From:	WARD7
To:	Council Clerk
Subject:	FW: opposition to using Direct Control zoning to aide developers in defeating Restrictive Covenants, and to the premature redesignation of the CBC site in Hillhurst, without addressing neighbours and regional communities" concerns
Date:	Monday, July 14, 2025 10:53:54 PM
Attachments:	image001.png

Please add to agenda item 7.2.20 and to 7.2.23 for the corporate record.

Thanks

Terry Wong
He/Him
Councillor Terry Wong
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T 403.268.2123 | terry.wong@calgary.ca| calgary.ca/ward7
P.O.Box 2100, Station M, Calgary, AB T2P 2M5
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Keep the conversation going with #Ward7

Ward 7 is situated in Calgary, a city renowned for community connections at the confluence where the Bow River meets the Elbow River. In the spirit of reconciliation, we acknowledge that we live, work and play on the traditional territories of the Blackfoot Confederacy (Siksika, Kainai, Piikani), the Tsuut'ina, the Îyâxe Nakoda Nations, the Métis Nation (Region 3), and all people who make their homes in the Treaty 7 region of Southern Alberta.

From: Elizabeth Atkinson [redacted]
Sent: Monday, July 14, 2025 9:15 PM
To: Mayor <TheMayor@calgary.ca>; EAWARD1 - Marley Gillies <EAWARD1@calgary.ca>; The Office of Councillor Wyness <WARD2@calgary.ca>; WARD3 <WARD3@calgary.ca>; CLWARD4 - Andrew Chin <CLWARD4@calgary.ca>; CAWARD5 - Kamaljot Kaur <caward5@calgary.ca>; CAWARD6 - Ralph Smith <caward6@calgary.ca>; WARD7 <WARD7@calgary.ca>; WARD8 <WARD8@calgary.ca>; CLWARD9 - Vacant <CLWARD9@calgary.ca>; WARD10 <WARD10@calgary.ca>; WARD11 <WARD11@calgary.ca>; WARD12 <WARD12@calgary.ca>; Councillor Dan McLean <WARD13@calgary.ca>; Ward 14 <WARD14@calgary.ca>
Cc: hh-bh-board@googlegroups.com; land.use@hh-bh.ca
Subject: [External] RE: opposition to using Direct Control zoning to aide developers in defeating Restrictive Covenants, and to the premature redesignation of the CBC site in Hillhurst, without addressing neighbours and regional communities' concerns

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Further to our submission, it has come to our attention that there are other Direct Control Districts later in the agenda, that use exactly the same premise:
7.2.20 is LOC2024-0144 at 1920-1948 26th Ave SW (by Civic Works).
7.2.23 is LOC2024-0264 at 2604-2608 24th Street SW (by Horizon Land Surveys – the same company that is proposing DC on 13th Ave NW in Hounsfield Heights).
Both of these proposals are staying R-CG, the only point of the DC proposed is to prohibit single-family and duplex to create an artificial conflict to help argue to remove a Restrictive Covenant. The city described "the objective of the Direct Control District is to establish a minimum density requirement to support infill by way of Rowhouse Building or Townhouse Development". But the developers can already do that under R-CG zoning, they don't need a minimum density to do it. So the only issue is trying to remove neighbours' rights under a Restrictive Covenant.
These examples further illustrate that these cases are in no way unique, innovative, or unusual. They in no way meet the criteria for Direct Control Districts.
This is bias toward developers is inappropriate and shows disregard for contract law, the courts, and citizens' property rights. City administration should consider and respect ALL citizens and find compromise.
Please reject all of these inappropriate Direct Control Districts and leave the adjudication of the validity of Restrictive Covenants in the courts.

Sincerely, Beth Atkinson
Director, Land-Use
Hounsfield Heights – Briar Hill Community Association

From: Elizabeth Atkinson
Sent: July 14, 2025 3:12 PM
To: themayor@calgary.ca; ward01@calgary.ca; ward02@calgary.ca; ward03@calgary.ca; ward04@calgary.ca; ward05@calgary.ca; ward06@calgary.ca; ward07@calgary.ca; ward08@calgary.ca; ward09@calgary.ca; ward10@calgary.ca; ward11@calgary.ca; ward12@calgary.ca; ward13@calgary.ca; ward14@calgary.ca
Cc: hh-bh-board@googlegroups.com; land.use@hh-bh.ca
Subject: opposition to using Direct Control zoning to aide developers in defeating Restrictive Covenants, and to the premature redesignation of the CBC site in Hillhurst, without addressing neighbours and regional communities' concerns

Please find attached Hounsfield Heights – Briar Hill Community Association submissions in opposition to items 7.2.14 and 7.2.15 for this council meeting.

Our community opposes the inappropriate use of Direct Control, contrary to city policy in the Land Use Bylaw, to create a conflict between zoning and Restrictive Covenants on the lots. The Land Use Bylaw states that Direct Control "MUST only be used for… developments that, due to their unique

characteristics, innovative ideas, or unusual site constraints, require specific regulation unavailable in other land use districts". H-GO explicitly applies for the buildings proposed, and the existence of a Restrictive Covenant is NOT unique or unusual. The developer should apply for H-GO on its merits, and the Restrictive Covenants should be a matter for the courts to decide on their own merits, as a completely separate matter.
The City has a policy of ignoring Restrictive Covenants in planning matters when homeowners ask about them, stating they are a matter for the courts. It is not appropriate to abandon this philosophy when a developer asks. Restrictive Covenants should indeed be adjudicated SOLELY in the courts, in a consistent manner. If city council helps create this zoning conflict, they are putting developer profits above the basic property rights and legitimate needs and interests of citizens who have lived decades in our community. Note, our community DOES support practical respectful densification and has supported a proposed amendment of another Restrictive Covenant in our community to allow that. The city should be considering ALL stakeholders and not be behaving in this biased manner.

Our community also has significant concerns about the redesignation of the CBC site in Hillhurst, to allow a large development that will create significant traffic. The developer has proposed regional changes to the traffic flow at 19th Street and Memorial NW, that will significantly affect our community and also West Hillhurst. These changes have not been properly modelled and our concerns have been ignored. A regional study, including proper estimates of driver behaviour and traffic pattern changes, needs to be addressed BEFORE passing a land use redesignation that allows and approves a significant increase in traffic with regional implications. Thus, we are asking council to NOT pass this redesignation right now.

Sincerely, Beth Atkinson
Director, Land-Use
Hounsfield Heights – Briar Hill Community Association