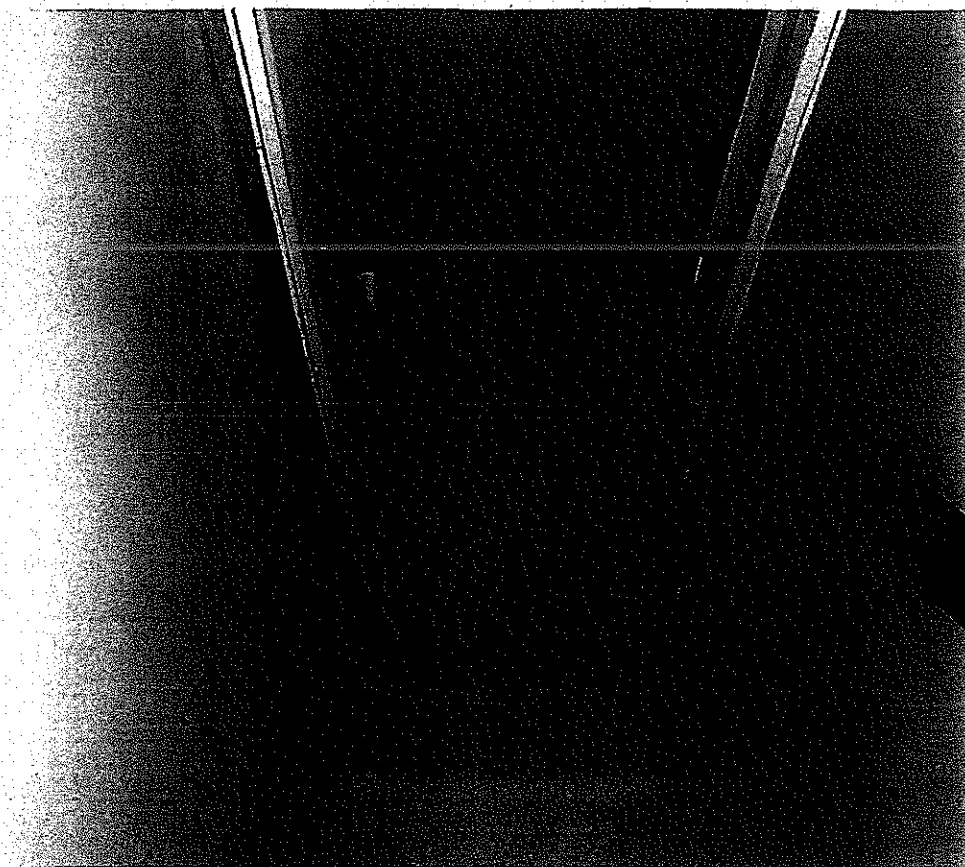


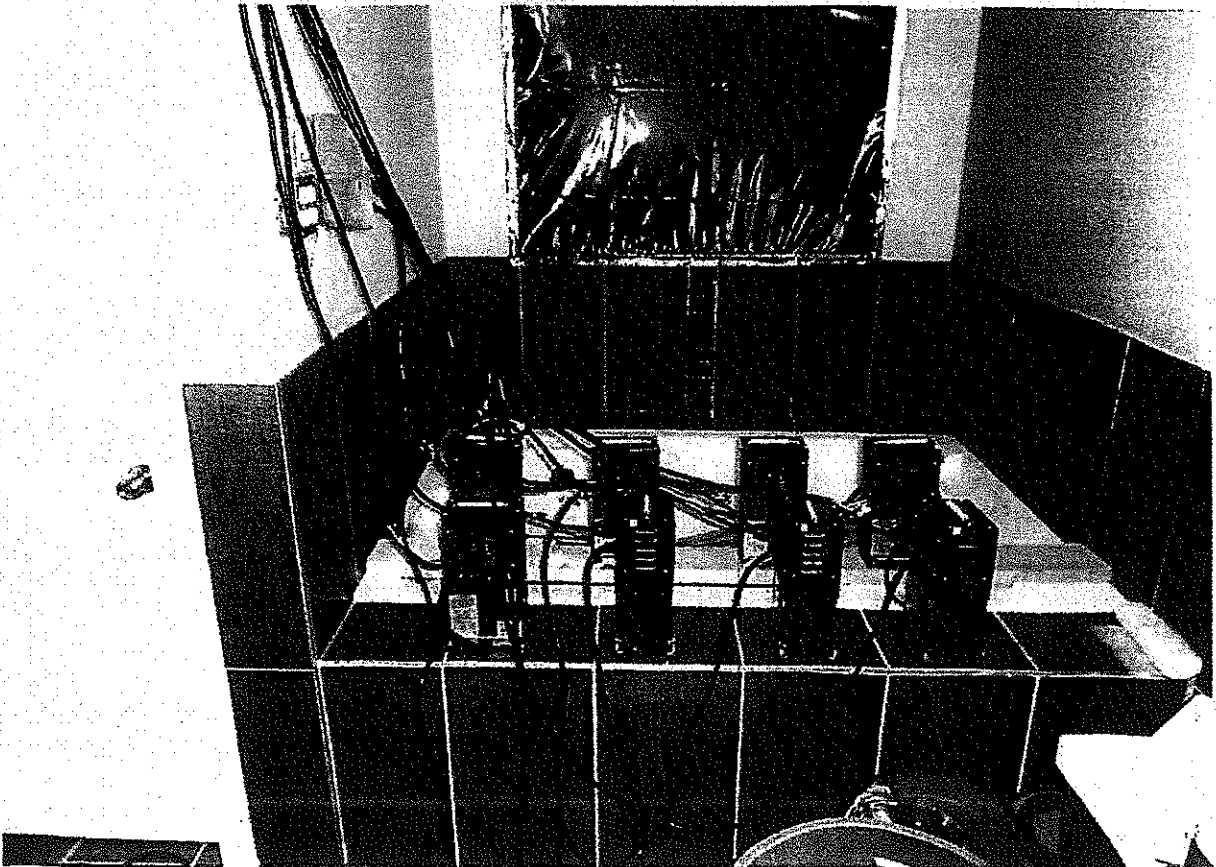
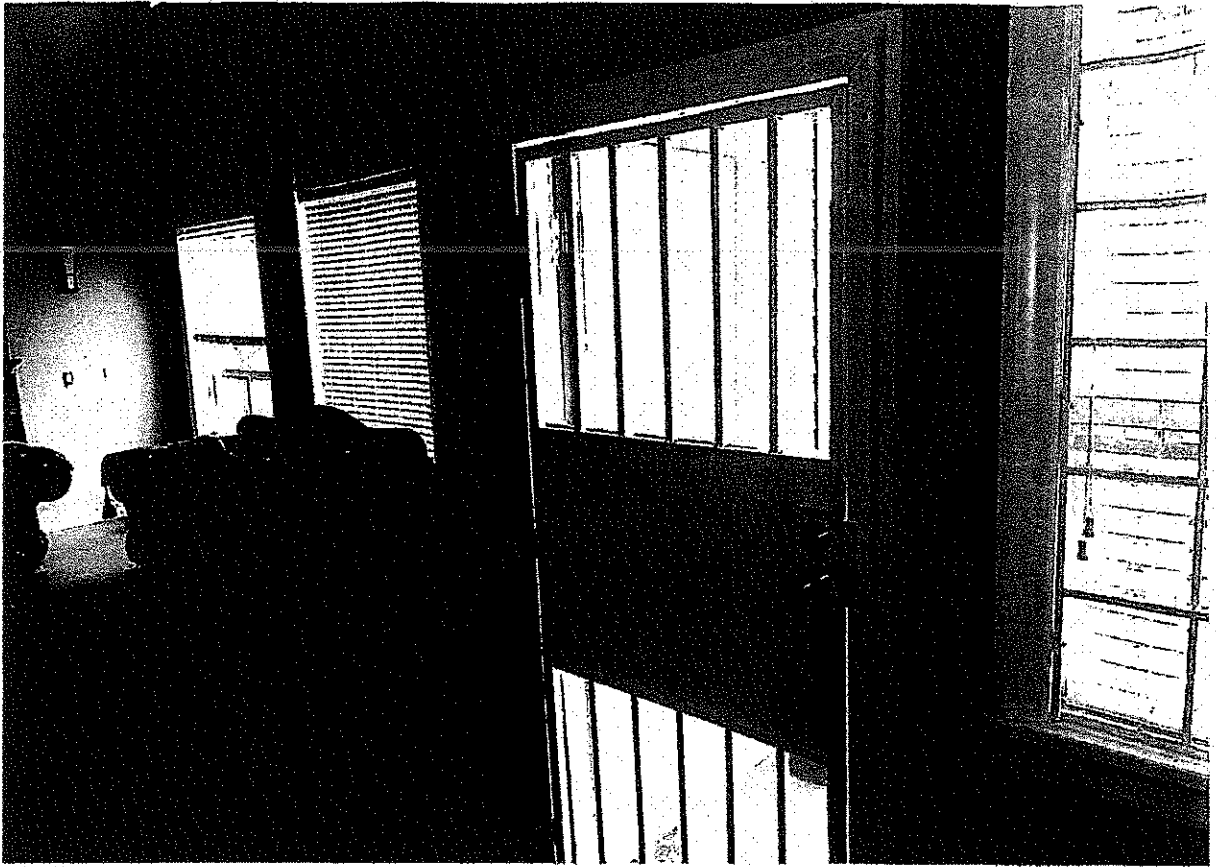
















