

May 13, 2026

MGP File: 24-3365

Ministry of Municipal Affairs and Housing
777 Bay St
Toronto, ON M7A 2J3

**RE: Comments Regarding ERO 026-0312 – Proposed Changes to Support Standardizing of Parkland Requirements Under the Planning Act
Mayfield Tullamore Landowner Group**

1.0 Introduction

Malone Given Parsons Ltd. are the planning consultants for the Mayfield Tullamore Landowner Group (“MTLOG”), who are the owners of lands generally located south of Old School Road, west of Torbram Road, north of Mayfield Road and just west of Bramalea Road totalling 618 hectares (1,530 acres) of land (the “Subject Lands”). On August 30, 2024, the MTLOG submitted an application for an Official Plan Amendment (“OPA”) for the Subject Lands, which was approved by Council on April 28th, 2026, establishing a more detailed planning framework and urban land use designations, for a complete, coordinated, healthy, high quality and sustainable community.

1.1 Purpose

The purpose of this letter is to provide comments on the proposed regulation to standardize parkland requirements under the *Planning Act* that were posted as part of ERO 026-0312 on March 30, 2026. We request that the proposed criteria for ineligible lands for conveyance be revised to address the following:

1. To provide exception to any parklands that are identified as a component of a Master Parks Agreement or other voluntary agreement between a landowner and municipality, confirming that any such agreement shall supersede the proposed criteria for ineligibility in providing the final determination of lands for parkland conveyance;
2. Confirm that lands within the Greenbelt Plan Area located outside the NHS, where parkland and recreational uses are permitted by the applicable official plan consistent with the Greenbelt Plan, are eligible for parkland conveyance and parkland dedication credit; and,
3. Acknowledge that refinement of the Natural Heritage System (NHS) boundary within the Greenbelt Plan Area can occur through municipal implementation processes (such as an Official Plan Amendment including through a Secondary Plan) and clarify that lands removed from the NHS through this refinement are no longer ineligible for conveyance.

For a breakdown of the above requested revisions and their rationale, please refer to Sections 2.0, 3.0 and 4.0 of this letter.

1.2 Context

In 2022, Bill 23 was introduced proposing language that would provide landowners with the ability to identify land to be conveyed to satisfy requirements of a by-law passed under Section 42 of the Act. Further to this, a framework was introduced that would permit owners to appeal to the Ontario Land Tribunal (OLT) if the municipality refuses to accept the conveyance of the identified land, with the OLT required to order the land to be conveyed to the municipality if it meets the prescribed criteria. Bill 98 proposes further amendments to this process.

On March 30, 2026, ERO 026-0312 was posted seeking feedback on the proposed regulation to standardize parkland dedication requirements in Ontario regarding conveyance of developer-identified parkland to implement Bill 23 provisions. A component of the requested feedback is on the proposed land suitability criteria to be prescribed in regulation that would determine if a landowner could appeal to the OLT to order for the lands to be conveyed to the municipality. The proposed land suitability criteria would define lands in the NHS of the Greenbelt Plan as ineligible for conveyance, which is notably without the proposed conditional eligibility that other lands adjacent to natural heritage lands, are eligible on the condition that a park would not interfere with or compromise natural heritage features and areas.

2.0 Request #1: Confirm that Master Parkland Agreements (or other Voluntary Agreements) Have Precedence Identifying Lands for Conveyance

Master Parkland Agreements (MPA) and other voluntary agreements between landowners and municipalities provide a foundation for coordination by multiple landowners and the respective municipality for the orderly delivery of parkland and trails. Such agreements are commonly used in greenfield development areas where broader comprehensive community-scale planning is required to ensure that parkland dedication is sufficiently provided at a larger scale. Through an MPA or similar voluntary agreement, municipalities collaborate with developers to identify appropriate lands for conveyance and as such, the eligibility of lands for parkland use is considered on a case-by-case basis with a level of detail significantly higher than the proposed criteria presented in ERO 026-0312 as well as using criteria that is relevant to the Municipality's recreational needs and goals for the area. Therefore, it is logical that any MPA in place should supersede the proposed criteria for ineligible lands for conveyance provided in ERO 026-0312.

Accordingly, we request that the proposed criteria for ineligible lands for conveyance be revised to provide a clear exception to any lands identified as a component of an MPA or other voluntary agreement, confirming that such agreements shall take precedence over the prescribed ineligibility criteria in determining lands eligible for conveyance.

3.0 Request #2: Confirm that Lands Designated for Parkland Uses in the Official Plan are Eligible for Conveyance and Parkland Credit

The Greenbelt Plan explicitly supports publicly accessible parkland, open space and trail systems within the Protected Countryside (Sections 3.3.1, 3.3.2.1 and 3.3.3). Where lands within the Greenbelt Plan Area are located outside the NHS and are designated by the applicable official plan to permit parkland and recreational uses consistent with the Greenbelt Plan, there is no policy basis for treating such lands as ineligible for conveyance under the proposed criteria.

