Agenda – Standing Policy Committee on Downtown Development, Heritage and Riverbank Management – September 21, 2015

REPORTS

Item No. 11 Winnipeg Zoning By-law – Bee Keeping

WINNIPEG PUBLIC SERVICE RECOMMENDATION:

That the Winnipeg Public Service be directed to prepare an amendment to the Downtown Winnipeg Zoning By-law 100/2004 regarding apiaries along with guidelines to be developed in collaboration with stakeholders.

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DECISION MAKING HISTORY:

STANDING COMMITTEE RECOMMENDATION:

On May 7, 2015, the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management passed the following motion:

WHEREAS the maintenance of a healthy bee population is critical to sustaining bio-diversity through the pollination of vegetation;

AND WHEREAS the declining population of bees throughout North America has been recognized as a significant environmental issue;

AND WHEREAS many Cities have amended by-laws and adopted policies to encourage the practice of urban bee keeping in an effort to restore and enhance the bee population;

AND WHEREAS a number of property owners in Downtown Winnipeg have expressed an interest in establishing bee colonies on high roof tops;

THEREFORE BE IT RESOLVED THAT the Winnipeg Public Service be directed to investigate and report back at the September 18, 2015 meeting of the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management on the following:

1. A cross jurisdictional analysis and a summation of best practices over several Canadian cities of urban bee keeping in particular on the roof tops of high buildings.

2. Recommendations for amendments to the Downtown Winnipeg Zoning By-law No. 100/2004to allow for the keeping of bees on building roof tops in the downtown.

Further, on May 7, 2015, Jason Patterson, submitted a communication from Richard Bel, Managing Partner/Owner, Fort Garry Hotel, in support of the matter.

ADMINISTRATIVE REPORT

Title: Downtown Beekeeping

Critical Path: Standing Policy Committee on Downtown Development, Heritage and Riverbank Management

AUTHORIZATION

Author	Department Head	CFO	CAO/COO
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RECOMMENDATIONS

That the Winnipeg Public Service be directed to prepare an amendment to the Downtown Winnipeg Zoning By-law 100/2004 regarding apiaries along with guidelines to be developed in collaboration with stakeholders.

REASON FOR THE REPORT

On May 7, 2015, the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management directed that the Winnipeg Public Service investigate and report back, at its September 18, 2015 meeting, on the following:

1. A cross jurisdictional analysis and a summation of best practices over several Canadian cities of urban bee keeping in particular on the roof tops of high buildings.

2. Recommendations for amendments to the Downtown Winnipeg Zoning Bylaw No. 100/2004 to allow for the keeping of bees on building roof tops in the downtown.

IMPLICATIONS OF THE RECOMMENDATIONS

If the recommendations are concurred in, the Winnipeg Public Service will prepare the corresponding amendments and advertise them in accordance with statutory requirements for a public hearing to be held at Standing Policy Committee on Downtown Development, Heritage and Riverbank Management.

The Public Service will work with stakeholders in the beekeeping community to develop a set of best practice guidelines, similar to those used in Vancouver, Calgary and Edmonton.

HISTORY

On May 7, 2015, the Standing Policy Committee on Downtown Development, Heritage and Riverbank Management directed that the Winnipeg Public Service investigate and report back, at its September 18, 2015 meeting, on the following:

1. A cross jurisdictional analysis and a summation of best practices over several Canadian cities of urban bee keeping in particular on the roof tops of high buildings.

2. Recommendations for amendments to the Downtown Winnipeg Zoning Bylaw No. 100/2004 to allow for the keeping of bees on building roof tops in the downtown.

DISCUSSION

Background to the request:
There has been growing interest in urban beekeeping locally and nationally in support of:

- *Biodiversity* – bees are part of a balanced ecosystem;
- *Bee population* – bee numbers have been declining in recent years;
- *Hobby beekeeping / educational programming* – opportunities to learn about science and nature through beekeeping;
- *Local food production* – one bee hive can produce 100 pounds of honey in a year;
- *Pollination* – one third of food crops require pollination, and bees are responsible for the majority of pollination.

Cross-jurisdictional analysis

Currently in the City of Winnipeg, apiaries are not permitted Downtown and are conditional only in the Agricultural Zone outside Downtown. The Province of Manitoba registers beekeepers and undertakes inspections to ensure proper maintenance of hives and to monitor the threat of disease in the bee population. A majority of complaints concerning bees are fielded by the office of the Provincial Apiarist. *The Bee Act* of Manitoba restricts enforcement to matters which prevent the spread of disease across bee population; however this mandate may be broadened in the future.