CITY OF
CHILLIWACK

Ph: 604-793-2905
Fax: 604-793-2285

The Honourable Rona Ambrose, P.C., M.P.
Minister of Health
Brooke Claxton Building, Tunney's Pasture
Postal Locator: 0906C
Ottawa, Ontario K1A 0K9

October 27, 2014

DARES Department

Dear Madam:

RE MEDICINAL MARIJUANA GROW OPERATIONS

I currently hold the position as Manager of Technical Services in the City of Chilliwack's Development and Regulatory Enforcement Services Department. I am responsible for Building and Bylaw Enforcement Departments as well as the Health and Safety Inspection Team.

The City of Chilliwack's Health and Safety Inspection Team is comprised of a Fire Inspector, Building Inspector, and an Electrical Inspector. An RCMP member typically attends these inspections; the primary role of the RCMP is to keep the peace.

The Health and Safety Inspection Team has been responsible for the inspection of marijuana grow operations since the adoption of the "*Nuisance, Noxious or Offensive Trades, Health and Safety Bylaw 2004, No 3044*" in 2004. I have been involved with the Inspection Team as a Building Inspector and subsequently as a Manager since its inception. During this time I have been involved with the inspection and remediation of approximately three hundred illegal marijuana grows operations. Since 2008, the inspection team has also inspected approximately 20 Health Canada sanctioned medicinal grow operations. Due to the large amount of licenses recently issued within the City of Chilliwack, the majority of these inspections have taken place in the past year.

The medicinal grow operations inspected by the team are typically as a result of nuisance complaints from the surrounding neighbors. The most common complaint is with respect to the noxious odors emanating from the property and negative impacts on the complainants quality of life. Other concerns from the neighbors are the risks of fire, violence, grow rips and contamination.

... / 2

The Honourable Rona Ambrose, P.C., M.P.

October 27, 2014

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Once a complaint is received and the RCMP have confirmed by way of Health Canada that the subject property is home to a medicinal grow operation, a letter is sent to the property owner informing them that a complaint has been received and that we will be inspecting the property to ensure it complies with all City of Chilliwack Bylaws. The notification letter is sent Express Post and posted on the property several weeks in advance of the inspection. All inspections are done in accordance with the requirements set out in Section 16(1) through (4) of the Community Charter. The inspection team will not enter into a residential dwelling without the consent of the occupant.

Files and/or photograph records are retained for all licensed medicinal and illegal marijuana grow operations inspected. Listed below are the typical Bylaw and Building Code violations noted when inspecting medicinal grow op properties. While the inspection team does not keep aggregate statistics of bylaw and building code violations noted during inspections, with the exception of the water meter bypass, in my experience the violations described above were consistently found during inspections. Corresponding photographs as referenced below are enclosed for your information. Please note that the included photographs have been taken in several different houses during the course of inspections.

1. The City of Chilliwack's Building Regulation Bylaw 2003, No. 2970 prohibits the owner from changing the use, occupancy or both of a building, without the required approvals and permits. Inspections reveal that most of the single family dwellings inspected primary use is for the production of medicinal marihuana. (Refer to Figure 1)
2. The City of Chilliwack's Zoning Bylaw 2001, No. 2800 addresses uses that are prohibited in all zones. Section 4.04, Subsection (8) of the bylaw clarifies that the growing, propagation or harvest of crops in a building containing a dwelling unit is prohibited.
3. The City of Chilliwack's Zoning Bylaw 2001, No. 2800 addresses uses that are prohibited in all zones. Section 4.04, Subsection (7)(b) prohibits a use which produces any of the following across any lot line containing the use: unsafe, unhealthful or objectionable levels of odour, vapour, dust, fumes, ash or any other toxic or noxious matter.
4. Installing or allowing to exist a cross-connection is a direct violation of the Waterworks Regulation Bylaw 2004, No. 2995. A cross-connection means any actual or potential

The Honourable Rona Ambrose, P.C., M.P.

October 27, 2014

Page 3

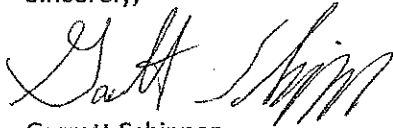
physical connection between the City Waterworks' potable water line and any source containing a non-potable fluid, or where it is possible for the non-potable fluid to enter the water system by backflow. A cross connection includes connection to an unapproved water supply system, sewer, drain, conduit, pool, storage reservoir, plumbing fixture, or any other device which contains, or may contain, contaminated water, liquid, gases, sewage, or any other waste of unknown or unsafe quality which may be capable of imparting contamination to the City Waterworks potable water supply as a result of backflow. The large blue 45 - 50 gallon water reservoirs that are used for mixing water, nutrients, and pesticides etc., located in most medicinal grow operations, are in direct contravention of this bylaw. (Refer to Figure 2)

5. All waste, as a result of the production of marihuana, discharging into the City of Chilliwack's sanitary sewage systems must comply with the requirements set out in the Sanitary Sewer System Regulation Bylaw 2010, No. 3702. The property owners are typically unable to provide a list of hazardous materials used or produced as a result of the medicinal grow operation and how they would safely be disposing of those wastes. This Bylaw also prohibits the discharge of Non-Contact cooling water or uncontaminated water into the sewer system. This illegal discharge is a result of the system used to cool the grow rooms.
6. The City of Chilliwack's Waterworks Regulation Bylaw 2004, No. 2995. Section 66 subsections (2) and (4) also states that no person shall;
 - interfere, adjust or tamper with any component of the City Waterworks or any water service, except as provided for in this Bylaw;
 - where a water meter has been installed, access or take water in any manner as to avoid or alter the measurement or reading of the water meter. (Refer to Figure 3)
7. Section 9.19.1.1 of the BC Building Code addresses ventilation requirements for buildings designed for residential occupancies. These ventilation requirements cannot be prescriptively met given the scale and plant allocations in many medicinal grow operations causing moisture, condensation and mold issues in the residence. (Refer to Figures 4, 5 and 6)
8. Inspection staff have noted that a majority of the homes housing medicinal marijuana grow operations do not have the required permits in place for the alteration of the electrical and gas systems. This poses a risk to the occupants of the residence as well as first responders should they be required to attend in the case of emergency. (Refer to Figures 7 and 8)

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October 27, 2014
Page 4

If you have any further questions, please do not hesitate to contact the undersigned at 604.793.2753 or schipper@chilliwack.com.

