

# TREASURE HILL

May 2, 2024

VIA EMAIL: [MayorScarpitti@markham.ca](mailto:MayorScarpitti@markham.ca)

Office of the Mayor  
Markham Civic Centre  
101 Town Centre Boulevard  
Markham, Ontario  
L3R 9W3

**RE: Proposed 16.33 ha (40.35 acres) city-wide community sports park, attainable and affordable housing, and a new school site to be located at 11120 and 11274 Highway 48 – Markham 11120 Hwy 48 Ltd. (PIN 03062-0095 & 03062-0096), Markham, Ontario**

## **Zoning Order Request under Section 47 of the *Planning Act***

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Dear Mayor Scarpitti,

We are formally requesting that the City of Markham expedite a visionary project that includes conveyance of 16.33 ha (40.35 acres) of land to be used as a city-wide community sports park, 2,000+ homes at various levels of affordability, with the potential provision for additional secondary suites, and a potential new school to be developed on the lands known municipally as 11120 and 11274 Highway 48 in the south-west quadrant of 19<sup>th</sup> Avenue and Highway 48. This is a unique project that will deliver on numerous provincial and local priorities. A more detailed description of the vision follows.

### **THE VISION**

This initiative takes a future-forward approach to delivering a large-scale 16.33 ha (40.35 acre) city-wide community sports park intended to benefit all existing and future residents of Markham.

The project proposes significant new housing stock consisting of 2,000+ homes in a variety of built forms, sizes, and levels of affordability, and a commitment to deliver the required water, sanitary, and road infrastructure to support the development. The project reserves 2.43 ha (6.0 acres) of land for a new school site and proposes to convey 26.5 ha (65.5 acres) of Greenbelt lands into public ownership.

An overall concept plan showing the vision is attached as Appendix “A” along with an artist’s rendering of the new citywide community sports park attached as Appendix “B.”

### **THE PROCESS**

In consultation with City staff, we were exploring the potential use of a Community Infrastructure and Housing Accelerator (CIHA), which was a tool made available by the Ministry of Municipal Affairs and Housing specifically to expedite the creation of new community infrastructure and housing with the aim of accommodating future population growth and helping municipalities such as Markham meet their housing targets.

101 Bradwick Drive, Vaughan, Ontario L4K 1K5  
Tel 416-987-5500 Fax 905-326-3600

With the introduction of Bill 185 on April 10, 2024, the Province announced its intention to stop using the CIHA as a planning mechanism, while introducing a new procedural framework. Under the new framework, the Province established minimum intake thresholds for projects that either a) relate to a provincial priority supported by an Ontario Government Ministry or b) requests that are supported by a municipality through a municipal council resolution or a letter from a mayor with strong-mayor powers.

This initiative clearly meets numerous provincial priorities including delivery of a) much needed new housing stock, b) provision for a large-scale city-wide community sports park to promote active health, c) provision for a school site, d) support for manufacturing and innovative house construction techniques, and e) jobs creation opportunities, among others benefits (see Appendix “C” – Intake Thresholds for Zoning Order Requests and Appendix “D” – Submission Expectations). Therefore, this project and its substantial community benefits can still be expedited through the use of the new modified Section 47 zoning order process.

The cornerstone feature of this development is our proposal to convey 16.33 ha (40.35 acres) of land to be programmed as a citywide community sports park. The scope and scale of the conveyance is unique because it is over quadruple the amount of parkland conveyance that would typically be required to satisfy developmental parkland obligations following the Planning Act modifications made under Bill 23. The magnitude of this proposal will considerably help offset deficiencies that may have resulted from the Bill 23 modifications and the contiguous nature of the lands will enable them to be programmed in a cohesive manner.

To deliver the 16.33 ha (40.35 acres) city-wide community sports park and other community benefits as fast as possible, we are requesting an opportunity to formally present this visionary opportunity to the Mayor and Council and seek their endorsement.

Delivering this Project with speed and efficiency will help the City of Markham contribute to the Province of Ontario’s goal of getting 1.5 million homes built by 2031 while concurrently delivering the community infrastructure to support the existing and future community.

