



CONSULTATION ON 30M SET-BACK REQUIREMENT IN THE BEES ACT

[View Article in March/April 2019 Issue of the Ontario Bee Journal.](#)

THE OBA POSITION

It is time for the Province to reconsider the setback requirements of the [Ontario Bees Act](#), which were promulgated 28 years ago when beekeeping was an activity mostly confined to agricultural areas. Ontario needs new rules that provide a consistent framework, that provide more flexibility for beekeeping in populated and rural areas, and at the same time encourage responsible management practices.

The Ontario Beekeepers' Association (OBA) calls on the Province to rescind the setback requirements in Sections 19(1) and 19(2) of the Ontario Bees Act.

In place of these requirements, the OBA recommends that the Provincial Apiarist collaborate with the OBA and with interested municipalities to develop and promulgate Ontario Guidelines for Beekeepers in Residential, Commercial, and Industrial Areas.

FRAMEWORK | GUIDELINES

The recommended guidelines should:

1. Enumerate good beekeeping practices to ensure healthy honey bee colonies in populated areas,
2. Reduce safety concerns, nuisance impacts, and conflicts with neighbours,
3. Allow for Bee Inspectors to objectively assess compliance with these guidelines in determining whether hives kept in urban areas need to be relocated or beekeepers ordered to improve their practices.

The guidelines should include recommendations or requirements in the following areas:

- Registering with OMAFRA's apiary inspection program. This is already required by law. We expect that rescinding the 30-metre rule will result in an increase in urban beekeeper registrations.
- Permission from property owners to site hives. Some honey bee colonies may be located on properties not owned by the beekeeper. It is essential that beekeepers acquire permission from the owners of these sites in order to keep bees on the property.
- Maximum number of hives in urban settings. The guidelines should include examples of what would be considered a reasonable number of hives for a given property. Provincial inspectors would be expected to use their judgement in specific situations where a complaint is made.

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- Allowable hive types (removable frames). Again, this is already required by law but may need to be emphasized to avoid the installation of alternative hive designs that make it difficult to assess the health of the colony within.
- Location of hives in relation to adjacent dwellings or other inhabited buildings, public walkways, parks, schoolyards, or playgrounds. The OBA recommends that hives installed at ground level within five metres of dwellings, other inhabited buildings, public walkways, parks, schools, or playgrounds be protected by walls, a fence, or a dense hedge a minimum of 1.8 metres in height.
- Management of hives above groundlevel. Hives located on elevated structures or rooftops more than three metres above the ground should have stairs for accessibility of the beekeeper and beekeeping equipment and should incorporate appropriate safety features such as railings.
- Signage. Ontario beekeepers are already required to post a sign at each apiary with their name and address. Beekeepers in populated areas should also include an email address or phone number where they can be reached.
- Maintain a source of water to discourage bees from visiting nearby pools, fishponds, bird baths, or hose bibs. Beekeepers in populated areas should be required to maintain a fresh source of water for their bees from the beginning of April until the end of October.¹ⁱ
- Management practices to: keep colonies healthy; provide adequate space and deter swarming; manage aggressive bees; and store equipment properly. The OBA proposes to work with OMAFRA to produce a guide and requirements for good beekeeping management practices in populated areas. Among other things, the guide should strongly recommend that new beekeepers take a beekeeping course from an accredited institution. Recommended management practices should also include: inspection for and management of pests and diseases; swarm deterrence; management of aggressive bees; and secure storage of bee equipment to prevent robbing behaviour and the spread of disease.

Consultation Questions:

1. Do you support OBA's draft Position Statement on the 30-metre setback requirements set out in Sections 19(1) and 19(2) of the [Ontario Bees Act](#)?
2. Do you support the proposed Framework/Guidelines?
3. What do you consider to be the benefits or risks to honey bees and the sustainability of Ontario beekeeping that relate to the OBA's Position?
4. Are there other elements set out in the Bees Act, or missing from the Bees Act, that you would like to raise for OBA consideration?

ⁱ Standing water can become a breeding ground for mosquitos, which may carry the West Nile virus. This is of concern to public health departments.