Sincerely,



Garrett Schipper
Manager of Technical Services

GS/kg

Enclosures: Figure 1 - Single family dwelling converted into medicinal grow facility
Figure 2 - Potential Cross Connections
Figure 3 - Water meter bypass
Figure 4 - Non Code compliant ventilation
Figure 5 - Non Code compliant ventilation and B vent diversion within a residence
Figure 6 - Mold
Figure 7 - Unpermitted and unauthorized electrical within a residence
Figure 8 - Unpermitted and unauthorized alterations to the Natural Gas system
within a residence

cc Eric Costen, Executive Director, Office of Medical Cannabis, Health Canada
Room 0480, Main Stats Building, 150 Tunney's Pasture, Ottawa ON K1A 0K9



Figure 1 - Single family dwelling converted into medicinal grow facility



Figure 2 - Potential Cross Connections



Figure 3 - Water meter bypass



Figure 4 - Non Code compliant ventilation

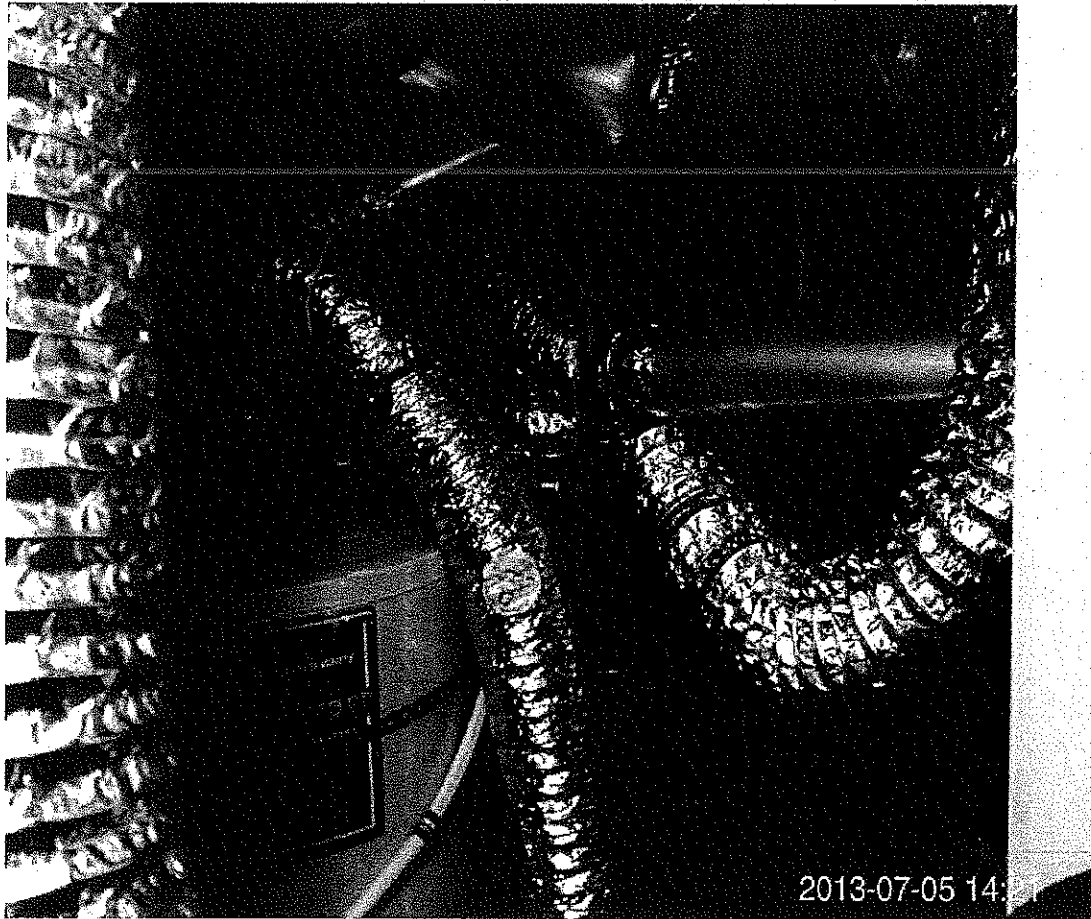


Figure 5 - Non Code compliant ventilation and B vent diversion within a residence



Figure 6 - Mold

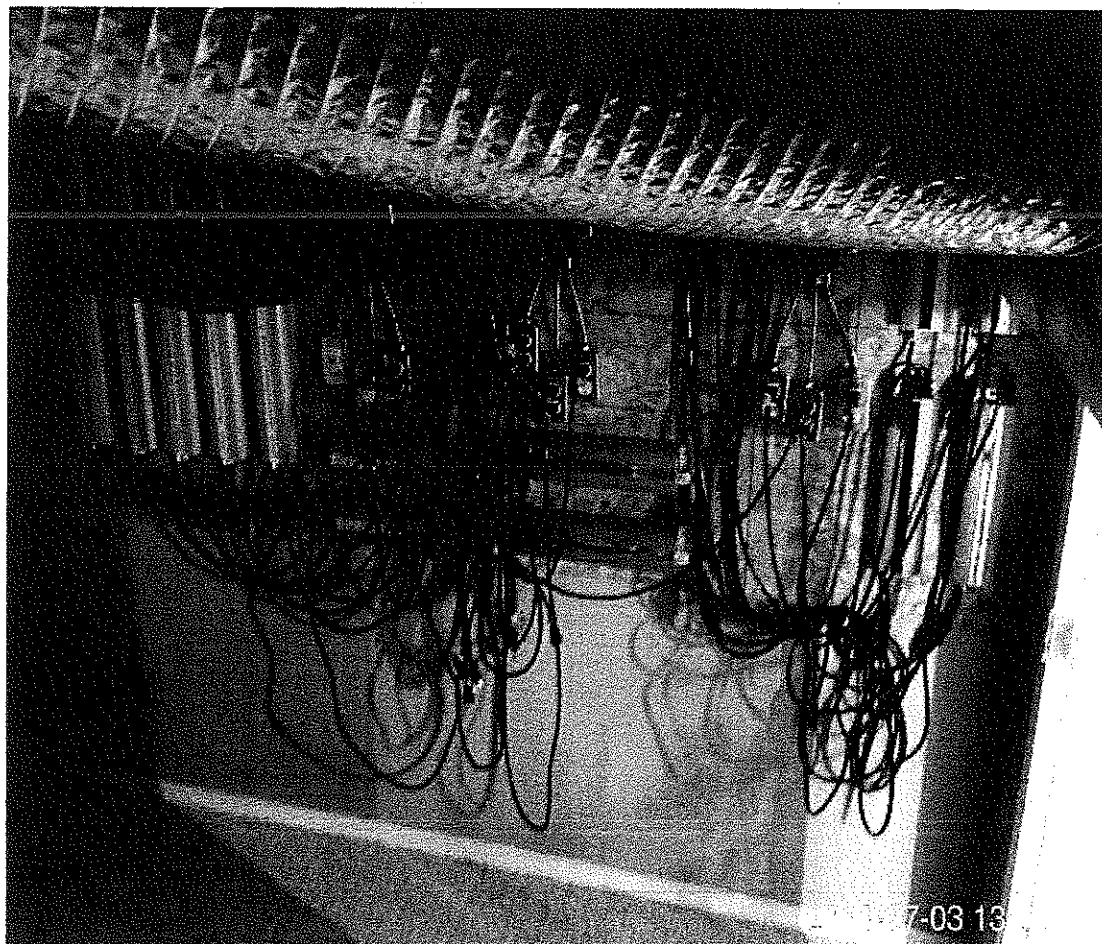
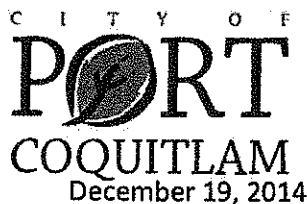


Figure 7 - Unpermitted and unauthorized electrical within a residence



Figure 8 - Unpermitted and unauthorized alterations to the Natural Gas system within a residence



2580 Shaughnessy Street, Port Coquitlam BC, Canada, V3C 2A8
Tel 604.927.5440 • Fax 604.927.5470
bylawservices@portcoquitlam.ca

Office of Medical Cannabis
Health Canada
Attention: Eric Costen, Executive Director
Mail Stop 0300A K1A 0K9

Dear Eric Costen:

I have been a member of the City of Port Coquitlam Public Safety Inspection Team since it began in January 2008. My involvement on the Team from 2008 until July 2012 was as a Bylaw Enforcement Officer monitoring high hydro consumption properties, as well as setting up and conducting inspections. From July 2012 until the present I have been involved with the Team as the Assistant Manager of Bylaw Services primarily in an administrative function.