## **THE PROPONENT**

With 15,000 homes built and in development, Treasure Hill is proven to be an award-winning community builder who continues to successfully deliver homes in a variety of shapes, sizes, and built forms with projects ranging from urban infill to large scale master-plan communities in the City of Markham, the Greater Toronto Area, and beyond. In a recent Markham project, Treasure Hill pioneered the provision of secondary suites in single family homes in the Wismer community. Treasure Hill’s brand and reputation is indicative of our ability to deliver this visionary project.

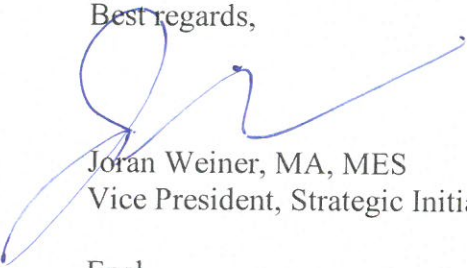
## NEXT STEPS

To deliver this Project as soon as possible requires collaboration, communication, and a significant investment to prepare plans and move forward. As such, we ask that you, Mayor Scarpitti, introduce this project to Council and advance it through the process described above to expedite delivery of all provincial, community benefits, and housing priorities.

We would be pleased to make a full presentation to the Development Services Committee at the first opportunity.

Thank you again for your consideration of this vision.

Best regards,



Joran Weiner, MA, MES  
Vice President, Strategic Initiatives and Investments

Encl.





**KEYS**

- 1 LIT TURF SOCCER AND 10 LIT TURF SOCCER FIELDS (60m X 90m)
- 2 LIT NATURAL TURF SOCCER FIELD (60m X 90m)
- 3 LIT BASEBALL DIAMOND
- 4 LIT CRICKET PITCH
- 5 LIT TENNIS COURTS (6 TOTAL) - FUTURE DOME
- 6 LIT PICKLEBALL COURTS (8 TOTAL) - FUTURE DOME
- 7 PARK BUILDING
- 8 HERITAGE HOUSE
- 9 PARKING LOT (1-108 TOTAL PARKING)
- 10 SWAMPING UNEVALUATED WETLAND AREA
- 11 PASSIVE OPEN SPACE

**HWY 48 & 19th AVENUE**  
**PARK FACILITY FIT PLAN (A)**  
 MAY 2, 2024



**TREASURE HILL**

Appendix "B"



## APPENDIX “C”

### **INTAKE THRESHOLDS FOR ZONING ORDER REQUESTS\***

This request for a Zoning Order currently meets at least one of the following intake thresholds as outlined in the Zoning Order Framework with the approval of the Zoning Order expected to deliver on numerous provincial priorities supported by Ministers including, but not limited to, the following:

#### **Housing Priorities**

- The Project will deliver over 2,000 housing units at various levels of affordability and the potential provision for additional secondary suites

#### **Recreational Opportunities and Health**

- The Project will deliver a 16.33 ha (40.35 acre) block of land reserved for a city-wide community sports park together with an urban parkette.

#### **Educational Facilities**

- The Project will deliver a 2.43 ha (6.0 acre) block of land reserved for a school located within walking distance of the housing units and the proposed city-wide community sports park.

#### **Economic Development**

- The Project will stimulate economic growth by creating jobs in the design, engineering, and consulting sectors, skilled and unskilled trade fields, machine operators, material manufacturing jobs, as well as employment in the municipal regulatory and inspection fields.
- The Project is expected to generate for the municipality approximately \$275,000,000+ in combined development charge, planning, engineering, and building permit revenue, together with additional long-term property-tax revenue.

#### **Manufacturing**

- The Project will promote Ontario’s manufacturing sector through a combination of on-site assembly of manufactured materials, together with off-site manufacturing of panelized housing sections, all of which have a direct positive economic benefit to Ontarians.

#### **Transit-Supportive Communities**

- The Project is strategically located in the City of Markham in the Regional Municipality of York and less than 3km from the intersection of Major Mackenzie Drive and Highway 48 with 1,221m of frontage on Highway 48.
- Major Mackenzie Drive is one of only two critical east-west thoroughfares designated as “Rapid Transit Corridor” in the Official Plan for York Region. A potential GO Rail Station is also under consideration just east of the intersection of Major Mackenzie and Highway 48.

