

Request for Decision

JUNE 11, 2018 - REGULAR COUNCIL MEETING

CANNABIS – PUBLIC ENGAGEMENT – SURVEY RESULTS

PURPOSE:

The purpose of the following report is to:

- 1) Provide Council with an overview of the results of the cannabis survey that was available to the community from April 11 to June 4.
- 2) Receive from Council regarding whether or not certain elements of local regulation regarding cannabis should be prepared for Council's consideration at the June 25, 2018 meeting (specifically the consumption of cannabis).
- 3) Receive direction from Council regarding how to proceed with the working group (currently scheduled for June 14) and workshops.

BACKGROUND:

At the February 12, 2018 Council meeting, staff presented a phased public engagement strategy aimed at determining the community's perspective regarding how the legalization of cannabis should be dealt with by the Town, and specifically regarding land use, consumption, and the enforcement of both.

Approval was granted for the strategy, with the first step being a community survey. Council requested that the survey questions be provided to them for review prior to the survey going live.

The survey went live on April 11, 2018 and collected approximately 450 results within three weeks. The survey was released online initially and upon receiving feedback from the community, it was determined that a direct-mail campaign and paper-based copies would illicit more results, this course of action was taken.

The survey was extended to June 4, 2018 at 4.30 pm.

SURVEY RESULTS:

847 surveys were completed (766 online and 81 paper copies). This resulted in a completion rate of 10.3% of the Town's 2016 population of 8215 people.

Adjusting the number of responses in relation to the number of residents that are of legal consumption age, the 847 responses is closer to 14% of the 18 and over population. This is not to say that the responses by those under 18 hold less weight, but simply a point of clarification regarding the number of results relative to those residents who are most likely to respond (less than 10 responses were received by residents who identified themselves as 17 and under).

For a brief overview of the survey results, please see the attached summary entitled *Non-medical Cannabis Legalization Community Survey Brief*.

PUBLIC ENGAGEMENT:

As per the phased strategy that Council approved in February, the next step in the engagement process is supposed to be the review of stakeholder working group nominations and a meeting with the working group on June 14th.

However, there have only been 3 applications submitted for the working group.

PROPOSED CHANGE

It is therefore proposed at this time that the working group element of the public engagement be cancelled and instead the community workshop (the next step) be initiated instead.

Should Council find merit in the idea of cancelling the working groups and moving on to the workshop, those who submitted applications to the working group will be notified and invited to the workshop.

The workshop should be highly productive as representatives from Alberta Health Services (AHS) and the Alberta Gaming and Liquor Commission (AGLC) have indicated they are likely able to participate.

PLANNING AND DEVELOPMENT CONSIDERATIONS:

On matters of land use regulation, the results of the survey have shown a general split regarding the location of non-medical cannabis retail businesses, opening hours, setbacks, and the processing/oversight of development permits.

At this time it is suggested that the results of the community workshop, which will be focused on land use matters, consumption, and enforcement, should be collected and presented to Council prior to any further discussion on the land use element of the matter.

MUNICIPAL ENFORCEMENT CONSIDERATIONS:

As is presented in the survey summary document attached to this report, the three most popular locations identified for consumption include:

- 1) Indoors at home (90% of respondents)
- 2) At specifically licensed facilities (64%)
- 3) Outdoors at home – on private property (63%)

PROPOSED CONSUMPTION BYLAW

Due to the fact that specifically licensed facilities are not yet an option for Alberta, it appears clear, based on the survey results, that at home (on private property) is the generally desired location for consumption.

At this time, it is proposed that, should Council find merit in the idea, a non-medical cannabis consumption bylaw be drafted that restricts consumption to private property. Council may or may not wish to restrict consumption to indoors, on private property.

The primary rationale for the proposal is due to the survey response, and based on the idea that being restrictive initially, and in the future (if so wished) adjusting to be more lenient, is more easily achieved than starting with a degree of leniency, and then trying to increase restrictions.

The proposal to draft a consumption bylaw now, for Council's consideration at the June 25 meeting, is to ensure that if consumption becomes legal on July 1 or over the Council summer break, there is a consumption bylaw in place for Coaldale.

RCMP CONSIDERATIONS:

n/a

RECOMMENDATION:

1. THAT Council accept the survey results and summary report for information.
2. THAT Council provide direction to staff regarding whether to cancel the working group phase of the public engagement and move on to the community workshop phase.
3. THAT Council provide direction to staff regarding whether or not to draft a non-medical cannabis consumption bylaw for Council’s consideration at the June 25 meeting and (should Council find merit in the drafting of this bylaw);
4. THAT Council provide direction to staff regarding the “where” of the draft consumption bylaw.