The Public Safety Inspection Team started proactive inspections of high hydro properties in January 2008. The Team's members include Bylaw Enforcement Officers, Inspectors and a Property Use Coordinator from the Building Department. Bylaw and Fire are responsible for conducting inspections and are accompanied by RCMP. Initially two RCMP accompanied the team into the homes but later stayed at the property line after the legal decision in *Arkininstall v. Surrey*. The role of the Property Use Coordinator is to ensure the remediation process is followed.

The PSI Team has been successful in shutting down numerous Controlled Substance Properties that pose significant risks to the public. The Team has also inspected a number of Medical Marijuana Grow Operations licensed by Health Canada. Many of these grow operations posed safety risks.

In my capacity as a Bylaw Enforcement Officer on the Team I inspected approximately 20 medical grow operations. Approximately half of these were in residential areas and the other half were in commercial or industrial areas. The Medical Marijuana grow ops became known to the PSI Team either by high Hydro, by neighbourhood complaints of smells and concerns of safety, and occasionally by request of the owner. All but one owner granted consent to the Team to inspect the property. In the case where access was denied the Team was able to enter under an Administrative Warrant by showing the property exceeded its allowed plant allotment and posed a risk to the neighbourhood.

December 19, 2014

Page 2

While some Medical Marijuana Grow operations were electrically safe and free of hazards, inspections of many of the Medical Marijuana grow operations revealed the same type of public safety risks as illegal grow operations. These risks included, mold, electrical hazards, fire, and neighbourhood safety in terms of complaints about "grow rips" or increased visits by undesirable nonresidents. In addition, plant allocations sometimes exceeded the limit set by the Health Canada License.

For example, in January 2013 the Team inspected a home that had caught fire as a result of an illegal Hydro Bypass. The home contained a medical marijuana grow operation had exceeded the Health Canada plant limit. Attached are photographs of some of the risks found in the medical marijuana grow operations. Records of all inspections are maintained and in drafting this letter I consulted inspections records that were maintained.

Prior to inception of the Team, the directive was that the cost of running the Team was not to be subsidized by the property tax payers of Port Coquitlam. The special inspection fee of \$6,500 was set by Bylaw and based on the aggregate cost of operating the Public Safety Inspection Team. As such the team generally operates on a modest surplus maintained in a reserve account to cover potential legal costs.

Photos 1-4 show the same property that had a house fire resulting from an illegal Hydro Bypass. This Health Canada Grow op was in excess of the plant allowance.

Photos 5-7 are from a different licensed Health Canada grow op in excess of the plant allowances.

Photo 8 is mold from a licensed grow operation.

Individual descriptions of the photos are listed below:

Photo 1 – damage from house fire with illegal hydro bypass (exceeded Health Canada Plant allowance)

Photo 2 – same property as photo 1; house damage due to fire

Photo 3 – same property as photo 1 & 2; illegal electrical high bypass cause of fire

Photo 4 - same property as photo 1, 2 & 3; hydro bypass from inside

Photo 5 – a different property exceeding plant allowance

December 19, 2014

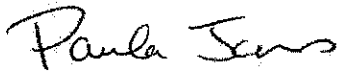
Page 3

Photo 6 – from same property as photo 5; electrical

Photo 7 - same property as photo 5 & 6; electrical issues

Photo 8 - mold from a licensed medical grow operation

Yours Truly,



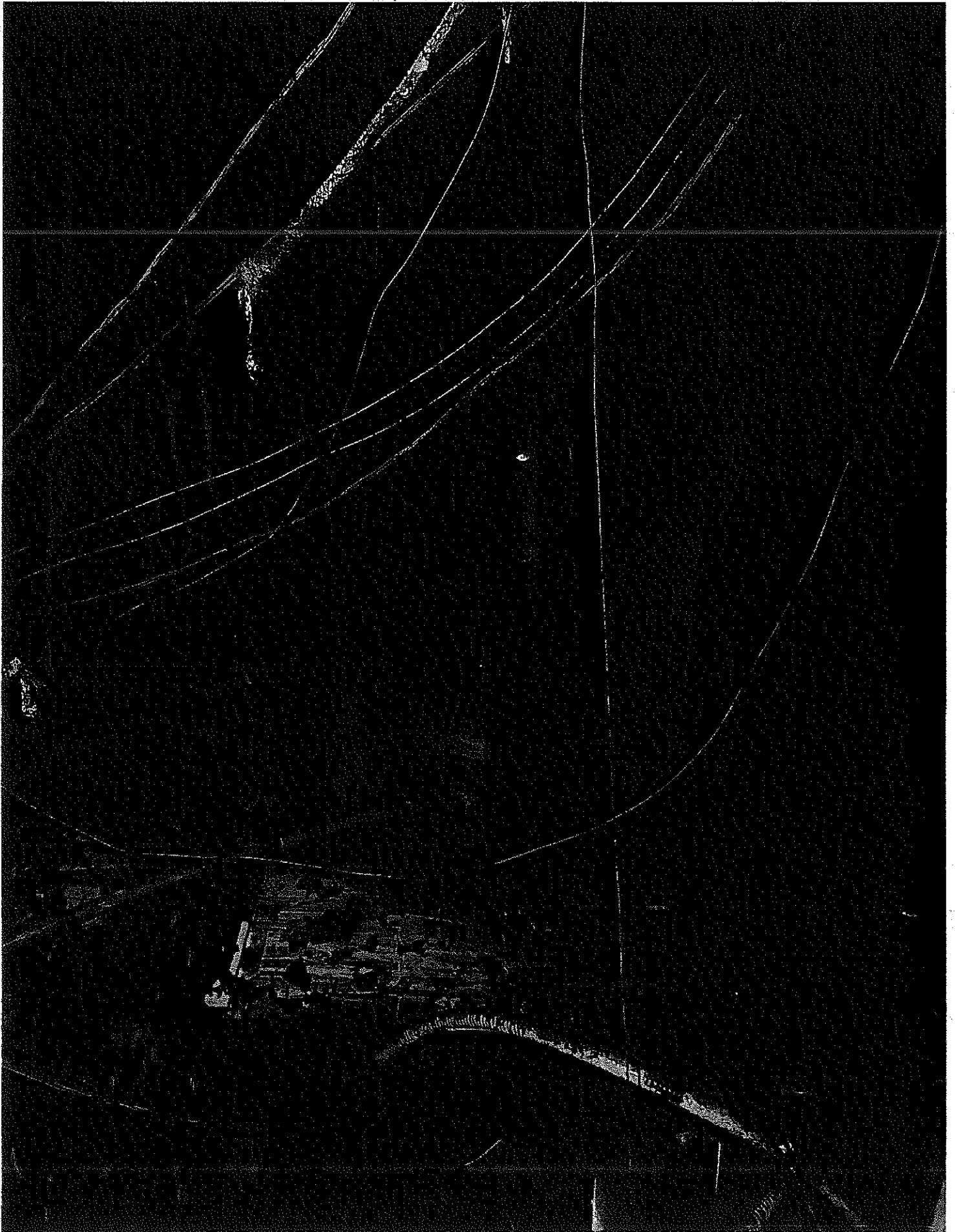
Paula Jones
Assistant Manager Bylaw Services
City of Port Coquitlam