#### **Greenbelt Protection**

- The Project will deliver 26.5 ha (65.5 acres) of Greenbelt into public ownership in full compliance with all the provisions of the Greenbelt Act

\* <https://www.ontario.ca/page/zoning-order-framework>, published April 10, 2024

## APPENDIX “D”

### SUBMISSION EXPECTATIONS

#### **Description of the Project and how it would support governmental objectives**

- The Project is looking to the Minister to enact a zoning order under Section 47 of the *Planning Act* to facilitate and expedite development of a large-scale City-wide Community Sports Park, a residential community with a minimum of 2,000 units in a variety of built forms, potential ancillary secondary suites, stormwater management, water, sanitary, and road infrastructure, a new educational facility, and 65.5 acres of Greenbelt lands to be placed into public ownership.
- A Concept Plan is enclosed as “Enclosure 1.”

#### **Map and description of the subject lands**

- The Project lands are known municipally as 11120 and 11274 Highway 48 and are located in the south-west quadrant of 19<sup>th</sup> Avenue and Highway 48 in the City of Markham (Parcel Identifier Numbers 03062-0095 & 03062-0096). The lands are generally flat making them well suited to the Project being proposed.
- A location map is enclosed as “Enclosure 2.”

#### **Draft zoning order**

- A copy of the draft zoning order is enclosed as “Enclosure 3”

#### **Consultation with the public and engagement with Indigenous Community**

- This Project request has been forwarded to the Mayor of Markham in anticipation that it be brought forward to one or more Committee/Council meetings where the public shall be given consultation opportunities. Engagement with Indigenous communities is underway and a further description and update is expected to follow through the review of this zoning order request.

#### **For municipally-supported zoning order requests:**

##### **a) Evidence of municipal support for the proposed project:**

- This Project request has been forwarded to the Mayor of Markham in anticipation that it be brought forward to one or more Committee/Council meetings where Committee/Council and/or the Mayor with strong Mayor powers may choose to support the proposed project with evidence of support to be forwarded to the Minister upon availability.

##### **b) Information related to the land ownership and name of the requestor**

- The lands are owned by Markham 11120 Hwy 48 Ltd.
- The Project will be developed and built by Treasure Hill (the “requestor”) and State Building Group.
- Treasure Hill and State Building Group are award winning builders with a combined 80+ years of experience developing and building master-planned communities.

#### **Rational on why the project requires ministerial zoning relief rather than following municipal planning processes**

- The Project requires Ministerial zoning relief because the lands currently sit just outside the Urban Area as defined by the Regional of York Official Plan. Obtaining Official Plan approvals through the Regional and local Official Plan processes could take 5+ years. The Regional/Local OP would need to be in place prior to



any further application(s) being processed, such as a requisite Draft Plan of Subdivision, whereas a Ministerial zoning provides the zoning guidance and direction needed for local municipal staff to process the additional licenses, permits, approvals, and permissions discussed below that will enable to project to be delivered with speed and efficiency.

### **Description of any licenses, permits, approvals, permissions or other matters that would be required for the project after a zoning order is made**

- The primary approvals the Project will require after a zoning order is made is a draft plan of subdivision.
- Other ancillary licenses, permits, approvals and permissions would be typical of the draft plan and clearance for registration process.

### **Justification for the exemption of the application of provincial and local land use policies to downstream approvals, where requested**

- Discussion of downstream approvals available upon request. The minister's zoning order is needed to begin downstream approval processes.

### **Anticipated timelines related to applying for downstream approvals (for example site plan, plan of subdivision, building permit)**

- Assuming the zoning order is issued in Q3 2024, the following timelines can be anticipated:
  - Applications for Draft Plan Approvals anticipated to be submitted by Q4 2024.
  - Applications for Site Plan Approvals anticipated to be submitted by Q1 2025
  - Applications for Building Permits can be made immediately following Draft Plan registration (estimated Q1 2027).

### **Anticipated timing for project competition**

- Assuming the zoning order is issued in Q3 2024, the following timelines can be anticipated:
  - City-Wide Community Sports Park (base level) anticipated to be conveyed in Q3 2025
  - School Site (base level) anticipated to be conveyed in Q1 2027 (subject to acceptance and agreement with the local school board)
  - Housing – anticipated first home occupancies in Q1 2028

### **Justification for use of any enhanced authority, where requested**

- Enhanced authority in the form of exception from Site Plan Approval is requested to allow the site plans for smaller and more affordable/attainable housing along the Highway 48 corridor to proceed in advance of registration of the plan of subdivision.