Respectfully Submitted:

Spencer Croil, RPP MCIP
Director of Planning and Community Development

Cameron Mills
Planning Advisor, Oldman River Regional Services Commission (ORRSC)

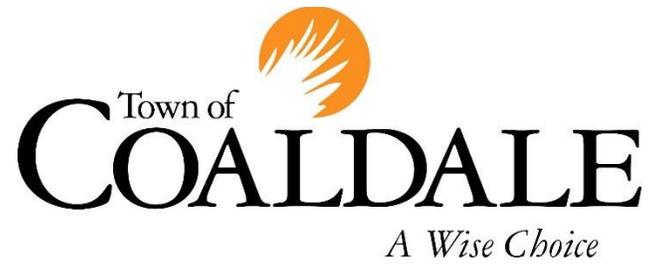
Joshua Radford
Intern Planner, University of Lethbridge

This report has been prepared in consultation with the following listed departments:

Department	Signature

ATTACHMENTS:

- Non-medial cannabis legalization community survey brief
- Raw results from survey



Non-Medical Cannabis Legalization

Community Survey Brief

June 2018

1. Introduction



1.1 Survey Response

On April 11, 2018, a survey was released regarding the regulation of non-medical cannabis sales in the Town of Coaldale. The intent of the survey was to better understand the attitudes of Coaldale's residents toward non-medical cannabis regulation, as well as help residents understand the upcoming federal & provincial regulatory changes. The survey was officially closed on June 4th, 2018, at 4:30p.m.

The data was collected via the online survey posted on the Town's website and was later offered in paper-copy format. The paper-copy format was available for pick-up at the Town office or through mail by request. On May 17th, 2018, a flier with instructions on how to take part in the survey was distributed to all households within the Town limits, encouraging all residents to have their voice heard. Our efforts to enhance the availability of the survey to all of Coaldale's residents has provided us with a survey response rate of approximately **10.3%** of total residents, a record-breaking number for our community. The final number of survey submissions recorded was **847**, with **81** surveys submitted in paper format.

1.2 Integrity of the Data

The data was carefully scanned for duplicate entries to ensure the validity of the results. Network ID's were collected from each respondent and any duplicate network ID's were carefully scanned and determined whether they were a valid or a duplicate. Through this process, we have determined that all responses to the survey were unique and statistically valid.

Although there were no controls on who could respond to the survey, the survey ran with the assumption that only residents of Coaldale, or only those who may be affected by new regulations in Town, were the primary survey respondents.

2. Coaldale Demographic Analysis

According to the 2016 Census data, the Town of Coaldale has a similar age demographic to surrounding communities in the area, with the working age (generally considered to be 15-64) population in Coaldale making up approximately 61.3% of the total population, in comparison to Taber with 62.9% and Lethbridge with 65.3%. In terms of elderly population (65+), all three communities are nearly identical, with Coaldale's elderly consisting of approximately 15.6% of the total population, followed by 15.1% in Taber and 15.6% in Lethbridge. This data suggests that the Town of Coaldale is a relatively young town, consisting of no greater number of elderly residents than the average in nearby municipalities.

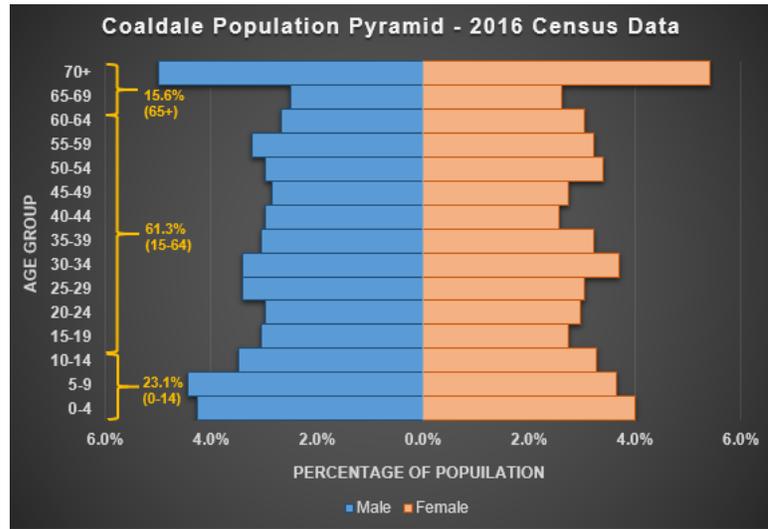


Figure 1: Population pyramid for Town of Coaldale using 2016 Census.