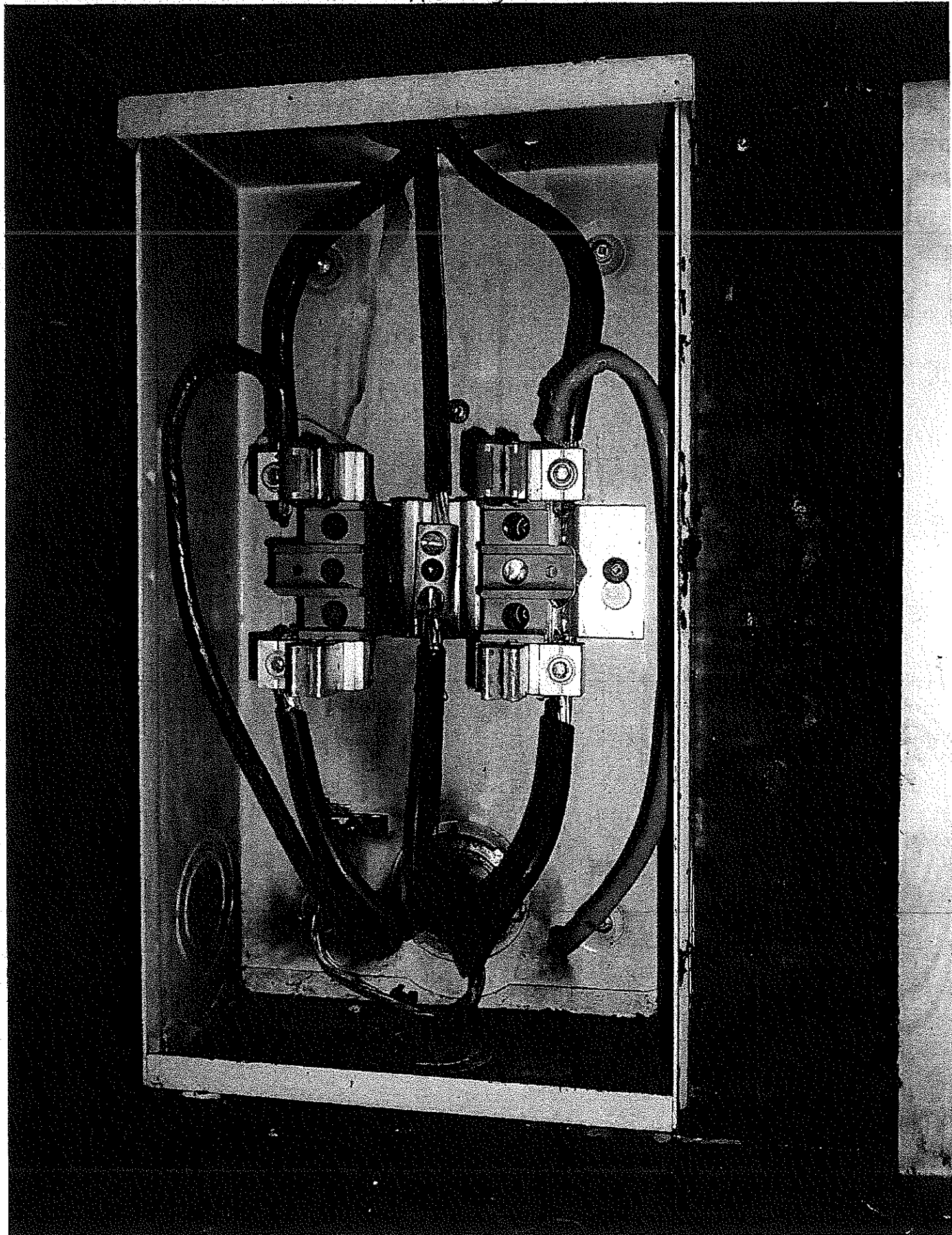
Cc: Dan Scoones, Manager Bylaw Services
Randy Minaker, Deputy Fire Chief
Don Howieson, City Solicitor

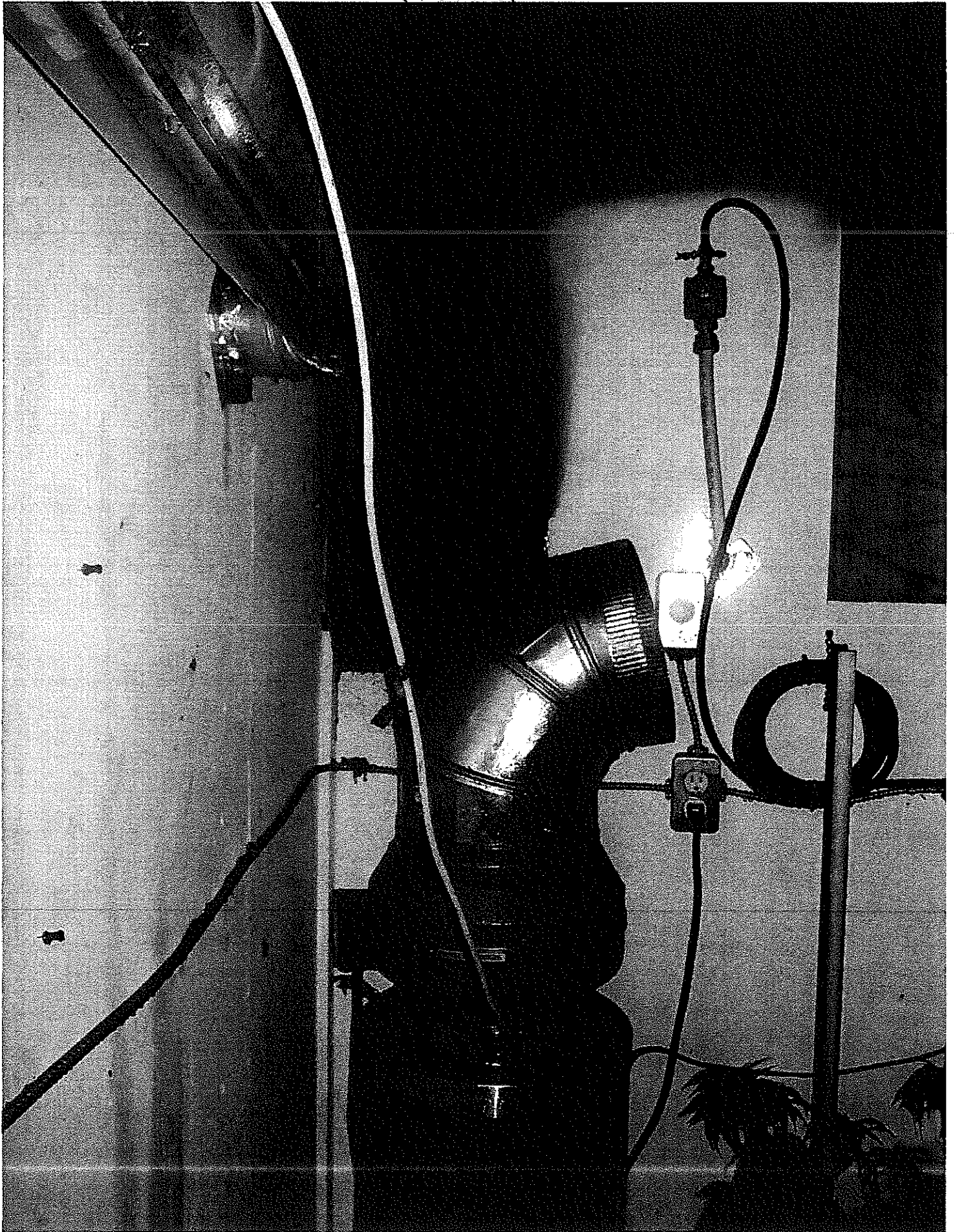
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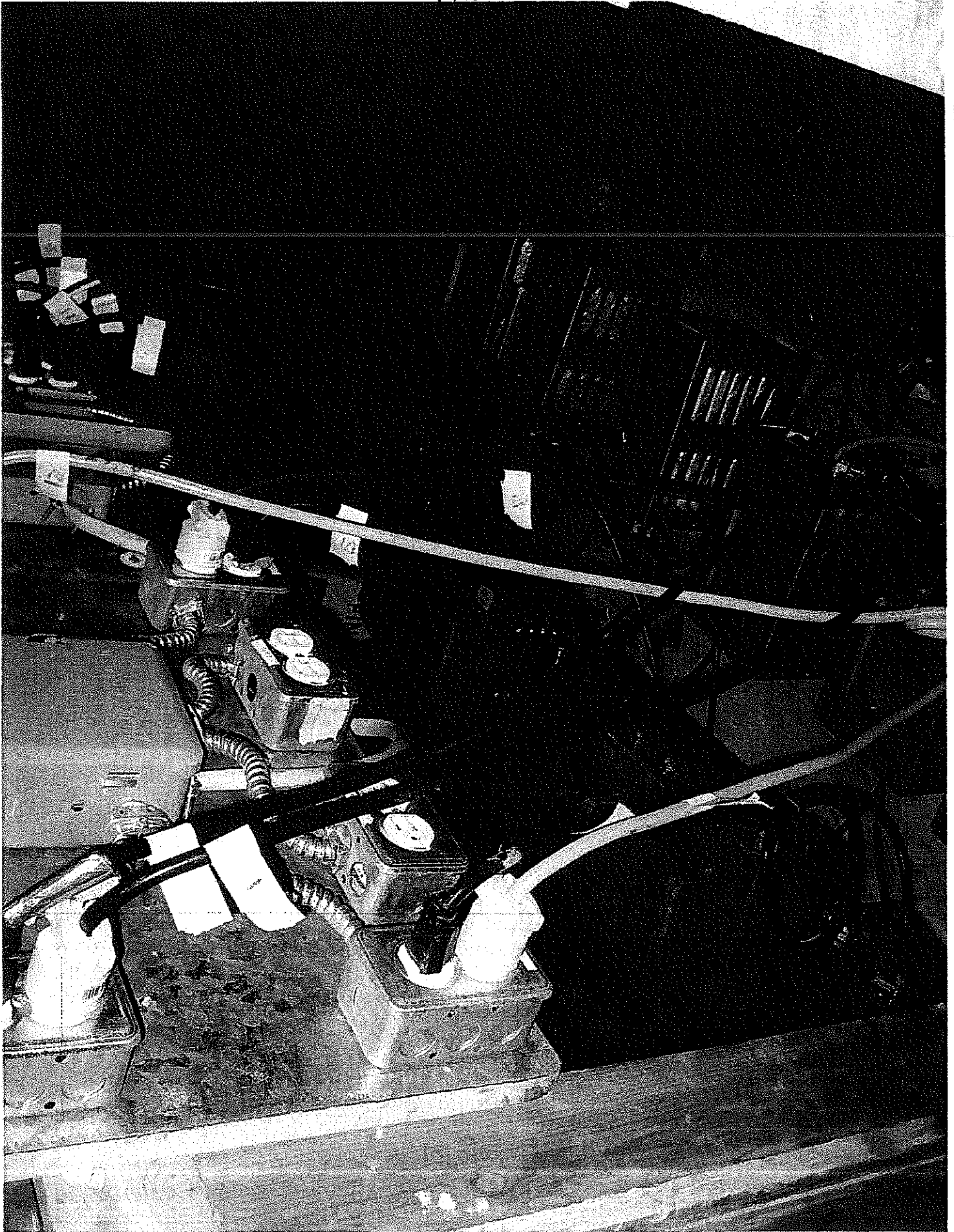
FIGURE 1





