

**ANIMAL CONTROL BYLAW, 1999 POULTRY AND
BEES**

26. Subject to the Uplands Regulation Bylaw, which shall prevail in the event of conflict, no person shall keep, house or confine poultry within the Municipality except in accordance with the following regulations:

- (1) no poultry may be kept other than on land zoned for one family residential use under the Zoning Bylaw;
- (2) the owner of the poultry resides on the parcel where the poultry is kept;
- (3) no more than five (5) poultry may be kept, housed, or confined on any parcel of land having an area less than or equal to 1,114 square metres;
- (4) no more than ten (10) poultry may be kept, housed, or confined on any parcel of land having an area greater than 1,114 square metres;
- (5) the poultry must be at least six months of age;
- (6) the poultry must be kept and confined in a building or structure that:
 - (a) except as otherwise permitted under subsection (b), is located at least 4.6 metres from the rear lot line and side lot lines of the parcel;
 - (b) where the rear lot line or a parcel adjoins a public lane, is located at least 2 metres from the rear lot line;
 - (c) is located within the portion of the parcel bounded by the rear lot line, the side lot lines and the projection of the wall of the principal building facing the rear lot line to the closest points on the respective side lot lines;
 - (d) is no more than 2 metres in height,
 - (e) provides each poultry with at least .37 square metres of coop floor area and at least .92 square metres of roofed outdoor enclosure area; and
 - (f) occupies an area of land not exceeding 9.8 square metres;

(7) the person keeping the poultry must register the poultry with the Municipality by completing and submitting a registration form provided by the Municipality containing the following information:

- (a) the date of registration;
- (b) poultry owner's name, address and postal code;
- (c) confirmation that the owner of the poultry resides on the property where the poultry will be kept; and
- (d) confirmation that the owner of the poultry has read and understood the requirements of this Bylaw.

BEES

29. No person shall keep, house or confine bees within the Municipality without first applying for and obtaining a beekeeping permit from the Licence Inspector.

30. Without derogating from any requirement imposed by a bylaw regulating the application and permit process for the constructions of buildings or other structures, an application for a beekeeping permit shall include:

- (1) a scaled and dimensioned site plan showing the proposed location of each beehive and its distance from the boundaries of the parcel; and
- (2) a scaled and dimensioned elevation plan showing the height of the entrance to each beehive and where applicable, the type, height and location of the fencing or other screening required by Section 30.1(6)(b).

30.1 On application, the Licence Inspector shall issue a beekeeping permit where the application complies with the following conditions:

- (1) the applicant is the owner or tenant in occupation of the parcel on which bees are proposed to be kept;
- (2) the parcel on which bees are proposed to be kept is zoned for beekeeping under the *Zoning Bylaw*;
- (3) the number of beehives proposed to be erected, placed or constructed does not exceed:
 - (a) two (2) for a parcel of area less than or equal to 930 square metres; nor
 - (b) four (4) for a parcel of area greater than 930 square metres;
- (4) no beehive is located closer than 1.5 metres to any boundary of the parcel;
- (5) (Repealed – Bylaw 4840 – Jul 13/23)

(6) (Repealed – Bylaw 4840 – Jul 13/23)

(a) (Repealed – Bylaw 4840 – Jul 13/23)

(b) (Repealed – -Bylaw 4840 - Jul 13/23)

30.2 (Repealed -Bylaw 4840 - Jul 13/23)

30.3 No person shall erect, place, construct or maintain on any parcel a number of beehives in excess of the applicable limit set out in Section 30.1(3).

30.4 No person shall keep, house or confine bees in a beehive located or constructed other than in accordance with Sections 30.1(4), 30.1(5) and 30.1(6), nor in a beehive located or constructed other than in accordance with the plans on which the issuance of a permit under Section 30.1 was based.

30.5 Every person who owns, possesses, keeps, houses or confines bees, and every person on whose property bees are kept, housed or confined shall:

- (1) maintain the bees in a condition that reasonably prevents swarming and aggressive behaviour; and
- (2) provide sufficient water for the bees that reasonably prevents them from seeking water on adjacent parcels of land.

OAK BAY ZONING BYLAW

POULTRY AND BEES

4.18 Keeping of Poultry/Bees

4.18.1 The use of land, or any building or structure, for the keeping of poultry or bees is prohibited except in accordance with the following regulations.

4.18.2 No poultry may be kept other than on land in the following zones:

- (a) R-1 Residential Use
- (b) R-2 Residential Use
- (c) R-3 Residential Use
- (d) R-4 Residential Use
- (e) R-5 Residential Use

4.18.3 Despite section 4.18.2, no poultry may be kept on any land that is within The Uplands.

4.18.4 No more than five (5) poultry may be kept on any parcel having an area less than or equal to one thousand one hundred fourteen (1,114) square metres.

4.18.5 No more than ten (10) poultry may be kept on any parcel having an area greater than one thousand one hundred fourteen (1,114) square metres.

4.18.6 Poultry must not be kept other than in a building or structure that:

- (a) except as permitted under subsection (b), is located at least 4.6 metres from the rear lot line and side lot lines of the parcel;
- (b) where the rear lot line of the parcel adjoins a public lane, is located at least two (2) metres from the rear lot line;
- (c) is located within the portion of the parcel bounded by

the rear lot line, the side lot lines and the projection of the wall of the principal building facing the rear lot line to the closest points on the respective side lot lines;
(d) is no more than two (2) metres in height.

- 4.18.7 Bees may not be kept other than on land zoned for residential use Zones under Part 6 of this Bylaw, on land zoned commercial under Part 9 of this bylaw or on land zoned for institutional use under Part 11 of this Bylaw. (Bylaw 4839 – Jul 10/23)
- 4.18.8 The number of beehives erected, placed or constructed on a parcel must not exceed:
- (a) two (2) on a parcel having an area less than or equal to 930 square metres;
 - (b) four (4) on a parcel having an area greater than 930 square metres.
- 4.18.9 A beehive must not be located closer than 1.5 metres to any boundary of a parcel.
- 4.18.10 A beehive in residential use Zones under Part 6 of this Bylaw must be located in the Rear Yard. (Bylaw 4839 – Jul 10/23)