The demographic data provided by the respondents shares some resemblance to the 2016 census data for the Town (Figure 2 below). Some age brackets, such as the 0-17 age group and the 65+ age group are under-represented compared to the true census demographics. Similarly, respondents between the ages of 18-64 were over-represented compared to the census data for the Town of Coaldale. Although the survey demographics may not be entirely representative of our community, all age brackets have been weighted (discussed in more detail in section 2.11 of full report) to ensure fair and accurate comparison.

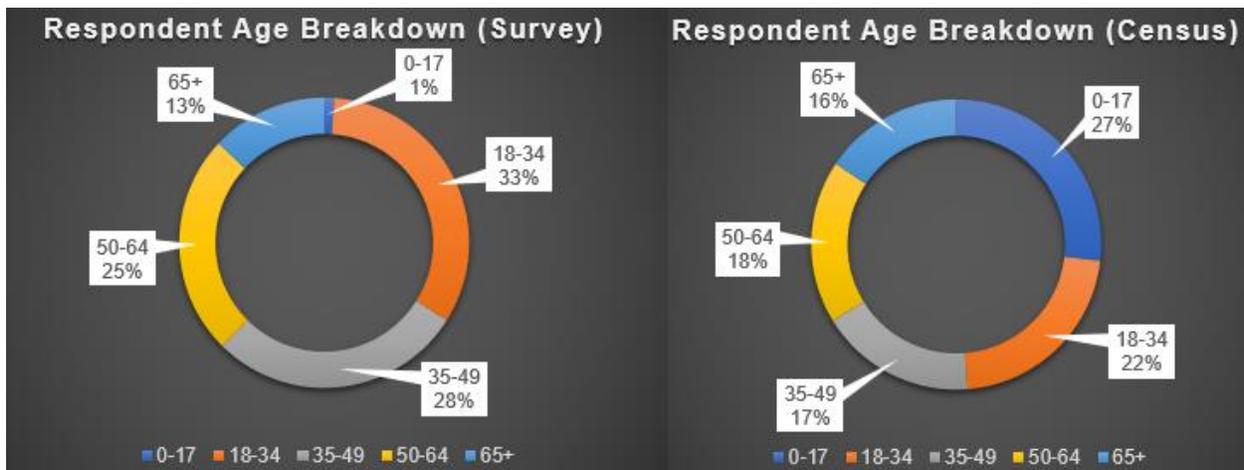


Figure 2: Respondent age breakdown, Survey vs. 2016 Census data.

3. Survey Results

3.1 General Support

The survey results indicate that the Town's residents are fairly divided on many of the key topics concerning non-medical cannabis legalization in Coaldale. General support for the legalization of non-medical cannabis was almost evenly split, with 46% of respondents either strongly or somewhat *supportive* of non-medical cannabis and 47% of respondents either strongly or somewhat *opposed* to the legalization of non-medical cannabis. The remaining 7% of respondents indicated that they had *no opinion for or against*. By taking the weighted averages of each age bracket, the findings suggest that support for non-medical cannabis legalization is more common among younger residents while opposition to legalization is more common among older residents, visualized in Figure 3 below.

3.2 Location, Bylaws, and Zoning

The respondents also had a chance to weigh in on their preferred locations in town for non-medical cannabis retail establishments and the types of zoning required for them. 52% of respondents indicated that the *main street area* would be best suited for these establishments, followed by 40% indicating the *northeast industrial area* and 32% indicating *highway commercial areas*. A small majority of respondents (53%) indicated that the 100-metre setback for cannabis retail establishments from schools and provincial healthcare facilities was by some degree *too lenient*, while 38% of respondents felt the setback was *about right*, and the remaining 9% feeling that the setback was *too restrictive*. Most respondents indicated that additional minimum setbacks for schools (91%), daycares and childcare facilities (82%), parks and open public spaces (65%), and libraries (63%) should be considered.