### **Information related to how and when servicing (water/wastewater) will be addressed**

- Wastewater: The Project is intended to be serviced on an interim basis via a temporary sanitary pump station and forcemain which will convey sanitary flows along 19<sup>th</sup> Avenue to the 9<sup>th</sup> Line trunk sanitary sewer. An existing 1200 mm diameter York Region trunk sanitary sewer is located on 9<sup>th</sup> Line to the east of the Project.
- Water: The Project is intended to be serviced on an interim basis via an extension along 19<sup>th</sup> Avenue of an existing 1050 mm diameter York Region watermain located on McCowan Road to the west of the Project. An interim temporary water booster pump is planned to be located within the Project.
- The interim servicing solutions will be designed concurrently with the draft plan of subdivision design process such that services will be readily available upon registration of the plan in accordance with the timelines mentioned above. Several solutions exist for longer term servicing and these will be refined through the draft plan process.
- The interim water and wastewater servicing solutions, including the water booster pump and the sanitary pumping station are exempt from a Municipal Class EA, therefore allowing the Project to be delivered with greater speed and efficiency.

**A commitment that if a zoning order is made, the landowner will notify the Minister 30 days in advance of the sale of any land it applies to**

- This letter serves as commitment that if a zoning order is made, the landowner will notify the Minister 30 days in advance of the sale of any land it applies to, with the exception of the sale or transfer of lands to a public agency, related entity, or sale of housing lots/units to future homeowners. A more formal commitment can be provided upon request.

# ENCLOSURE "1"

### LEGEND

- PROPERTY LINE
- RESIDENTIAL DEVELOPMENT
- SWM AREAS
- GREENBELT AREA
- PROPOSED STREET TREE LOCATIONS TO BE REFERRED & COORDINATED WITH DRIVEWAY LOCATIONS & UTILITIES

NOTE: SPACING OF STREET TREE LOCATIONS TO BE REFERRED & COORDINATED WITH DRIVEWAY LOCATIONS & UTILITIES

### SITE STATISTICS

LAND USE	AREA	FRONTAGE		APPROX. UNITS
		sq. ft.	ft.	
Single Detached Residential	12.5 m	8,208	2,712	8,000
Single Attached Residential	11 m	10,738	26,624	3,500
Townhouse Residential	6 m	3,208	8,111	1,102
Linear Access Residential	5.5 m	2,925	1,290	4,240
Urban Residential	60 units	7,110	17,544	1,140
Elementary School		2,483	6,000	
Park		18,772	41,332	
SWM		0.03	0.07	
Pumping Station		0.06	0.15	
Roots/Lanes		17,112	42,292	
<b>Total Eastern Lands</b>		<b>68,772</b>	<b>169,831</b>	<b>8,637</b>
<b>Total Western Lands</b>		<b>2,960</b>	<b>6,427</b>	
Other lands Owned by Proponent		26,522	65,533	
Greenbelt		1,444	3,156	
SWM		0.04	0.10	
Pumping Station		0.31	0.77	
Road		20,921	76,308	
<b>Total Western Lands</b>		<b>28,951</b>	<b>76,308</b>	
<b>TOTAL ALL LANDS</b>		<b>96,823</b>	<b>246,139</b>	<b>8,637</b>
				<b>20,901</b>