Vancouver
The City of Vancouver has detailed guidelines on beekeeping. The Province of British Columbia maintains a registry for both apiaries and beekeepers, and has a mandate to inspect bee hives. Vancouver has worked closely with the local beekeeping association to designate voluntary beekeepers for different geographical areas as the contact person to assist with public education and address swarming related incidents.

Edmonton
The City of Edmonton has detailed guidelines on beekeeping. Beekeeping is subject to an application to the City's Animal Control Branch. Applications must include evidence of notification to adjacent properties and adherence to the guidelines. Animal Control Peace Officers undertake inspections. The Province of Alberta also registers beekeepers and undertakes inspections to ensure proper maintenance of hives and to monitor the threat of disease in the bee population.

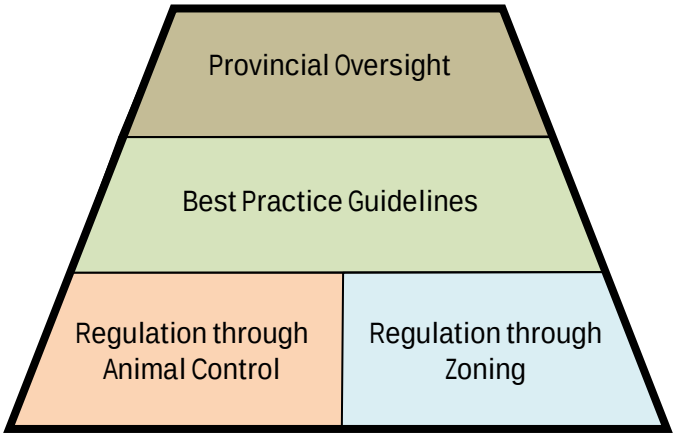
Calgary
The City of Calgary directs citizens to beekeeping guidelines provided by the non-profit sector association.

Saskatoon
The City of Saskatoon enforces beekeeping activity through the Animal Control By-Law, but has no specific guidelines or regulations. Beekeeping certification required through the Province of Saskatchewan

Toronto
The City of Toronto is starting to look at Edmonton's approach to backyard beekeeping. Beekeepers must be registered with the Province of Ontario. The *Bees Act* of Ontario includes locational regulations.

Summary
In most jurisdictions, the provincial government plays the primary regulatory and enforcement role. Winnipeg appears to be the only major city that prohibits urban beekeeping through zoning. In many cities, apiaries are not being regulated municipally, and are therefore permitted by default.

There are layers of oversight and guidance available to a municipality seeking to support urban beekeeping. At a minimum, there is provincial oversight within the mandate of a provincial Bee Act. Best practice guidelines can be added. On their own, they are largely voluntary, relying on promotion and self-regulation by the beekeeping community (as is the case in Vancouver and Calgary). A civic enforcement layer can be implemented to achieve compliance with the guidelines. The City of Winnipeg currently uses the conditional use process under *Winnipeg Zoning By-Law 200/06* to regulate apiaries in the absence of guidelines. The City of Edmonton uses guidelines in combination with a rigorous application and enforcement process through Animal Control.



Options
Based on approaches used by other cities, the City of Winnipeg could consider:

- replacing zoning restrictions on beekeeping with voluntary guidelines, relying on self-regulation by the beekeeping community and provincial registration;

- making new apiaries subject to Animal Services approval rather than a development permit under zoning (would require changes to *Winnipeg Zoning By-Law 200/06* and the *Responsible Pet Ownership By-Law 92/13*).

However, given the scope of the request by Standing Policy Committee, limited to the Downtown geography, the simplest way to make accommodation for urban beekeeping at this time would be to amend the downtown zoning. Guidelines modeled after those in other cities may accompany the change as a source of public information and to encourage best practices in beekeeping.

Policies and regulations related to urban beekeeping generally apply to an entire city rather than a specific geographical area, such as the downtown. If it was determined that Winnipeg follow a similar approach, further analysis and investigation would be required to determine how best to accommodate beekeeping throughout the entire city. This investigation would align with the scope of work being undertaken as part of the recently endorsed report on urban agriculture and local food production (*Accommodating the Interests of Winnipeg's Agricultural Community)*.

