



BUILDING A GREATER GTA
Building Industry and Land
Development Association

November 27, 2013

Ruth Rendon, MES, MCIP, RPP
Senior Planner, Natural Heritage
Planning and Urban Design Department
City of Markham, Anthony Roman Centre
101 Town Centre Boulevard
Markham, ON L3R 9W3

Dear Ms. Rendon,

RE: City of Markham – Bird Friendly Guidelines (October 2013 Draft)

On behalf of the members of the BILD York Chapter, thank you for hosting a consultation workshop on November 6th for the City of Markham's Bird Friendly Guidelines, dated October 2013 Draft. As interested and affected stakeholders, we are pleased to have the opportunity to respond to this draft with any pertinent feedback. As such, in advance of the December 6th deadline for comment, we have had the opportunity to review the document, and would like to put forward our comments for your consideration.

We acknowledge that the intent of this document is to reduce the number of bird fatalities caused by bird strikes on buildings through the implementation of a set of guidelines. In principle, BILD supports the protection of migratory birds against unnecessary collisions with buildings.

We understand that the City of Markham is proposing a 16 metre requirement to provide primary treatments to the glass on building facades and that this direction is to protect the flight path of the birds within the limits of the tree canopy. We seek further clarification for the rationale of this direction, as in our consultation workshop, the City of Markham referenced reliance on the studies produced by the City of Toronto and *Toronto's Bird-Friendly Development Guidelines* indicates (on page 9) that the typical city tree heights do not exceed 12 metres. This information is supported by the 2010 Toronto Study entitled *Every Tree Counts*; whereby, Toronto is noted as having a mature tree canopy due to the multitude of trees planted in the early 1900s now nearing the end of their life cycle.

BILD believes that the City of Markham's current recommendation to provide treatment to glass facades up to 16 metres is unnecessarily onerous for the applicant and a rationale has not been given to apply these recommendations beyond 12 metres. As a result, we feel that the City of Markham should provide additional background information to verify that its tree canopy is greater than 12 metres, if "16 metres" is used in the final recommendations of City of Markham Staff.

In addition, we understand that currently applicants are being asked to include the recommendations set out in this draft as part of their application, despite the fact that this document has not yet been endorsed or adopted by Markham City Council. As a matter of protocol, staff should not be applying draft guidelines towards current applications until they have received the endorsement of City Council.

Again, we thank you for the opportunity to submit comments. We trust that you will take these comments into consideration and as partners in building complete communities; we look forward to our continued consultation. If you have any questions or concerns, please don't hesitate to contact the undersigned.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Danielle Chin', with a stylized flourish at the end.

Danielle Chin, MCIP RPP
Senior Planner, Policy & Government Relations

CC: *Michael Pozzebon, BILD York Chapter Chair*
Paula Tenuta, Vice President, Policy & Government Relations, BILD
BILD Chapter members

Rendon, Ruth

From: Kristiana Schuhmann [KristianaS@oaa.on.ca]
Sent: December-18-13 10:08 AM
To: Rendon, Ruth
Cc: Borooah, Ronji; Kristi Doyle; Adam Tracey
Subject: OAA Member Responses to Markham Bird Friendly Guidelines
Attachments: Responses from OAA Members Re Bird Friendly Guidelines_Dec 17 2013.pdf

Categories: Orange Category

Hi Ruth,

Thank you for considering the OAA, and the views of our members, when developing Markham's Bird Friendly Guidelines. Attached is a consolidated version of all the comments we received; sorry they are a bit late. Please don't hesitate to contact us should you have any future regulatory or planning initiatives that would benefit from the professional opinion of Ontario architects.

Happy holidays
Kristiana Schuhmann

Kristiana Schuhmann

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Dec 17, 2013

Responses from OAA Members Re: City of Markham Bird Friendly Guidelines

General Comments

- Overall support of the guidelines and their implementation to reduce unnecessary bird collisions
- The recommendations for both primary treatments and secondary treatments seems fair, reasonable and in-line with current thinking.
- The passage of these Guidelines would place Markham at the forefront of bird-friendly measures.
- The Guidelines will assist architects to lead design solutions which incorporate bird-friendly features, while still maintaining aesthetics.