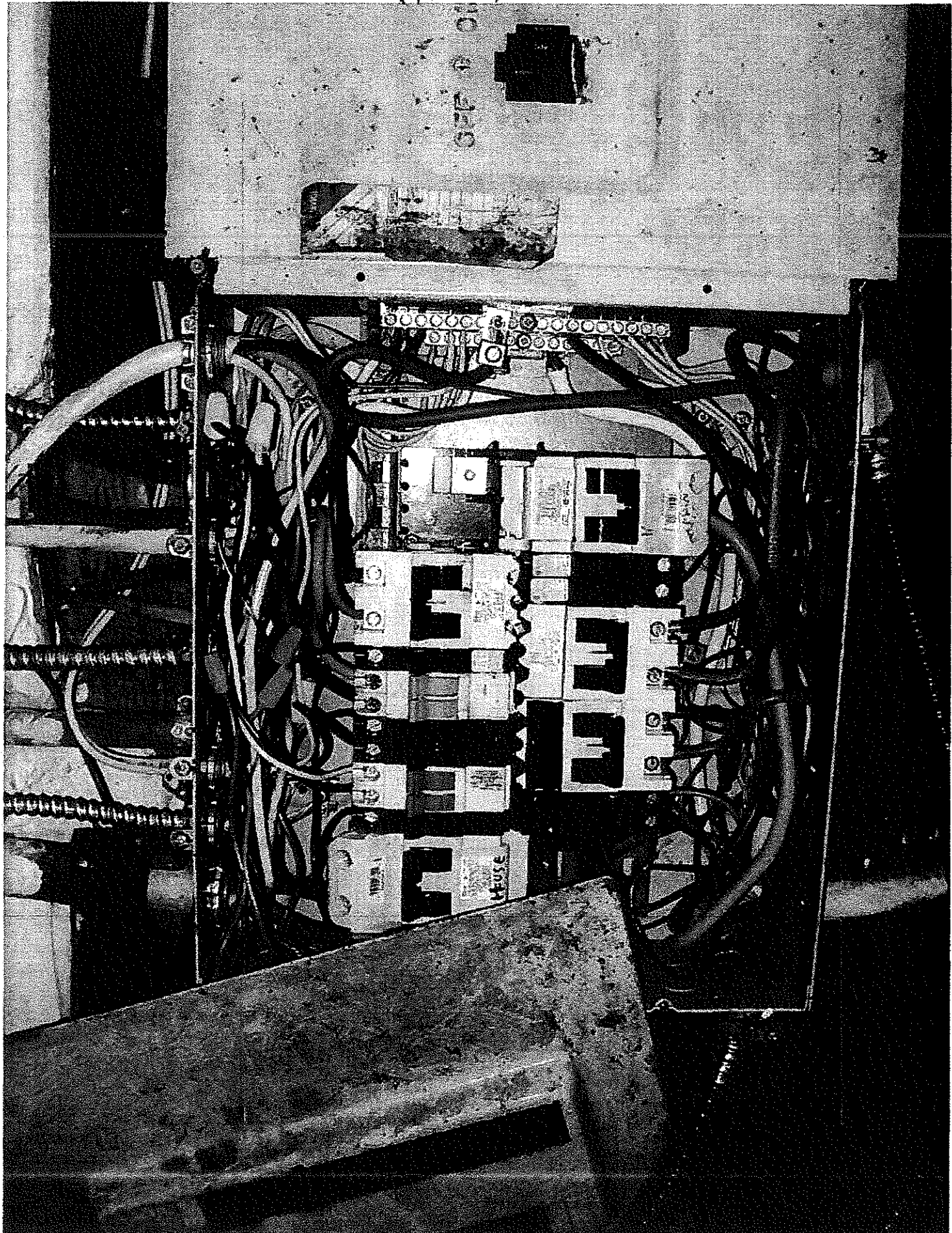






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TYPE 201



KNOW X



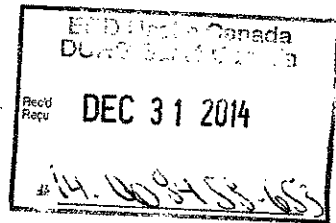
1465



NAHEED K. NENSHI, MAYOR

December 18, 2014

The Honorable Rona Ambrose, P.C., M.P.
Minister of Health
Brooke Claxton Building, Tunney's Pasture
Postal Locator: 0906C
Ottawa, Ontario
K1A 0K9



Dear Minister: *Rona!*

Thank you for the opportunity to provide information on The City of Calgary's Grow Operations inspection team. We are very happy with the success of this program and hope our experience in Calgary can be helpful in your efforts to discontinue the Marijuana Medical Access Regulations (MMAR) program.