Reasons for Recommendations:

- Since the *Winnipeg Zoning By-Law* already regulates apiaries (as enabled by the *Responsible Pet Ownership By-Law*) the most expedient way to accommodate beekeeping downtown is to amend the *Downtown Winnipeg Zoning By-Law* and use that by-law in combination with guidelines as a tool to provide oversight.
- In addition to rooftop beekeeping, the Winnipeg Public Service would recommend making accommodation for ground level beekeeping when secured behind a solid six foot fence. This type of application could be of interest to the Forks or the University of Winnipeg.

FINANCIAL IMPACT

Financial Impact Statement Date: August 28, 2015

Project Name:

Downtown Beekeeping

COMMENTS:

There is no direct financial impact associated with the recommendations contained in this report.

"Original Signed By"
Mike McGinn, CA
Manager of Finance

CONSULTATION

In preparing this report there was consultation with:

Internal Consultation: Animal Services Agency; Insect Control; Zoning and Permits; Legal Services, as per legal issues.

External Consultation: Manitoba Agriculture, Food, and Rural Development; Entomology Department, University of Manitoba; University of Winnipeg; Red River Beekeeping Association; Manitoba Beekeepers' Association; Food Matters Manitoba; City of Vancouver.

See Appendix A.

OURWINNIPEG POLICY ALIGNMENT

Our Winnipeg, Section 03-2 – Quality of Life > Vitality
Encourages pursuing opportunities to support local food production.

- Direction 8: Working through community partnerships, respond to food needs as identified by communities:
    - Pursue opportunities to support local food production.
    - Develop planning tools to manage the sustainability of existing community gardens and to enable the creation of new permanent or temporary gardens.

A Sustainable Winnipeg, Section 05 – The Foundation:

- Leading by Examples, Direction 3 contains policies that encourage the promotion of citizen awareness of sustainability.

These policy directions provide support of urban beekeeping especially as it pertains to food production and public education.

SUBMITTED BY

Department	Planning, Property and Development
Division	Urban Planning
Prepared by:	Kurtis Kowalke and Elise Finnigan
Date:	August 28, 2015
File No.	

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UD 2015-028

Appendix A: Consultation with the Beekeeping Community

Comments from June 26, 2015 Meeting:

- There are already bees downtown – an individual bee has a typical travel range of five kilometres.
- Even with the addition of several apiaries downtown, the number of bees seen downtown would not appreciably increase.
- Rooftop beekeeping is a fairly limited application. Challenges are posed by the difficulty accessing most rooftops and the effort involved in moving heavy materials to and from the roof.
- The Province of Manitoba conducts routine inspections of small scale beekeeping operations at a three to four year interval.
- Issues and fears with urban bees should be handled with public education and adherence to best management practices.
  Examples –
    - Foster an understanding of the difference between bees, hornets and wasps. Bees are not aggressive like hornets and wasps and are not attracted to our food and drinks.
    - Apiaries used in tours or educational programming should have an EpiPen in close proximity.
    - Bees follow a predictable flight path that can be directed by the orientation and location of the hive. Good planning minimizes interference between bees and people.
    - Ensuring a source of water near the hive will minimize the risk of bees being attracted to public fountains.
- Having a set of guidelines is an important tool in ensuring information is readily available for both beekeepers and the public, and to ensure that potential issues are minimized.
- The average wintering loss in the bee population this year was 14%. The 10 year average is closer to 25% and the long-term range is from 15 - 30 percent.
- Buying locally produced honey can help reduce our carbon footprint.
- Rooftop hives should be setback from the edge of a building
- With rooftop beekeeping, urban warming effect can confuse bees resulting in them leaving their hives too early.
- Don't have to worry too much about regulating the number of bees per square kilometer as the bee population in an area is self-regulating. If there are too many bees in an area and not enough pollination sources the bees will die.
- In Montreal, a public awareness campaign was conducted where people were asked if they could tell the difference between wasps and bees and the majority couldn't.
- Different types of bees:
    - Africanized bee ("killer bee") not found in Canada
    - Bumblebee = native species, only produce small amount of honey
    - Honeybee (or European bee) = major honey producers
    - Solitary bees = Mason bees and Leaf eater bees
- Swarms are not very defensive (could stick hand in a swarm).
- There is a common misconception that people who are allergic to wasp stings are also allergic to bee stings. While some people may have an allergic reaction to both, this is not always the case.