



BYLAW
Restricting the use of Fertilizers by Waterbodies in Parkland County
Public Hearing and Proposed Second Reading
September 24, 2024

BACKGROUND

- Wabamun Lake Adhoc Committee identified need for a nutrient loading
- Administration presented Nutrient Loading Bylaw report at the September 5, 2023, Governance and Priorities Committee (GPC) Meeting to discuss options for development of a Bylaw
- GPC directed Administration to prepare a Bylaw for Council's consideration
- Administration presented proposed Bylaw and Engagement Plan at the May 21, 2024, GPC for information and feedback
- The proposed Bylaw 2024-16 was presented and received First Reading at the June 11, 2024 Council Meeting

Bylaw Purpose

- To restrict the use of fertilizers around Parkland County waterbodies; reducing nutrient loading which can result in unhealthy waterbodies where things like fish kills and blue green algae blooms can occur

Bylaw Title and Definitions

- Bylaw will be known as the Restricted Use of Fertilizers Bylaw
- Notable definitions are included for Fertilizers, Compost and Waterbodies
- Council amended the definition of Waterbodies at First reading to also include rivers, streams and wetlands

Bylaw Prohibition/Exceptions

- To restrict the use and application of any fertilizer in any subdivision adjacent to a water body in Parkland County
- Natural compost use is allowed
- Exceptions are proposed for agricultural lands, golf courses. Horticultural producers such as greenhouses or market gardens, as well as lands used for tree nurseries or turf/sod production

Bylaw Enforcement/Penalties

- Enforcement would be done on a complaint basis
- Penalties are proposed and will be established as part of our Fees and Charges Bylaw should bylaw 2024-16 receive all three readings

Bylaw – Public Engagement Plan Policy

- Council Policy C-AD51 requires engagement
- Engagement included informing and consulting
 - To make the public aware and informed of the proposed Bylaw, its purpose and impacts
 - To inform them that Council has made the decision to consider this Bylaw
 - To inform the public of the Bylaw approval process and their opportunity to participate in the Public Hearing
 - To invite feedback and comment from the public

Bylaw – Public Engagement Plan

Who we engaged

- Subdivisions adjacent to Parkland County waterbodies
- General public

How we engaged

- Direct Mailout of 7100 Post Cards to subdivisions adjacent to Parkland County waterbodies
- Print media (Examiner/Reporter/Community Voice/communicator)
- Social Media
- Website

Bylaw – Public Engagement Plan

- What we shared
 - Why we are doing this
 - What we are doing
 - How we are doing it
 - Who it will impact
 - Bylaw approval process, including opportunity for resident feedback at Public Hearing
 - Timelines

Bylaw – What we heard

- Overall, a mixture of support and non-support for this proposed Bylaw
- Questions and concerns about ability to enforce a Bylaw like this
- Comments about awareness, education and moderation as opposed to Bylaw that is difficult to enforce
- Concerns about entire subdivisions being restricted vs just those properties beside waterbodies
- Questions around the impact of residential use vs commercial use (which are proposed to be exempt from this Bylaw) on waterbodies
- Concerns about the potential impact on gardens and food provision
- Concerns about complete ban on fertilizers, that consideration should be given to some organic fertilizers
- Concerns about negative impact on property values and appearance

Bylaw – Enforcement

- Done on a complaint basis
- Summer Villages around Lake Wabamun have Bylaws with no enforcement provisions
- Municipalities with similar Bylaws that have Enforcement provisions have not utilized them
- Will be challenging and complex to enforce

Points for consideration:

- Remove Enforcement provisions similar to Summer Villages
- Not pursue Bylaw that will be difficult to enforce and focus on education and awareness

Bylaw – Area to be restricted

- Entire subdivision rationale was used based on thinking that most subdivisions around waterbodies typically drain towards the waterbody
- Generally speaking, impact on a waterbody by use of fertilizer on a property 250m away vs one 30m away is not zero but is less
- Alberta Environment regulates use of pesticides and herbicides around waterbodies and uses a 30m set back

Points for consideration:

- Reduce area where use of fertilizer is restricted to those lands within 30m of a waterbody

Bylaw – Residential Use vs Commercial Use

- Commercial operations such as agriculture producers and golf courses have been excluded in the proposed Bylaw due to negative impacts on yield/production and profitability
- Perception we heard were impacts on waterbodies were more from commercial operations use than residential applications; to have an impact commercial should be restricted as well

Points for consideration:

- Include commercial operations in restriction

Bylaw – Impact on Gardens

- Concerns raised around impacts on growing food, as well as providing flowers to support pollinators such as bees
- In relation to this is a question around use of organic fertilizer that is more effective than compost but less harmful than inorganic fertilizers
- Many organic fertilizers still have or result in release of nitrogen which contributes to plant growth in waterbodies that we are trying to reduce with this bylaw

Points for consideration:

- Allow use of fertilizer in contained plant boxes, gardens where there is no run off
- Allow use of fertilizers for gardens, flowers and trees
- Allow use of organic fertilizers that do not contain or result in the release of nitrogen or phosphorus

Bylaw – Negative impact on property values

- Concerns raised that yards/landscaping will suffer if fertilizer can not be used
- According to various real state groups Landscaping can have an impact on property value ranging anywhere from 5-20%
- Programs are available such as ALUS and Green Acreages to support natural approaches to land use to better protect and support the environment

Points for consideration:

- Allow use of organic fertilizers that do not contain or result in the release of nitrogen or phosphorus
- Promote or enhance ALUS and Green Acreages programs to make programs more attractive

Bylaw – Alternatives

- Defeat Bylaw and focus on Education and Awareness
- Reduce area of restriction
- Include Commercial and Agricultural operations

Bylaw – Next Steps

- Discussion/Amendments
- Decision on Second Reading
- Third Reading set for October 22, 2024

Bylaw - Questions

