



The Honourable Steve Clark
Minister of Municipal Affairs and Housing
College Park, 17th Floor,
777 Bay St.
Toronto, Ontario
M7A 2J3

May 13, 2023

Dear Minister Clark,

Over the last few years, the government has heard calls from scientists and the public to take action by preventing new building construction from contributing to the deaths of millions of wild birds in Ontario annually. Today, on World Migratory Bird Day 2023, we are writing to your office together to ask that you heed these calls to update Ontario's Building Code to include a bird friendly building design standard and require new building construction in Ontario to be made safe for birds.

Each year, millions of wild birds die in Ontario by colliding with windows on buildings. Many species of migratory birds are in steep decline. Unless we take swift actions to address leading threats, Ontario risks losing irreplaceable bird species in the coming years. Building construction is growing across the province, yet developers mostly continue to use materials that are unsafe for birds.

There are simple, inexpensive ways to prevent bird-window collisions at new and existing buildings. Most bird-window collisions occur during the day when birds mistake reflections on glass for habitat or open space and try to fly towards it. To help birds see and avoid windows, bird friendly materials (e.g., fritted glass, window films) can be incorporated into the design of new buildings. However, these solutions will not be implemented consistently where they are needed unless required under Ontario's Building Code.

In 2019, the Government of Ontario sponsored the development of a provincial standard for bird friendly building design (CSA A460:19) by the Canadian Standards Association. At least 16 municipalities in Ontario including some of the province's largest cities have taken up their own bird friendly guidelines and standards for new building construction, enforced through site plan control. However, through Bill 23, Schedules 1 and 9 the province has apparently removed the authority granted to municipalities to enforce bird friendly requirements through site plan control.

Implementing bird friendly building design requirements at the level of individual municipalities can only provide limited protection, while actions are needed to conserve migratory birds province-wide.

Responding to requests from constituents, the Ontario government previously suggested that bird friendly design must be incorporated at the National level, rather than first in Ontario, given there is a pending update to Canada's National Building Code that is expected to harmonize the Provincial Codes. However, it is our understanding that there is no impediment to Ontario continuing to update its own Building Code. We therefore urge your office to incorporate the CSA 2019 A460:19 Bird-Friendly Building Design standard into the Ontario Building Code immediately, to effectively require bird friendly materials to be used in all new residential and commercial building windows.

Migratory birds are ecologically, culturally and economically important throughout their ranges, extending beyond Ontario's borders. Collectively, we are very concerned about declines in Ontario's biodiversity and accelerating development needlessly growing the threats to wild bird populations. We thank you for your time in reviewing our request and would be happy to meet with you and your team to further discuss our concerns.

Sincerely,



Marit Stiles, MPP
Incoming Leader
Ontario NDP



John Fraser, MPP
Interim Leader
Ontario Liberal Party



Mike Schreiner, MPP
Leader
Ontario Green Party