In a follow-up question, respondents indicated that their two most preferred types of zoning for a cannabis retail sales business were *Commercial C-1* at 46% and *Direct Control, requiring retail sales establishments to seek direct approval from council* at 41%. Many respondents (61%) felt that granting permits under the Land Use Bylaw should be a *discretionary use*, approved only at the discretion of the Municipal Planning Commission and subject to appeal by affected persons, as opposed to the *permitted use* option at 39%. Similarly, respondents indicated that development permits for retail establishments should be temporary and subject to periodic reissuance (58%) as opposed to permanent (42%).

3.3 Consumption, Operation, and Enforcement

Respondents also weighed in on their desired locations for the consumption of cannabis, with the three most popular locations being *indoors at home – private property* (90%), *at specifically licensed consumption facilities* (64%), and *outdoors at home – private property* (63%). 45% of respondents felt that the hours of operation between 10:00 a.m. and 2:00 a.m. were *about right* while 50% of respondents felt that the hours of operation were by some degree *too lenient*. In terms of enforcement, respondents were once again divided, with 43% of respondents indicating that the Town should devote a *modest* amount of resources to non-medical cannabis enforcement; 35% indicating the Town should devote *substantial* resources to enforcement; and 22% indicating the Town should devote *few* resources to enforcement.

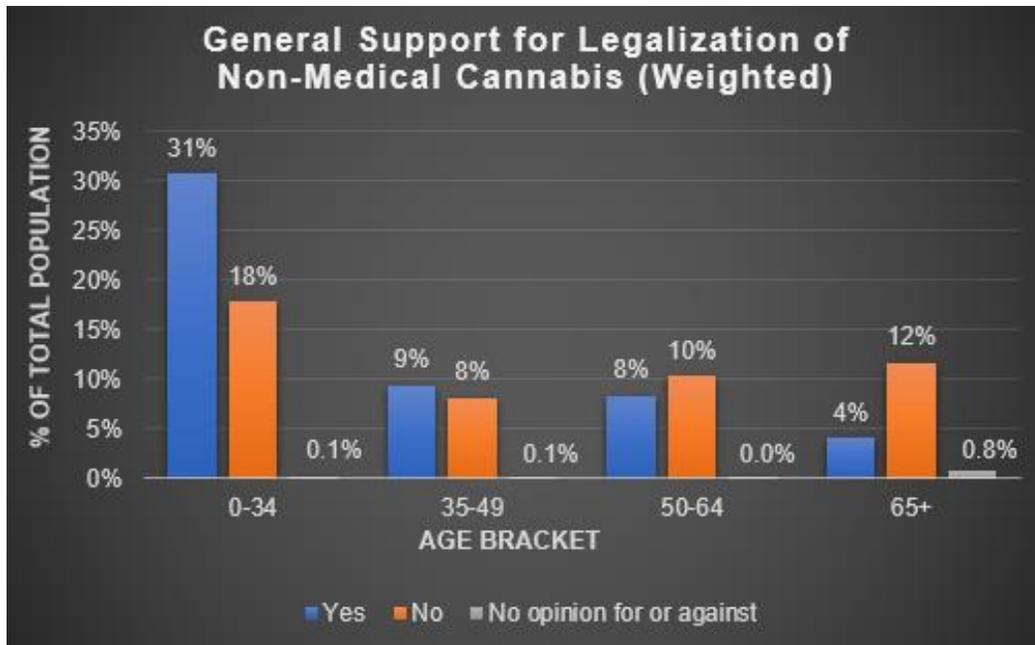


Figure 3: General support for legalization of non-medical cannabis by age bracket, weighted.

4. Conclusion & Remarks

The key findings indicate that there is no clear or substantial majority of attitudes towards many of the key topics concerning the locally controllable elements of non-medical cannabis legalization in the Town of Coaldale. The survey indicates that residents are split on many key topics, such as support for cannabis legalization, where in town retail stores should be located, and how the Town of Coaldale should regulate and enforce consumption and land use at the local level. It is also clear that, as Figure 3 suggests, there is a clear divide in the support/opposition for legalizing non-medical cannabis between younger generations (0-49) and older generations (50-65+).

Overall the findings of the survey have revealed that to address the split views held by the community, compromise may be needed throughout the bylaw preparation process.