FOR DISCUSSION  
PURPOSES ONLY



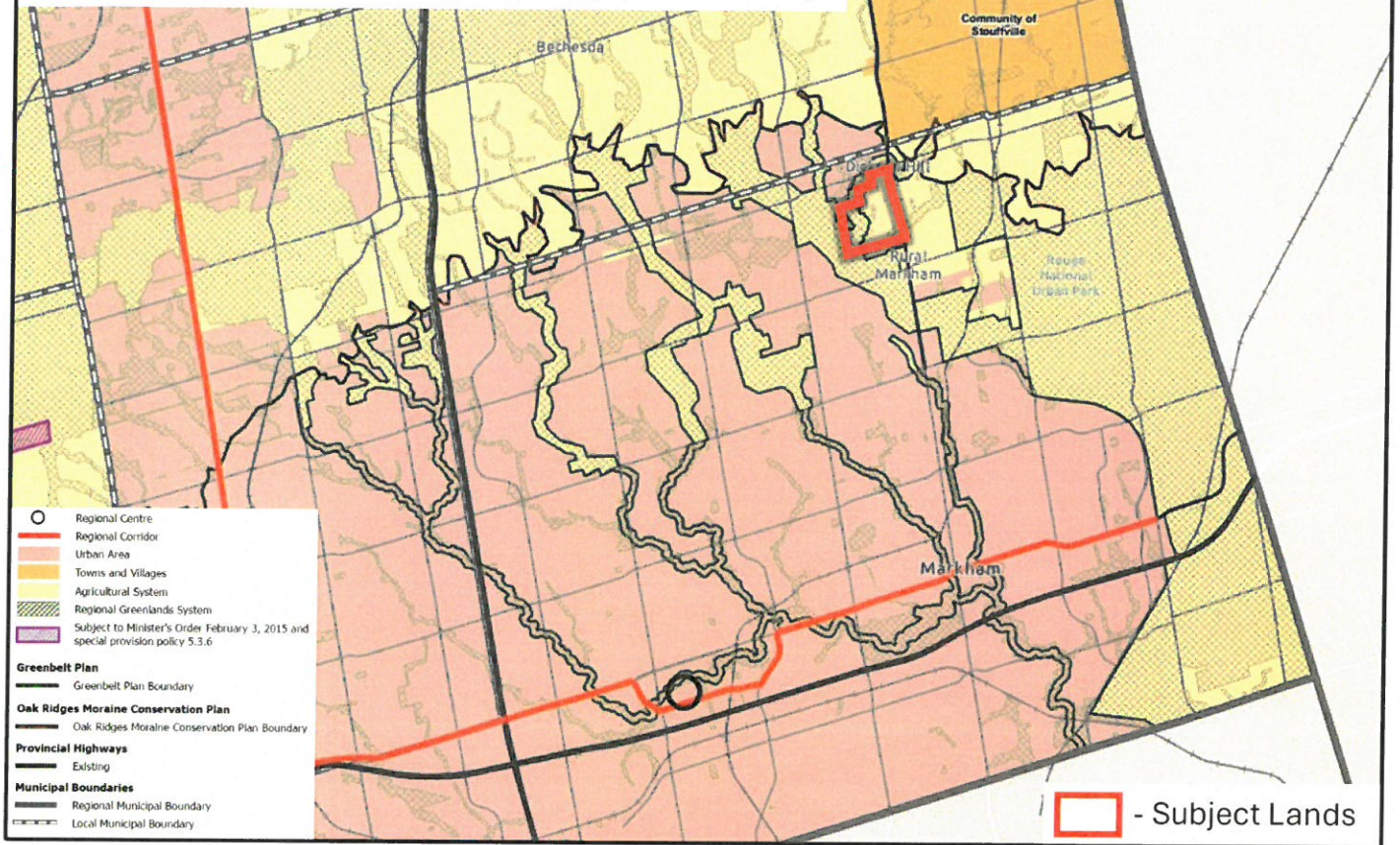
**HWY 48 & 19th AVENUE**  
OVERALL SITE DEVELOPMENT PLAN (A)  
APRIL 22, 2024



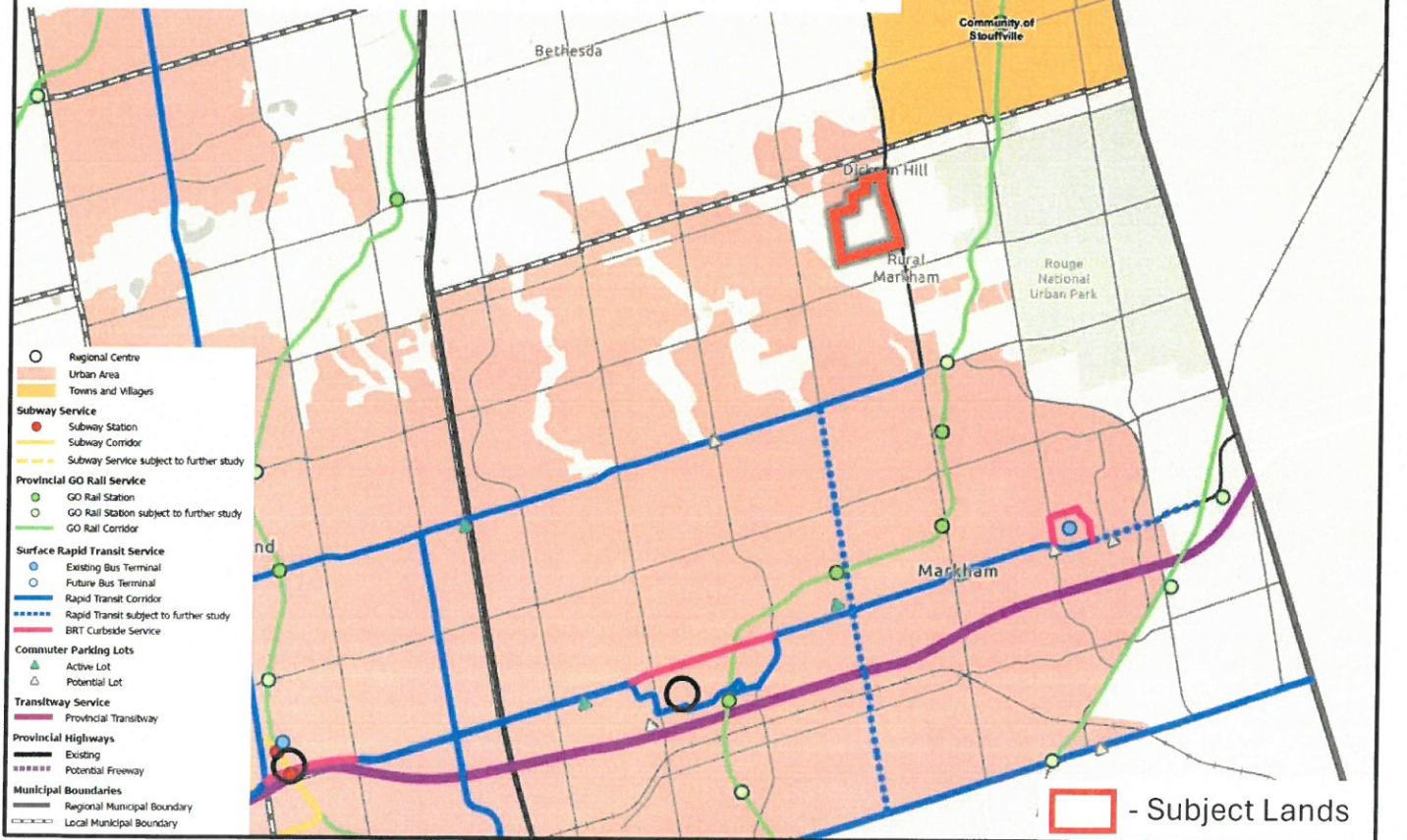
**TREASURE HILL**

# ENCLOSURE "2"

## Regional Structure Map (York Region OP, 2022)



## Rapid Transit Network Map (York Region OP, 2022)



# ENCLOSURE “3”

## ONTARIO REGULATION XXX/24

made under the

## PLANNING ACT

### ZONING ORDER – CITY OF MARKHAM, REGIONAL MUNICIPALITY OF YORK

#### Definitions

1. In this Order,

“back to back townhouse dwelling” means a dwelling unit in a building that is vertically divided above grade into a minimum of four dwelling units, each of which has an independent entrance to the outside to the front of the building, and shares a rear wall. A maximum of two dwelling units within a back to back townhouse dwelling are permitted without sharing a common rear wall;

“stacked, back to back townhouse dwelling” means a building containing three or more dwelling units in which each dwelling unit;

- (a) is divided both vertically and horizontally from another dwelling unit by a common wall;
- (b) has independent external access; and
- (c) shares a common rear exterior wall;

“stacked townhouse dwelling” means a building containing three or more dwelling units in which each dwelling unit is divided both horizontally and vertically from another dwelling by a common wall and in which each dwelling unit has an independent external access;

“zoning by-law” means Zoning By-law 177-96 of the City of Markham.

#### Application

2. (1) This Order applies to lands in the City of Markham in the Regional Municipality of York, in the Province of Ontario, being the lands outlined in red on the map numbered xxx and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

#### Permitted Uses

3. (1) Every use of land and every erection, location or use of any building or structure is prohibited on the lands identified as Residential Two (R2) Zone on the map referred to in Section 2(1), except for,
- (a) The uses identified for the Residential Two (R2) Zone in Table A1 of the Zoning By-law;
  - (b) Back to back townhouse dwellings;
  - (c) Multiple dwellings;
  - (d) Two accessory dwelling units located within a single detached dwelling, semi-detached dwelling, or townhouse dwelling;
  - (e) A pumping station;
  - (f) A stormwater management facility;
  - (g) Ancillary non-residential uses contained within a heritage site; and
  - (h) A park or parkette including park encumbered by below grade infrastructure.