The Coordinated Safety Response Team (CSRT) was formed in late September of 2009 to address two ongoing issues within the city of Calgary:

1. The City of Calgary had an issue with unsafe/derelict properties. These properties are typically located in the inner core, are vacant and create an unsafe condition for the surrounding community. They are in a dilapidated and unsightly condition, are often illegally occupied by vagrants, and can become the seat for criminal activity. These properties also pose an increased fire risk endangering those who illegally occupy them, first responders, and the surrounding community.
2. The Alberta Law Enforcement Team (ALERT) – Green Team South (tasked with the eradication of illegal grow operations) was dismantling upwards of 100 illegal Grow Operations per year. This was creating a significant inventory of uninhabitable and unsafe residential houses within the city of Calgary. These houses create unsafe conditions for the community at large due to criminal activity, unauthorized entry, risk of fire and health and safety concerns for future occupants related to structural alterations, electrical issues, water, chemical and mould contamination.

CSRT was formed to bring together all identified agencies that had a part to play in the overall management of these types of properties. A Terms of Reference was developed and the team began to build strategies to manage these properties.

Historic City Hall, 700 Macleod Trail South, #8069, Calgary, AB, Canada T2P 2M5
T 403.268.5622 F 403.268.8130 E themayor@calgary.ca

Proudly serving a great city

The team is composed of:

- Calgary Police Service
- ALERT – Green Team South
- ALERT – Safer Communities and Neighborhoods (SCAN)
- Alberta Health Services (AHS)
- City of Calgary Bylaw Services
- City of Calgary – IPS – Safety Response Unit (SRU)

Both programs have been successful, however I will provide details only on our work related to Grow Operations. A decision was made at a CSRT meeting in September 2012 that after the dismantlement, the SRU would cause each residential house to be secured (fence and boarded) and a CSRT sign posted on the fence. Additionally, a Municipal Government Act (MGA) Order would be prepared and issued to the owner (cc to the mortgage holder) requiring that they begin either remediation or demolition within a set period of time. This order would be placed on the title as a caveat along with the AHS Order. The cost of securing would be placed on the tax roll. The system has worked well in that it identifies the house as unsafe, provides a method for the community to report an entry, and has enabled us to track the progress of the remediation or demolition.

It was also decided during a CSRT monthly meeting that ALERT Green Team South would contact the SRU if the incoming information on suspected residential marijuana grow operation proved to hold a federal license. SRU in cooperation with all CSRT members would first investigate, contact the owner of a pending safety inspection and then coordinate the team to complete the safety inspection.

A summary of the actions taken and the results of the completed safety inspections conducted by CSRT members are as follows:

In the past two years CSRT has been active in the inspection of residential medicinal marijuana grow operations (MMGO). Records of each inspection were recorded by the attending SRU and the AHS officers. The process currently deployed by CSRT is to contact the owner to request entry for the safety inspection. To date only one owner has refused entry. Out of 33 homes inspected containing a Health Canada licensed medical marijuana operation, three were found to have no marijuana present, 26 were issued orders by AHS for violations under the Public Health Act of Alberta, 29 had safety codes violations identified, and one license holder was charged by Police for trafficking. Twenty five houses were required to be remediated by AHS and were subject to The City of Calgary Environmental Restoration Permit (ERP) process. The ERP process is aligned with the AHS process in returning the affected house to a habitable state. It contains processes that define the environmental scope and remediation activities to achieve an indoor air quality acceptable to AHS, followed by the appropriate building, plumbing and gas and electrical safety approvals.

The cost of this inspection program is approximately \$2000.00 for each safety inspection. This is a soft cost and is borne by each agency separately. Additional detail on all CSRT activities can be obtained by contacting CSRT - Coordinator Wayne Brown at: wayne.brown@calgary.ca.

CSRT will continue to inspect the medical marijuana grow operations located in residential houses and has an extensive list of these properties. The City of Calgary fully supports your efforts to discontinue the **Marijuana Medical Access Regulations (MMAR)** program given the continued risk posed to the community and looks forward to working collaboratively with Health Canada in managing this identified risk.

Sincerely,



Naheed K. Nenshi
Mayor

Thank you for your attention to this, and Merry Christmas!

cc: Wayne Brown, Coordinator, CSRT, The City of Calgary
Eric Costen, Executive Director, Office of Medical Cannabis, Health Canada

S

PI

**RE: Demande de citoyen : Eric Costen <omc-bcm@hc-sc.gc.ca>, Sujet : Commentaire Réseau Accès
Montréal - Ville de Montréal**

permis.inspections.ville-marie to omc-bcm

2014-12-15 10:01 AM

Sent
by: sophieaumais@ville.montreal.qc.ca

From: permis.inspections.ville-marie@ville.montreal.qc.ca

To: omc-bcm@hc-sc.gc.ca

Sent by: sophieaumais@ville.montreal.qc.ca

Bonjour Monsieur Costen,

Je vous répond au nom de la division des permis et inspections de l'arrondissement de Ville-Marie, Ville de Montréal.

Nous n'avons décerné, à ce jour, aucun permis ou autorisation pour la production de marijuana dans notre arrondissement.

Notre équipe d'inspecteur en bâtiment ne s'occupe aucunement de l'application du Règlement sur la marihuana à des fins médicales, puisqu'aucun cas n'a été recensé sur notre territoire.

En espérant ces informations utiles.

Cordialement,

Pour toutes questions, merci de vous adresser uniquement à cette adresse :
permis.inspections.ville-marie@ville.montreal.qc.ca

Restez branchés :

<http://ville.montreal.qc.ca/infolettrevillemarie> Site web | [Infolettre](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)

— Sophie Aumais
Division permis et inspections
800, boul. De Maisonneuve Est, 17e étage
Montréal (Québec) H2L 4L8
Fax : 514-872-3567

permis.inspections.ville-marie@ville.montreal.qc.ca

----- Forwarded by OMC-BCM/GEN/HC-SC/GC/CA on 2014-12-29 09:21 AM -----

Service Request

Garry Anderson TO OMC-BCM@hc-sc.gc.ca 2014-12-24 04:02 PM

From: Garry Anderson <GAnderson@brantford.ca>
To: "OMC-BCM@hc-sc.gc.ca" <OMC-BCM@hc-sc.gc.ca>

With reference to your recent service request relative to Allard v. the Queen, I can advise the following;

1. We do not have a grow op inspection team. We respond to complaints as they are received and inspect for compliance to our Property Standards Bylaw.
2. We have inspected 0 medical marijuana grow operations
3. n/a However Brantford Police dept. do notify s of any marijuana grow operations and then we inspect for compliance.
4. n/a However we inspect, we are typically inspecting for compliance relative to the electrical system, structural foundation flaws or issues and mould growth requiring air quality report.
5. No costs, however administrative fees are recovered on the issuance of an Order and should the Order be confirmed and we retain contracted services, an additional 25% is added as administrative costs.

Hope this helps, my apologies for the delay.

Garry J. Anderson CPSO, CMMIII
Manager, Property Standards & Bylaws
Building Department
City Hall, 100 Wellington Square,
Brantford, Ontario N3T 2M3
519.759.4150 Ext.2361
ganderson@brantford.ca

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www.myBrantford.ca/OnlineServiceDirectory today!

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expressed in this message are those of the individual sender, except where the sender specifically states them to be the views of the Corporation of the City of Brantford.

RE: Marijuana for Medical PurposesBill Storie ^{to} OMC-BCM

2014-12-17 01:27 PM

Cc Stephen Gamble, "James Goulden (jhg@bht.com)"

From Bill Storie <bstorie@tol.ca>

To OMC-BCM <OMC-BCM@hc-sc.gc.ca>

Cc Stephen Gamble <sgamble@tol.ca>, "James Goulden (jhg@bht.com)"
<jhg@bht.com>

Thank you for your e-mail.

As you may already know, the Township's lawyer (James Goulden from Bull Housser) was previously communicating with one of the Government of Canada's lawyers in the Allard case (Phil Almas from the Department of Justice) regarding what assistance the Township is able to provide in the Allard case. Unfortunately, although the Township is very willing to assist the Government of Canada in the Allard case, we have very limited information to provide in that regard. In particular, as Mr. Almas was advised earlier, the Township discontinued its inspection team approximately 6 years ago, and does not have ready access to the detailed information necessary to respond to the questions you have identified below.