Accordingly, we request that the proposed criteria be revised to expressly confirm that such lands are eligible for parkland conveyance and parkland dedication credit.

4.0 Request #3: Confirm Lands Supported for Recreational Use that have Been Removed from the NHS as a Result of the Permitted One Time Refinement are Not Ineligible for Conveyance

As detailed below, under Sections 3.2.2.5 and 5.3 of the Greenbelt Plan, the NHS boundary is permitted to undergo a one-time refinement, with greater precision, through municipal processes at the time official plans are brought into conformity. Further, a significant portion of the lands within the NHS are capable of supporting recreational use such as those designated as Protected Countryside under the Greenbelt Plan and are therefore capable of providing parkland once removed from the NHS. The proposed criteria for ineligible lands does not provide the required clarification to confirm that lands supported for recreational use, such as those within the Protected Countryside, are not ineligible for conveyance following the permitted one-time refinement occurring and removing them from the NHS.

As such, we request that the proposed criteria be revised to confirm that such lands are not ineligible for conveyance. In support of this request, the following Sections 3.1 and 3.2 of this letter provide a breakdown of the relevant policy context and pathways that support recreational use within Protected Countryside lands and permit refinement of the NHS boundary at the time a municipal official plan is brought into conformity.

4.1 Lands Designated as Protected Countryside are Supportive for Recreational Uses

The Greenbelt Plan supports the provision of a wide range of publicly accessible built and natural settings for recreation including facilities, parklands, open space areas, and trails in the Protected Countryside (Section 1.2.2.3.b). The Greenbelt Plan describes Parkland, Open Space and Trails as a system of parklands, open spaces, water bodies and trails across the Greenbelt that is necessary to provide opportunities for recreation, tourism and appreciation of cultural heritage and natural heritage (Section 3.3.1). Section 3.3.2.1 further encourages municipalities in partnership with agencies and other interested parties to “encourage the development of a system of publicly accessible parkland, open space and trails where people can pursue the types of recreational activities envisaged by this Plan, and to support the connectivity of the Natural Heritage System and the achievement of complete communities in settlement areas across the Greenbelt”. This is reinforced under Section

3.3.3 which expects that municipalities are to provide a full range of publicly accessible, built and natural settings for recreation.

Section 4.1.1 of the Greenbelt Plan provides further policy considerations for proposals of non-agricultural uses within the Protected Countryside stating it must demonstrate that the use is appropriate for location on rural lands, there are no negative impacts on key natural heritage features or key hydrologic features or their functions, and there are no negative impacts on the biodiversity or connectivity of the Natural Heritage System.

4.2 Greenbelt Plan Permits One-Time Refinement at the Time of Municipal Conformity

The NHS is intended to include lands with the most sensitive and/or significant natural features and function. Section 3.2.2.5 and Section 5.3 of the Greenbelt Plan states that the Natural Heritage System may be refined, with greater precision, at the time official plans are brought into conformity. Section 5.3 additionally states that no further refinements to the boundaries of the NHS can occur after a municipality has made this one-time refinement. However, Section 5.3 also states that official plans shall contain policies that reflect the requirements of this Plan together with a map(s) showing the boundaries of the Greenbelt Area, the Protected Countryside, the Natural Heritage System and the agricultural land base.

The identification of these maps is intended to form the basis for applying policies of Section 3.2 including Section 3.2.2.5 which permits refinement during the time of municipal conformance. For lands where the required mapping exercises have not yet been completed by the respective municipality, it remains possible that those lands may be removed from the NHS boundary as a result of the permitted one-time refinement at the time the respective official plan comes into conformity. As such, lands that are removed from the NHS boundary following this one-time refinement should not be considered ineligible for conveyance under the proposed criteria.

Accordingly, the proposed criteria should be revised to acknowledge refinement of the NHS boundary through municipal implementation processes (such as an Official Plan Amendment including through a Secondary Plan). We request that the proposed criteria be revised to confirm that lands removed from the NHS boundary as a result of the permitted one-time refinement and are otherwise supported for recreational use such as lands in the Protected Countryside, are not ineligible for conveyance.

5.0 Conclusion

For the reasons explained above, we request that the proposed criteria for ineligible lands for conveyance are revised to:

- (1) confirm the superseding nature of a Master Parks Agreements in establishing a lands eligibility for conveyance by exempting any lands identified as a component of an MPA or other voluntary agreement;
- (2) confirm that lands within the Greenbelt Plan Area located outside the NHS and designated for parkland and recreational uses by the applicable official plan are eligible for parkland conveyance and parkland dedication credit; and,

- (3) confirm that lands supported for recreational use such as in the Protected Countryside that have been removed from the NHS as a result of the permitted one-time refinement are not ineligible for conveyance.

Thank you for your time and consideration in addressing this matter. If a meeting to discuss the contents of this letter would be constructive to the conversation, please do not hesitate to reach out.

Yours very truly,

Malone Given Parsons Ltd.



Matthew Cory, MCIP, RPP, PLE, PMP
Principal

cc: *Mayfield Tullamore Landowners Group*