Regulation Concerns

- Concern that when municipalities develop their own Bird Friendly Guidelines, they will become an additional set of requirements to be dealt with at the Site Plan Approval (SPA) process.
- Suggestion that these Guidelines be incorporated province wide instead of by municipality in order to eliminate the duplication of efforts should other municipalities chose to follow suit.
- Incorporating Bird Friendly Guidelines in provincial regulations would put the compliance effort during the detailed design stage of a project, and also catch those projects which are not subject to SPA.

Practice Recommendations

- Question the proposed use of patterns applied to glass; Are different patterns (organic vs. rectilinear) more effective than others? Also, how can the implementation of UV strategies strengthen the concept?
- Learn from Toronto: Current Green Building Standard does not specify which side the frit is applied to (surface 1 recommend by FLAP and although a viable option, surface 3 is not mentioned).
- Learn from Toronto: There is a lack of performance standards (i.e. required percent of collisions to be avoided) and prescriptive standards (i.e. not sufficiently complete to specify a double pane sealed unit).
- Recommend that a cost report be done to examine the financial implications of additional fritted glazing, as it is significantly more expensive.

Current Practice

- The use of smaller pane sizes and shading patterns on glass (by a projected brise-soleil above windows) is currently being implemented and tested.
- Option to substitute fritting with an etched solution that has a lower surface profile.
- How can the material/product industry contribute to developing bird-friendly solutions?

BY EMAIL AND MAIL

12 December 2013

Ontario Association of Architects
111 Moatfield Drive
Toronto, Ontario
M3B 3L6

Attn: Kristiana Schuhmann

Bird Friendly Guidelines
October 2013 Draft
City of Markham

Dear Ms. Schuhmann,

In response to the OAA email of Thursday December 5th, I am pleased to place the following comments before you.

Wholeheartedly, and without reservation, I support these Bird Friendly Guidelines. We look forward to their implementation and to the subsequent mitigation and reduction of bird collision events in the City of Markham.

The recommendations for both primary treatments and secondary treatments seem fair, reasonable, and in-line with current thinking on this issue. The recommendations made to Council also seem fair and reasonable.

The passage of these Guidelines, as constituted in the Draft form, would place Markham at the forefront of bird-friendly measures.

Personally, I have devoted a great deal of time over the last 6 years to bird-friendly issues. I was the only architect volunteer participant on the Bird Friendly Development Working Group formed by the City of Toronto to advise and create the Bird Friendly Development Guidelines 2007. Continuing on from that, I have assisted FLAP in a minor capacity, and most recently, have been engaged by the City of Toronto to work with them to produce a Best Practices. Glass document: all with the goal of expanding the building industry's knowledge regarding measures to mitigate and avoid bird strikes at buildings.

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October 2013 Draft
City Of Markham
12 December 2013

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The City of Markham is to be commended for bringing forward these Guidelines and pursuing this course of action. I strongly feel that whatever support our profession can lend will only strengthen the City of Markham's policies and results. Our profession should not appear negative about these guidelines, lest we be seen as self-serving and disinterested in ecology and the environment.

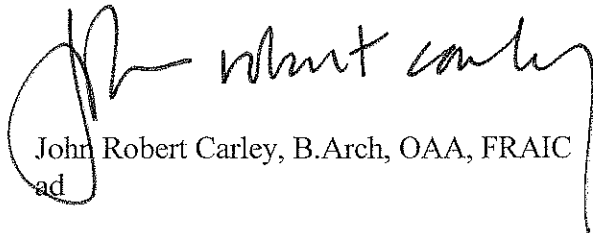
The treatments identified in the report will push all architects into thinking differently about their buildings, and may indeed result in different design solutions: solutions that are aesthetic yet incorporate the bird-friendly features. Our profession is well equipped intellectually to deal with this; and uniquely positioned to take on the challenge of making all buildings bird-friendly.

Thank you for the opportunity to comment on these guidelines to my colleagues.

Yours sincerely,

JOHN ROBERT CARLEY, ARCHITECT INCORPORATED

per:



John Robert Carley, B.Arch, OAA, FRAIC
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