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ITEM
MANAGER'S REPORT NO. 11
COUNCIL MEETING 89/02/06

RE: LETTER FROM MR. JIM MEDILL, SURREY BEEKEEPERS ASSOCIATION WHICH APPEARED ON
THE AGENDA FOR THE JANUARY 30TH MEETING OF COUNCIL (ITEM 3 C)

MUNICIPAL MANAGER'S RECOMMENDATION:

1. THAT the recommendation of the Director Recreation & Cultural Services
be adopted.

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TO: MUNICIPAL MANAGER 1989 JANUARY 31
FROM: DIRECTOR PLANNING & OUR FILE:
BUILDING INSPECTION

SUBJECT: CORRESPONDENCE CONCERNING BEEKEEPING IN THE MUNICIPALITY

PURPOSE: TO RESPOND TO A LETTER CONCERNING AN ORDER GIVEN TO REMOVE A
COLONY OF HONEYBEES FROM THE PROPERTY AT 6865 HYCREST DRIVE
AND A SUGGESTION THAT THE MUNICIPALITY CHANGE ITS BYLAWS
AFFECTING BEEKEEPING

RECOMMENDATIONS:

1. THAT a copy of this report be forwarded to Mr. Jim Medill,
Surrey Beekeepers Association, 14708-68th Avenue, Surrey,
B.C. V3S 2B1.

REPORT

1.0 BACKGROUND

Appearing on the Council agenda of 1989 January 30 was a letter
from a Mr. Jim Medill of the Surrey Beekeepers Association concern-
ing an order from the Licence Department directing that the owner
(Mr. Z. Pochurko) of 6865 Hycrest Drive remove a colony of honey-
bees from his property. Mr. Medill suggests that the Municipality
could change its bylaws affecting beekeeping along the lines as
adopted in Surrey or Richmond.

2.0 GENERAL COMMENTS

The Burnaby Zoning Bylaw provides the keeping of bees in only the
A1 (Agricultural), the A2 (Small Holdings) and the M3a (Heavy
industrial) zoning districts. Council presently has before them a
proposed bylaw text amendment for the M3a zoning district that
among other things would remove the keeping of bees as a permitted
use.

The property at 6865 Hycrest Drive is zoned R2 (Residential
District) which provides for single-family dwellings within medium
density urban-type residential areas of the Municipality. The
keeping of bees is not a permitted use within the R2 district.

3.0 LICENCE OFFICE ACTIONS

The Chief Licence Inspector advises that the beehive kept by Mr. Pochurko at 6865 Hycrest Drive came to the attention of the Licence Office as the result of a complaint filed on 1988 September 30.

The complainant alleged that the bees from the hive were responsible for the stinging of several workers and a school age child on the grounds of Sperling Avenue Elementary School. Mr. Pochurko's property is immediately adjacent to the school grounds. A site inspection confirmed that one beehive is being kept in the rear yard.

Licence staff have on several occasions, discussed the zoning regulations with Mr. Pochurko and requested the hive be removed voluntarily. It is Mr. Pochurko's position that the beehive predates the establishment of the zoning bylaw in 1965. He maintains that he should be permitted to raise bees as a legal non-conforming right. Mr. Pochurko has not been able to supply evidence or documentation to support this position.

The Licence Office has been unable to confirm the legal non-conforming status of the beehive through a search of municipal records. The B.C. Ministry of Agriculture & Fisheries, who registers beehives, was contacted with a request that they search their files for information pertaining to Mr. Pochurko. The Ministry informed Licence staff that Mr. Pochurko obtained a registration certificate for a beehive on 1980 September 30.

The neighbours were also contacted in attempt to substantiate the claim of legal non-conforming status. They were uncertain whether the hive has been in existence 15, 20 or 25 years. Mrs. Pochurko has stated that the hive has been in existence for approximately 15 years.

Given that there appears to be no documentation to support legal non-conforming status, we have concluded that the beehive is in contravention of the Zoning Bylaw. Licence staff served written notice on 1989 January 12th, requesting the hive be removed by 1989 February 15th. While Mr. Pochurko has not removed the hive to date, Licence staff are continuing to work with him to achieve compliance with municipal regulations.

4.0 OTHER MUNICIPAL BYLAWS

The Surrey and Richmond Bylaws referred to in Mr. Medill's letter were adopted in 1974 and 1977 respectively. Both bylaws are quite similar in that they are extremely permissive, allowing for beekeeping in any area of the Municipality with the exception of Multiple-Family Districts or in the area immediately adjacent (i.e. within 75 feet) to those districts. In discussion with staff of those communities, it appears that the existence of these bylaws is reflective of the historic availability of relatively rural areas within these communities.

The Cities of Vancouver and New Westminster as our neighbouring municipalities were contacted to determine their position with respect to beekeeping. Neither community has the keeping of bees as a permitted use within their respective zoning bylaws.

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5.0 CONCLUSION

In the view of staff, the keeping of bees is an incompatible use within the more urbanized portions of the Municipality. Given its inner situation within the region, Burnaby is more urbanized than the more outlying municipalities and presently is the most permissive of the three inner Burrard Peninsula communities with respect to opportunities within the zoning bylaw for beekeeping. Those opportunities as related to the A1 and A2 zoned areas of the Municipality are considered both adequate and appropriate given our current state of development.

Licence staff will continue working with Mr. Pochurko to achieve compliance with the municipal zoning bylaw.



A.L. Parr
Director Planning &
Building Inspection

JSB:TJ/jp

cc: Chief Licence Inspector