Age

847 out of 847 people answered this question



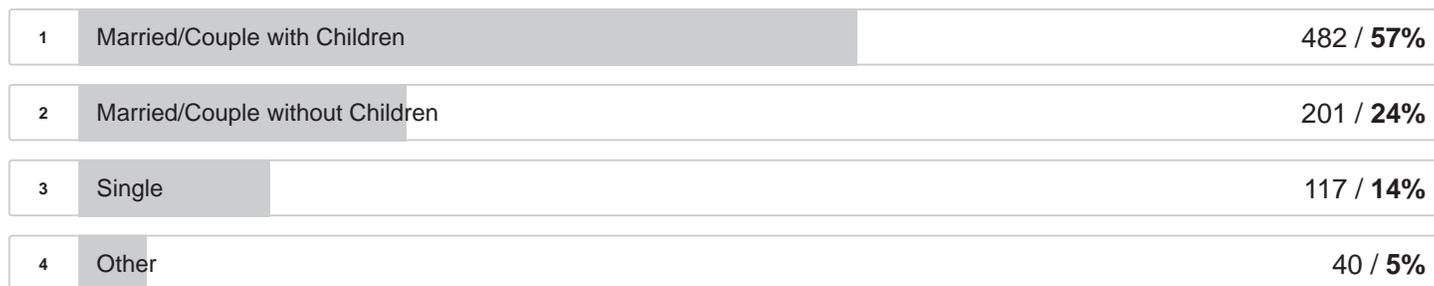
Gender

840 out of 847 people answered this question



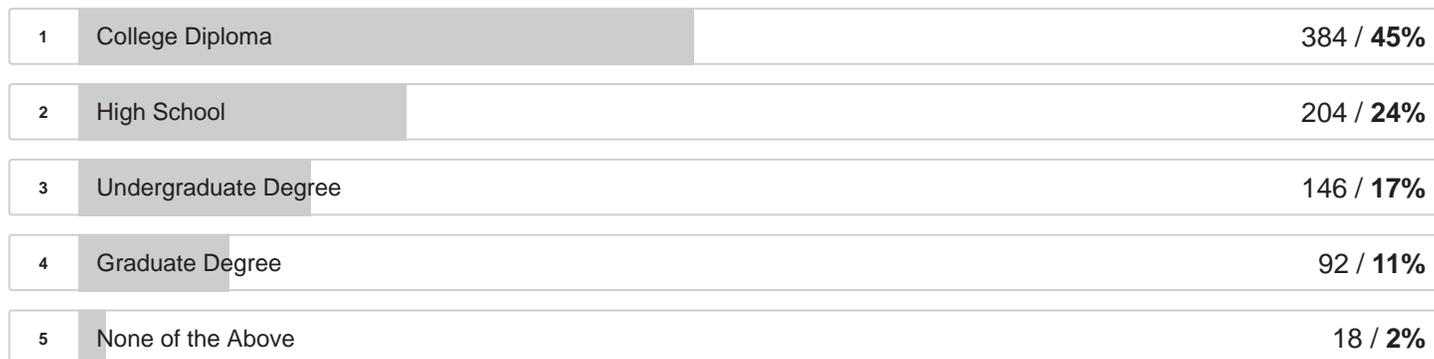
Household Status

840 out of 847 people answered this question



Highest Completed Level of Educational Attainment

844 out of 847 people answered this question



How supportive are you generally of the legalization of cannabis for recreational consumption by adults (18+)?

843 out of 847 people answered this question

1	Strongly opposed	276 / 33%
2	Strongly in favour	266 / 32%
3	Somewhat opposed	119 / 14%
4	Somewhat in favour	117 / 14%
5	No opinion for or against	65 / 8%

What areas of town are, generally, best suited for cannabis retail stores?

826 out of 847 people answered this question

1	Main street area	432 / 52%
2	Northeast industrial area	329 / 40%
3	Highway commercial areas	262 / 32%
4	Other	113 / 14%
5	Residential areas	20 / 2%

