

December 9, 2022
Building and Development Branch
Ministry of Municipal Affairs and Housing
777 Bay Street Toronto, ON M5G 2E5

Dear Building and Development Branch,

Re: Proposed Changes for the Next Edition of Ontario's Building Code (ERO #019-6211)

Thank you for the opportunity to comment on proposed changes to Ontario's Building Code. I urge you to include provisions that would reduce bird collisions with buildings, based on the Canadian Standards Association A460:19 Bird-friendly building design standard. By mandating bird-friendly building construction measures in the Building Code, Ontario could significantly reduce the vast number of birds that die needlessly each year.

It is estimated that every year, about 25 million birds are killed by colliding with windows in Canada.¹ FLAP Canada has documented birds from 173 species – including 24 species at risk – colliding with buildings in the Greater Toronto Area alone, yet the risk to birds extends throughout the Province of Ontario. There are proven, affordable solutions to this problem. In 2019, the Ministry of Environment, Conservation and Parks funded the development of the Canadian Standards Association A460:19 Bird-friendly building design standard, which was later endorsed by the Ontario Association of Architects.² However, the standard remains voluntary in Ontario.

The Building Code should be revised to incorporate the Bird Collision Mitigation Strategies from CSA A460:19, including the appropriate use of visual markers, specifications for window glazing and glass railings, and building-integrated structures. Implementing bird friendly design in new buildings typically represents a negligible (< 1%) increase in overall construction cost and does not impede development. By mandating bird-friendly building construction measures, Ontario could significantly reduce this leading source of bird mortality. In so doing, it could make meaningful progress on its stated goal of protecting species and supporting conservation efforts to preserve Ontario's rich biodiversity (Made-in-Ontario Environment Plan).

The Ontario government is proposing changes to the City of Toronto Act and Planning Act through Bill 23 "More Homes Built Faster Act" 2022 that would remove the authority of municipal governments to enforce green building standards. This will result in the discontinuation of bird friendly building design guidelines that have been adopted and enforced through site plan control by numerous municipalities across Ontario, including: Ajax, Aurora, Brampton, Burlington, East Gwillimbury, Fort Erie, Guelph, King, London, Markham, Mississauga, Newmarket, Ottawa, Pickering, Richmond Hill, Toronto, Vaughan and others. The latest update to Ontario's Building Code should include a harmonized approach to bird friendly building design under the A460:19 standard.

I trust that you will seriously consider the benefits of incorporating strategies from the CSA A460:19 standard into the next edition of Ontario's Building Code.

1 Machtans, C. S., C. H. R. Wedeles, and E. M. Bayne. 2013. A first estimate for Canada of the number of birds killed by colliding with building windows. *Avian Conservation and Ecology* 8(2): 6. <http://dx.doi.org/10.5751/ACE-00568-080206>

2 Ontario Association of Architects, 2021. Open Letter: Ongoing Support for Bird-Friendly Design. https://oaa.on.ca/OAA/Assets/Documents/Docs-Pubs/20210304_revised_openletter.pdf