If you would like to discuss further, please do not hesitate to contact me, or our lawyer James Goulden (who can be reached at 604.641.4934 or jhg@bht.com).

Regards,

W.R. Storie/Manager of Bylaws


Protective Services | Township of Langley
22170- 50 Avenue, Langley, BC V2Y 2V4
Office: 604.532.7517
Mobile: 604.340.5217
Email: bstorie@tol.ca

[Web](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)

From: OMC-BCM [mailto:OMC-BCM@hc-sc.gc.ca]

Sent: Friday, December 12, 2014 6:53 AM

Request from Health Canada

Kevin Dowe  'omc-bcm@hc-sc.gc.ca'

2014-12-15 11:42 AM

 Peter McIsaac, Deborah Campbell, Kevin Dowe

From: Kevin Dowe <Kevin.Dowe@cbrps.ca>
To: "'omc-bcm@hc-sc.gc.ca'" <omc-bcm@hc-sc.gc.ca>
Cc: Peter McIsaac <Peter.McIsaac@cbrps.ca>, Deborah Campbell <DACAMPBELL@cbrm.ns.ca>, Kevin Dowe <Kevin.Dowe@cbrps.ca>

To whom it may concern: This response is in relation to the E mail that was sent to the Cape Breton Regional Municipality on December 12th 2014 in relation to Marihuana for Medical purposes Regulations (MMPR). The following information is a summary in relation to the questions who have requested answered within the CBRM.

- 1, There is no inspection team within the CBRM solely delegated to the inspection of Marihuana grow sites within the CBRM.
- 2 In 2013 the Bylaw department conducted an inspection on a license holders residence in the Town of Glace Bay after receiving complaints from a neighbor about the smell of Marihuana. During this inspection there was only one violation in relation to the Bylaws within the CBRM. This was an issue with the electrical hook up. This matter was resolved by the home owner and the inspections officer.
3. The Police received a call from a neighbor who passed on the information. Through investigation it was conformed that the home owner did possess a license to grow and possess Medical Marihuana.
4. There was only one incident where a complaint was received this is noted in the previous paragraph.
- 5, There was no cost recovery associated to this inspection.

In closing , There has been investigations on persons who possess a MMPR license who are selling Marihuana to individuals in the Community, this has yet to be proven by way of Criminal charges at this time. Also there have been only one reported incident where persons broke into a residence of a license holder and stole their Marihuana.

The Cape Breton Police Service feels that the licensing of and production of medical Marihuana should be more regulated by Health Canada and grown on registered grow sites and not by individuals who possess a license.

In closing, these are the documented incidents that have been received by the CBRPS in relation to your request.

2014-061451 Complaint of smell from medical marihuana
2014-025362 Theft of medical marihuana
2012-021651 Medical Marihuana confiscated through Post
2011-064020 Question about medical marihuana
2014-046159 Complaint of smell from medical marihuana
2012-052822 Person with license taking orders.

If you require additional information please contact me at the noted Phone #/ E mail address.

Staff/ Sgt. Kevin Dowe
Cape Breton Regional Police Service.
Office: 902-794-5674.
Cell: 902-574-3406.
E mail: kldowe@cbrps.ca

RE: Marijuana for Medical PurposesKevin Feagan ^{to} OMC-BCM@hc-sc.gc.ca

2014-12-16- 09:39 AM

From: Kevin Feagan <KFeagan@oshawa.ca>
To: "OMC-BCM@hc-sc.gc.ca" <OMC-BCM@hc-sc.gc.ca>

Hi Eric:

Thank you for your inquiry. The Municipal Law Enforcement Division of the City has not conducted any inspections of medical marihuana grow operations. Our enforcement efforts are focused on fulfilling our role to inspect illegal grow operations upon receiving notification of an illegal grow operation in our community from a police force. We do not receive any similar notifications from any agency in relation to medical marihuana grow operations and we have not encountered any in our regular inspection activities.

Thanks,

Kevin C. Feagan | Manager, Municipal Law Enforcement Services | City of
Oshawa
905-436-3311 | 1-800-667-4292 | TTY 905-436-5627
kfeagan@oshawa.ca | www.oshawa.ca

The information contained in this message is directed in confidence solely to the person(s) named above and may not be otherwise distributed, copied or disclosed. If you have received this message in error, please immediately delete all copies and notify the sender.

- Forwarded by OMC-BCM/GEN/HC-SC/GC/CA on 2014-12-16 09:39 AM ----

RE: [Website] By-Law Enforcement

James Lefebvre ^{to} 'Eric Costen'

2014-12-16 08:12 AM

Good morning Mr. Costen,

Thank you for including me in your inquiry. We have not yet had any experience with medicinal marijuana grow operations and, unfortunately, I have no information that would likely be of any use to you.

Sorry I couldn't be more help,

James Lefebvre
Supervisor of Enforcement Services
Corporation of the City of Timmins
Phone: (705) 360-2600 Ext. 2445
Fax: (705) 360-2674

Re: Marijuana for Medical Purposes

311 to OMC-BCM

2014-12-14 02:00 PM

From 311@toronto.ca

To OMC-BCM <OMC-BCM@hc-sc.gc.ca>

Hello Eric,

Thank you for contacting 311 Toronto.

We have made our Knowledge Base accessible to the public. Please visit our website at www.toronto.ca/311 From our home page, scroll down to 311 Knowledge Base and type in your keyword search.

To answer your inquiry, however, please review information at:
<http://www.toronto.ca/311/knowledgebase/25/101000043525.html>.

Investigations into marijuana grow house operations are completed by the Toronto Police Drug Squad. Please find their contact information at the following link:
<http://www.torontopolice.on.ca/drugsquad/>

I hope this is helpful, but please do not hesitate to contact us should you require further assistance.

Regards,

Arlin
311 Toronto

Should you need to contact us again for any other City-related concern or inquiry, we encourage you to visit our website at www.toronto.ca/311 as we do offer some self-serve options. From this site, you can also access our Knowledge Base for answers to questions about City services and programs and check the status of any existing service requests.

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----- Forwarded by OMC-BCM/GEN/HC-SC/GC/CA on 2015-01-05 08:05 AM -----

Medical Marijuana Grow Sites

Matt Richardson to omc-bcm

2015-01-02 04:14 PM

Mr. Costen,

This email is in response to your request for how my municipality, the Town of Fort Erie, handles medical marijuana grow houses. As I'm sure you're aware, the Municipal Act of Ontario Sec 447.2 states a Municipality shall inspect a property that has been identified as a marijuana grow house. I must apologize for the late response as I was off work frequently in December and our offices shut down over the holidays. I'll answer your question(s) as they appeared in your request:

1. There is no "inspection team" per say, but rather a collaborative site visit by several departments. In most cases, it will be myself and a Fire Prevention Inspector who will attend the properties for the purposes of an inspection. Sometimes, the Chief Building Official (CBO) will also attend to assist in the inspection of the structure.
2. There has been approximately 6-8 medical grow sites inspected in the Town over the past three(3) to four (4) years.
3. The Municipality learned of the existence of the marijuana grow sites after being notified by the local police service, the Niagara Regional Police. The Police will send a formal notice to the Clerk of the Municipality informing a grow site has been discovered and will list brief particulars of what is involved. Entry to the dwellings for myself (not Fire Dept personnel) was achieved via consent from the occupier of the dwelling. This is a requirement for the interior inspections of dwelling units as per the Building Code Act of Ontario. To date, a Search Warrant has not been needed to get inside. Once the inspection took place an Order to Comply would be issued to the owner requiring that an air quality report be completed and remedial steps be performed to remediate the structure.
4. In all cases, compliance was achieved on all properties. Complete air quality and mould assessment reports were produced to the Town. Any structural repairs were completed under the supervision of the Building Department if permits were required.
5. In the Town there are no administrative inspection fees for these issues. However, that may change depending on new regulations.

Thanks,

Matt Richardson, B.A., CPSO, CMM I - *Property Standards Professional*
Municipal Law Enforcement Officer
Town of Fort Erie

mrichardson@town.forterrie.on.ca
905-871-1600 *2215