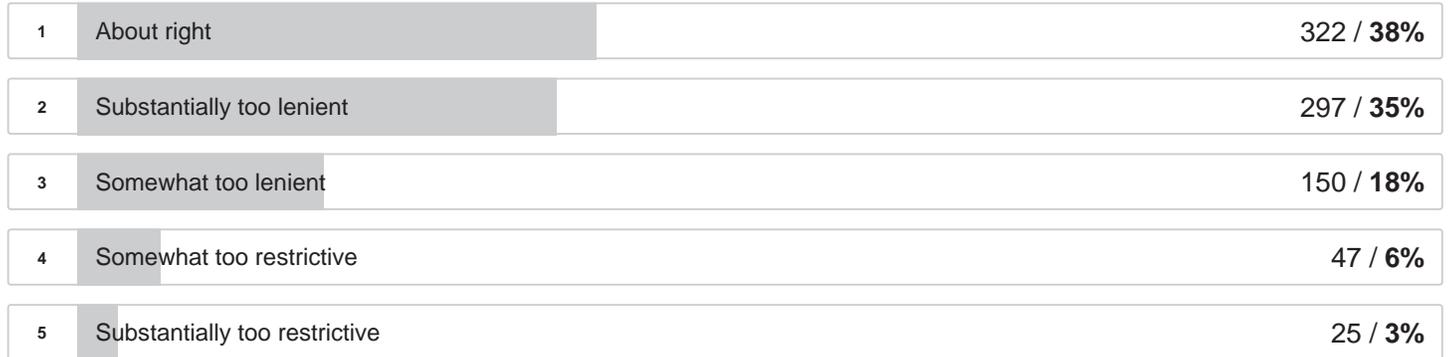
What type of zoning is best suited to host retail cannabis sales locations?

821 out of 847 people answered this question

1	Commercial - C1 (General Commercial including downtown)	374 / 46%
2	A cannabis retail sales establishment should require special approval of Council (Direct Control).	334 / 41%
3	Commercial - C2 (Highway Commercial)	217 / 26%
4	Industry - I (General Industrial)	162 / 20%
5	Industry - I2 (Light Industrial)	145 / 18%
6	Commercial - C3 (Neighbourhood Commercial)	97 / 12%
7	Other	57 / 7%

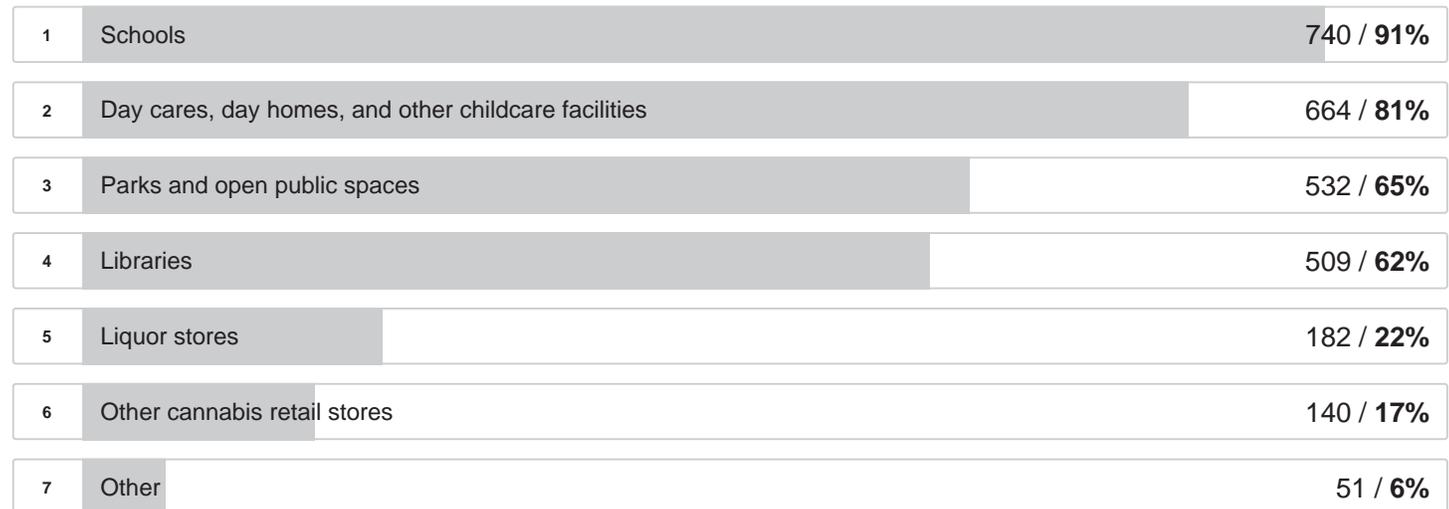
Currently, Provincial regulations will establish a 100 metre (approximately 1 block) setback requirement for cannabis retail sales locations from schools and provincial health facilities such as hospitals. Municipalities will have the option of varying those restrictions as they see fit. Do you feel these setbacks are:

841 out of 847 people answered this question



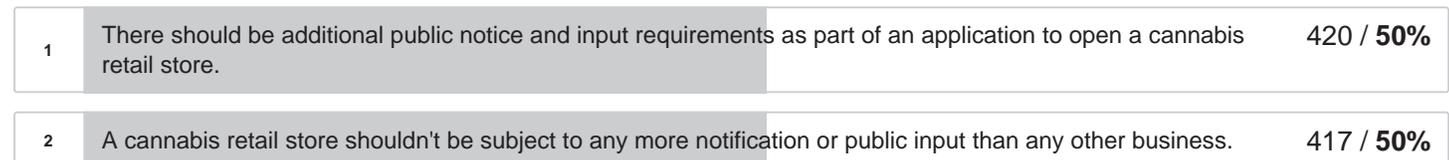
Municipalities have the option to place setback restrictions from cannabis retail stores to other types of properties. Do you think the Town should consider instituting minimum setback restrictions from the following:

815 out of 847 people answered this question



Should an application for a permit to open a cannabis retail store be subject to additional public input, or should it be treated the same as any other business?

838 out of 847 people answered this question



If a cannabis retail store is proposed in an area where it is otherwise allowed under the rules of the Land Use Bylaw, **should a decision to grant a permit be...**

827 out of 847 people answered this question

1	a discretionary use; approved only at the discretion of the Municipal Planning Commission and subject to appeal by an affected person.	502 / 61%
2	a permitted use; automatically approved and not subject to appeal by affected persons.	325 / 39%

For the most part, when a development permit is issued, it is permanent. It is possible, however, for the Town to issue permits that are temporary. These temporary permits require those receiving the permit to come back and reapply with the Town periodically. Regardless of if a permit is permanent or temporary, the cannabis retail store will also be required to acquire a licence from the Alberta Gaming and Liquor Commission. This licence will usually be for one or two years. **Should development permits for cannabis retail stores be....**

837 out of 847 people answered this question

1	TEMPORARY. The Town should reconsider the issuance of a permit for this type of business every so often.	489 / 58%
2	PERMANENT. The requirement to come back and reapply periodically is too onerous on a small business owner who has invested in starting a business in this location.	347 / 41%

Provincial regulations limit the hours of operation of a cannabis retail store to between 10:00am to 2:00am, Monday to Sunday (7 days a week). Are these regulations....

842 out of 847 people answered this question

1	About right	377 / 45%
2	Far too lenient	271 / 32%
3	Somewhat too lenient	148 / 18%
4	Somewhat too restrictive	25 / 3%
5	Far too restrictive	21 / 2%

Should cannabis retail stores be able to sell only cannabis and related accessories?

836 out of 847 people answered this question

1	Cannabis retail stores should be able only to sell cannabis and related accessories - nothing else.	464 / 56%
2	Cannabis retail stores should be able to sell any variety of goods they deem fit.	222 / 27%
3	Cannabis retail stores should be able to devote a small percentage of their storefront to non-cannabis related goods.	149 / 18%

How would you like the Town to communicate with you about the regulation of retail cannabis sales?

837 out of 847 people answered this question

1	Town of Coaldale Website	701 / 84%
2	Social Media (Twitter/Facebook)	582 / 70%
3	Newspaper	480 / 57%
4	Bulletin Boards	254 / 30%
5	Other	66 / 8%

At which types of locations should people be allowed to consume cannabis?

839 out of 847 people answered this question

1	Indoors at home (private property)	752 / 90%
2	At a specially licensed consumption facility like a cannabis lounge	533 / 64%
3	Outdoors at home (private property)	523 / 62%
4	At a cannabis retail store	264 / 31%
5	At a public park/open space	87 / 10%
6	On the sidewalk	71 / 8%
7	Other	40 / 5%

How likely are you to purchase non-medical cannabis within 6 months of its legalization?

841 out of 847 people answered this question

1	Very unlikely	514 / 61%
2	Very likely	151 / 18%
3	Not sure	73 / 9%
4	Somewhat likely	55 / 7%
5	Somewhat unlikely	48 / 6%

Should the Town devote additional resources to enforcing restrictions on cannabis sales and use?

841 out of 847 people answered this question

1	The Town should devote a modest amount of resources to enforcing regulations about the use and sale of cannabis.	358 / 43%
2	The Town should devote substantial resources to enforcing regulations about the use and sale of cannabis.	295 / 35%
3	The Town should devote few resources to enforcing regulations about the use and sale of cannabis.	187 / 22%