

Land Use Amendment in Hounsfield Heights/Briar Hill (Ward 7) at 1831 and 1835 – 13 Avenue NW, LOC2024-0268

RECOMMENDATION:

That Calgary Planning Commission recommend that Council:

Give three readings to the proposed bylaw for the redesignation of 0.11 hectares \pm (0.27 acres \pm) located at 1831 and 1835 – 13 Avenue NW (Plan 5625AC, Block 18, Lots 11 and 12) from Residential – Grade-Oriented Infill (R-CG) District to Direct Control (DC) District to accommodate a minimum residential density, with guidelines (Attachment 2).

RECOMMENDATION OF THE CALGARY PLANNING COMMISSION, 2025 JUNE 5:

That Council give three readings to **Proposed Bylaw 122D2025** for the redesignation of 0.11 hectares \pm (0.27 acres \pm) located at 1831 and 1835 – 13 Avenue NW (Plan 5625AC, Block 18, Lots 11 and 12) from Residential – Grade-Oriented Infill (R-CG) District to Direct Control (DC) District to accommodate a minimum residential density, with guidelines (Attachment 2).

HIGHLIGHTS

- This application seeks to redesignate the subject sites to a Direct Control (DC) District based on the Housing – Grade Oriented (H-GO) District to address unusual site constraints created by restrictive covenants registered on title that restrict the development of more than one dwelling unit.
- This application would allow for grade-oriented development in a range of housing forms and is in keeping with the policies of the *Municipal Development Plan (MDP)* and *Riley Communities Local Area Plan (LAP)*.
- What does this mean to Calgarians? This application would promote greater housing choice in proximity to transit and allow for more efficient use of existing infrastructure and nearby amenities.
- Why does this matter? The proposed DC District would allow for more housing options that may better accommodate the evolving needs of different age groups, lifestyles and demographics.
- A development permit for 11 dwelling units and 11 secondary suites has been submitted and is under review.
- There is no previous Council direction related to this proposal.

DISCUSSION

This application, in the northwest community of Hounsfield Heights/Briar Hill was submitted by Horizon Land Surveys on behalf of the landowners, BH 1835 Ltd. and Lei Creative Limited, on 2024 October 31. A development permit (DP2025-02454) for a multi-residential development proposing 11 dwelling units, 11 secondary suites and a detached garage was submitted on 2025 April 26 and is under review. The Applicant Submission can be found in Attachment 3.

The approximately 0.11 hectare (0.27 acre) site is located on the southeast corner of 13 Avenue NW and 18A Street NW. It is currently developed with two single detached dwellings and two

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13 Avenue NW, LOC2024-0268**

detached garages. Surrounding development includes single detached dwellings with detached garages and a church. The site is located approximately 200 metres (a three-minute walk) from the Lions Park LRT Station and 250 metres (a four-minute walk) from the North Hill Centre mall.

The parcels are subject to restrictive covenants that restrict the use to a single detached dwelling on each site. Restrictive covenants are not binding on Council or Administration in making land use or development permit decisions, however, they do present a potential impediment to redevelopment should another landowner choose to enforce the restrictive covenant.

Section 4.2 of the LAP notes that where restrictive covenants are not in alignment with the goals and objectives of the Plan, The City of Calgary supports the direction of the Plan. This forms the basis of Administration's recommendation to Calgary Planning Commission in this report.

A detailed planning evaluation of the application, including location maps and site context, is provided in the Background and Planning Evaluation (Attachment 1).

ENGAGEMENT AND COMMUNICATION

- Outreach was undertaken by the Applicant
- Public/interested parties were informed by Administration

Applicant-Led Outreach

As part of the review of the proposed land use amendment application, the applicant was encouraged to use the [Applicant Outreach Toolkit](#) to assess which level of outreach with the public/interested parties and the Community Association was appropriate. In response, the applicant delivered postcards to residents within 100 metres of the site and spoke to residents through door knocking. The applicant also met with the Ward 7 Councillor to discuss the application and reached out to the Hounsfield Heights/Briar Hill Community Association but received no response. The Applicant Outreach Summary can be found in Attachment 4.

City-Led Outreach

In keeping with Administration's practices, this application was circulated to the public/interested parties, notice posted on-site and published [online](#). Notification letters were also sent to adjacent landowners.

Administration received 10 letters of opposition from the public. The letters of opposition included the following areas of concern:

- non-support for the use of DC Districts in this manner;
- erosion and circumvention of private property rights;
- excessive density is not considered 'modest';
- non-alignment with the existing character of the community;
- negative effect on property values; and
- lack of focus on large, comprehensive redevelopment sites like North Hill Centre.

**Land Use Amendment in Hounsfield Heights/Briar Hill (Ward 7) at 1831 and 1835 -
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The Hounsfield Heights/Briar Hill Community Association provided a letter in opposition on 2025 March 17 (Attachment 5) identifying the following concerns:

- DC Districts should not be used to defeat restrictive covenants;
- the use of a DC District in this respect does not comply with City policy and should not be used when the H-GO District can accommodate the proposed development;
- restrictive covenants should adjudicated solely in the Courts; and
- existing water infrastructure is insufficient to accommodate H-GO development.

Administration considered the relevant planning issues specific to the application and has determined the proposal to be appropriate. The building and site design, number of units, parking, infrastructure capacity, landscaping and waste and recycling management are being reviewed and determined through the development permit.

Following Calgary Planning Commission, notifications for a Public Hearing of Council for the land use amendment will be posted on-site and mailed out to adjacent landowners. In addition, Commission's recommendation and the date of the Public Hearing will be advertised.

IMPLICATIONS

Social

The proposed DC District will support greater housing choice, which may better accommodate the needs of different age groups, lifestyles and demographics.

Environmental

This application does not include any actions that specifically address the objectives of the *Calgary Climate Strategy – Pathways to 2050*. Further opportunities to align future development on this site with applicable climate strategies are encouraged through the development approval stages.

Economic

The proposed DC District would allow for more efficient use of land, existing infrastructure and services while providing more housing choices in the community.

Service and Financial Implications

No anticipated financial impact.

RISK

There are no known risks associated with this proposal.

Planning and Development Services Report to
Calgary Planning Commission
2025 June 05

ISC: UNRESTRICTED
CPC2025-0439
Page 4 of 4

**Land Use Amendment in Hounsfield Heights/Briar Hill (Ward 7) at 1831 and 1835 -
13 Avenue NW, LOC2024-0268**

ATTACHMENTS

1. Background and Planning Evaluation
2. **Proposed Bylaw 122D2025**
3. Applicant Submission
4. Applicant Outreach Summary
5. Community Association Response
6. **CPC Member Comments**
7. **Public Submissions**

Department Circulation

| General Manager (Name) | Department | Approve/Consult/Inform |
|---------------------------|------------|------------------------|
| | | |