(2) Every use of land and every erection, location or use of any building or structure is prohibited on the lands identified as Community Amenity Two (CA2) Zone on the map referred to in Section 2(1), except for,

- (a) The uses identified for the Community Area Two (CA2) Zone in Table A2 of the Zoning By-law;
  - (b) Back to back townhouse dwellings;
  - (c) Stacked, back to back townhouse dwellings;
  - (d) Stacked townhouse dwellings;
  - (e) Multiple dwellings; and
  - (f) Privately owned public space.
- (3) The uses set out in clauses (1) (a) to (d) shall not comprise more than 47.7 hectares of the lands described in subsection (2).

#### **Zoning Requirements**

4. (1) The zoning requirements set out for the Residential Two (R2) Zone in Table B2 (Part 3 of 3) of the Zoning By-law apply to the uses set out in subsection 3(1) with the following exceptions:
- (a) The minimum required frontage is 9.1 m (30.00 ft);
  - (b) The minimum required rear yard of 6.0 m (19.68 ft) on a lot not accessed by a lane;
  - (c) The maximum garage width of 5.5 m (18 ft) on a lot that is not accessed by a lane with a lot frontage of 10.7 m to 12.19 m;
  - (d) Stairs to encroach into the interior side yard provided that no parts of the stair is located closer than 0.76 m (2.49 ft) from the interior side lot line; and
  - (e) Notwithstanding Section 6.2.4.2 b) of By-law 28-97, the maximum driveway of 5.5 m (18 ft) with a minimum soft landscape of 23% provided on the front yard.
- (2) The zoning requirements set out for the Residential Two (R2) Zone in Table B4 (Part 2 of 2) of the Zoning By-law apply to the uses set out in subsection 3(1) with the following exceptions:
- (a) The minimum required frontage is 4.5 m (14.76 ft) per unit on an interior lot, 5.8 m (19 ft) for an end unit on an interior lot, and 7.0 m (22.97 ft) for an end unit on a corner lot; and
  - (b) The maximum required height of 12.5 m (41 ft).
- (3) The zoning requirements set out for the Community Area Two (CA2) Zone in Table B7 (Part 2 of 4) of the Zoning By-law apply to the uses set out in subsection 3(3) with the following exceptions:
- (a) Notwithstanding any further division or partition of land subject to this Section, all lands zoned with Exception \*741 shall be deemed one lot for the purposes of this By-law;
  - (b) For the purposes of this By-law, the north lot line shall be deemed to be the front lot line;
  - (c) Provisions CC, DD, EE, FF and Special Provisions #3, #4, #6, #7 and #15 of Table B7 (Part 2 of 4) shall not apply; and
  - (d) Notwithstanding By-law 28-97, the minimum parking space required per dwelling unit is 1.0 parking space, and the minimum visitor parking space required per dwelling unit is 0.15 parking space.

#### **Non-application of s. 41 of the Planning Act**

5. Section 41 of the Planning Act does not apply to the lands described in subsection 2 (1) of this Order.

#### **Matters that may be dealt with in agreement**

6. Each person who owns all or any part of the lands described in subsection 2 (1) shall enter into one or more agreements with the City of Markham dealing with matters listed in subsection 47 (4.4) of the Act.

#### **Non-application of policy statements, etc.**

7. (1) The following do not apply to any license, permit, site plan approval, plan of subdivision approval or condominium approval required before a use permitted under this Order may be established:
- (a) A policy statement issued under subsection 3(1) of the Planning Act,

- (b) The Conservation Authorities Act, R.S.O. 11990, c C.27, as amended;
- (c) Provincial plans; and
- (d) Local and Regional Official Plans.

**Terms of use**

8. (1) Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.  
  
(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.  
  
(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased and its original use is not altered.  
  
(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

**Deemed by-law**

9. This Order is deemed for all purposes, except the purposes of section 24 of the Planning Act, to be a by-law passed by the council of the City of Markham.

