



December 4, 2015

The Honourable Glen Murray  
Minister of the Environment and Climate Change  
11<sup>th</sup> Floor, Ferguson Block  
77 Wellesley Street West  
Toronto, Ontario M7A 2T5

Dear Minister Murray:

**Re: Proposed Ministry exemption for building owners from EPA for reflected light;  
and  
Re: Request that the Province of Ontario adopt, as mandatory, the City of Toronto  
Bird Friendly Development Guidelines.**

As the two City Councillors who introduced the Bird Friendly Development Guidelines to the City of Toronto in 2005, had the guidelines formally adopted in 2007, and then made mandatory for all new buildings in 2010, we are writing to request that you adopt the City of Toronto Bird Friendly Guidelines as a mandatory requirement for all buildings across Ontario.

Ontario Provincial staff have recently published staff recommendations on the EBR Registry Number 012-3605, Exemption from EPA Requirements for Reflected Light that Kills or Injures Birds. We strongly oppose these recommendations, which are horrible public policy.

We are instead recommending that the Province adopt the City of Toronto's mandatory Bird Friendly Development Guidelines, with the following improvements that reflect current best practices:

1. Building owners must undertake a risk assessment conducted by a qualified consultant supported by the ornithological and scientific community. Specific building facades that have been identified as posing a high risk for bird collisions are to adopt the following strategies proven to help mitigate this threat:
  - a. Visual markers applied to glass must have a maximum spacing of 50 mm by 50 mm.
  - b. All exterior glazing be treated within the first 16 m of the building above grade.
  - c. Visual markers must be applied on the exterior surface of the glass.
  - d. All buildings, not just commercial buildings, be required to follow the guidelines
  - e. All residential homes and cottages have a 5 year phase in period to adopt the new provincial guidelines.

We are proud that Toronto has become a world leader in terms of protecting migratory birds and we invite the Ontario government to join with us in ensuring we minimize the impact our built form has on these beautiful and important creatures.

The Ontario Court of Justice has ruled that the province has authority to regulate buildings that are lethal or dangerous to migratory birds (Councillor De Baeremaeker testified as a witness for the prosecution).

Now is the time to move forward as part of a larger global community and ensure the existing law is enforced and/or strengthened.

As you know, we politicians come and go. It is our hope that the three of us (and others) can work together to help save the lives of millions and millions of migratory birds through some simple, and proven effective, mandatory building requirements.

We would be honoured to meet with you to explain just how transformative and successful our existing mandatory legislation has been.

Cheers,

A handwritten signature in black ink, appearing to read "Glenn De Baeremaeker". The signature is fluid and cursive, with the first name "Glenn" being the most prominent.

Glenn De Baeremaeker  
Toronto Councillor, Scarborough Centre

A handwritten signature in blue ink, appearing to read "Joe Mihevc". The signature is cursive and somewhat stylized, with the first name "Joe" being the most prominent.

Joe Mihevc  
Toronto Councillor, St.Paul's