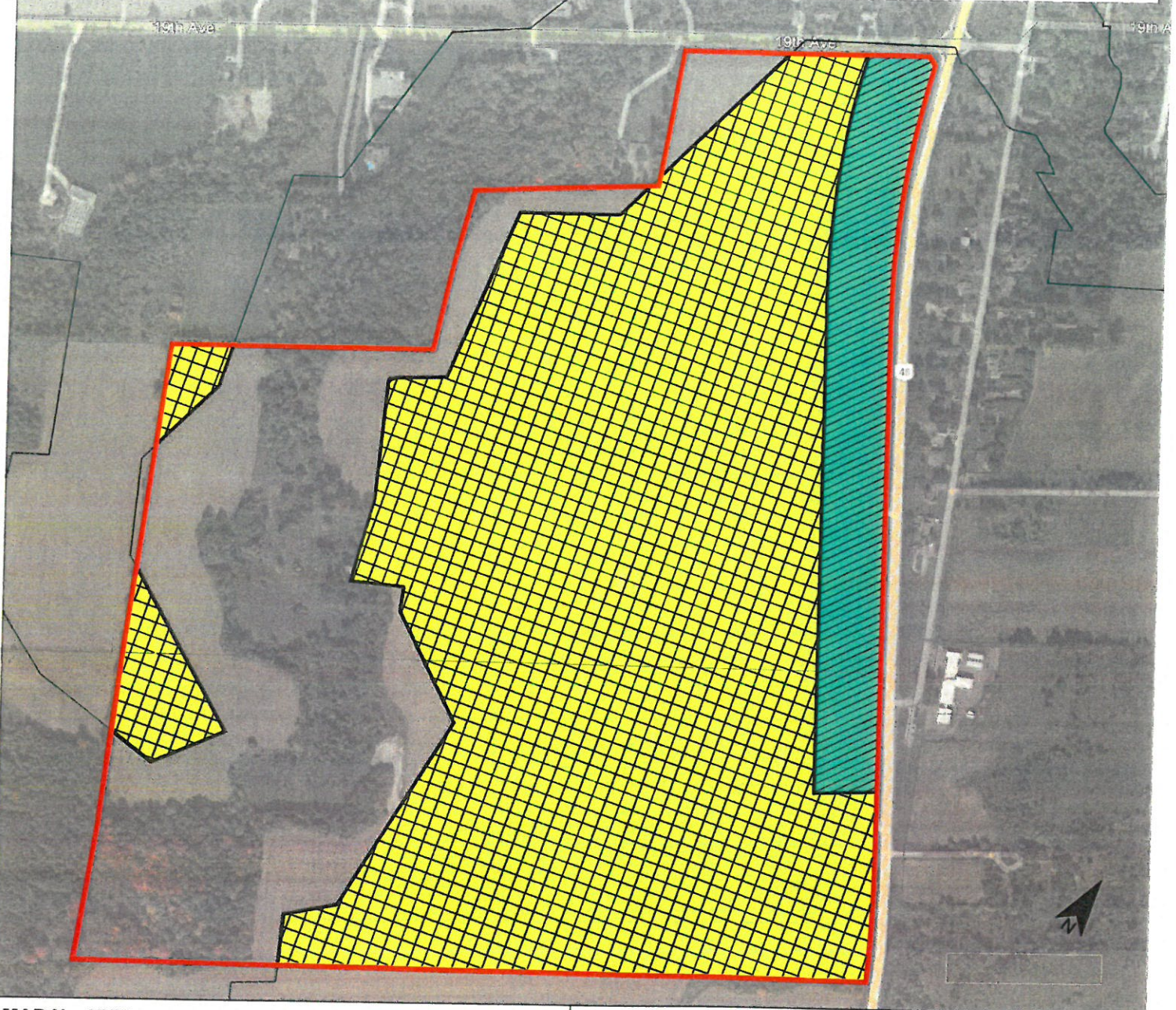
**Commencement**

10. This Regulation comes into force on the day it is filed.

Made by:

Date made:

# Part of Lots 28, 29, and 30, Concession 7, City of Markham, Regional Municipality of York



**MAP No. XXX**

Map filed at the office of the Ontario Ministry of  
Municipal Affairs and Housing,  
777 Bay St., Toronto, Ontario

Planning Act

Ontario Regulation:

Date:

Original Signed by:

**LEGEND**

 Land Subject to Zoning Order

 Residential Two (R2) Zone

 Community Amenity Two (CA2) Zone