

COMPOSITE ASSESSMENT REVIEW BOARD DECISION WITH REASONS

**In the matter of the complaint against the property assessment as provided by the
municipal Government Act Chapter M-26 Section 460, Revised Statutes of Alberta (2000)
(the Act)**

BETWEEN:

**Sierra Springs Shopping Centre Ltd. Represented
by: Colliers International Greg Jobagy**

Complainant

and

**CITY OF AIRDRIE
Represented by:
G. Beierle and H. Kuntz**

Respondent

HEARING DATE: 03 July 2012

PRESIDING OFFICER: ROB IRWIN

MEMBER: D. Oneil

MEMBER: C. Sanders

This is a complaint to the Airdrie Assessment Review Board and heard by the Composite Assessment Review Board in respect of a property assessment prepared by the Assessor of the City of Airdrie.

Preliminary Request

At the hearing both parties were in agreement and requested that the agenda be organized to group the 3 similar vacant land properties in one presentation of Roll #841367.

The Board agreed and confirmed that all evidence would be applicable and be carried forward to the appeals of the 2012 assessment of all three roll numbers.

- Roll Numbers #841365, #841366 and #841367.

Roll # 841367

2012 Assessed Value

\$9,652,600

Requested Assessed Value \$7,172,500

Procedural or Jurisdictional Matters

No procedural or jurisdictional matters were raised by either party.

Property Description

The subject property is described as a 15.85 acre parcel of Non Residential Vacant land located at 2731 Main Street SW, in Airdrie Alberta. The Land Use Designation is C3-Regional Commercial District.

Issues

Prior to presenting their arguments, the Complainant confirmed to the Board that the only issue before the Board was Assessed Value.

Issue 1: Assessed Value

Complainant's Position:

The Complainant stated that they were in agreement with the use of the direct comparison approach used by the assessor in preparation of the assessment but considered that the assessment was too high. The complainant presented a table titled Comparable Land Transactions which included 1 commercial classified property of 1.5 acres that sold in June 2010 and 5 industrial zoned sales that ranged in size from 1.08 acres to 5.02 acres. The sales of the industrial properties were dated Aug 2010 to March 2011. It was calculated that the average of these transactions was \$452,437 per acre. The board was asked to apply this value to the subject property which would result in the requested assessed value instead of the \$609,000 per acre that the municipality had used to assess the subject property.

Respondent's Position:

Evidence was presented to explain the importance of the zoning of the subject property (C3- Regional Commercial District). The purpose and intent of this designation is to provide for large scale single tenant commercial uses and buildings, and to provide for a limited supply of medium scale and small scale retail uses and buildings. It was highlighted that this was a unique land use and not comparable to other Commercial and Industrial zonings.

The Respondent then challenged the Complainants comparable tables citing that the comparables include Commercial C-1 and Industrial IB-1 zonings.

It was stated that these properties were actually dissimilar and not comparable.

The Respondent noted that the Complainants comparables were all between 1.08 acres and 5.2 acres. They indicated that this was much smaller than the subjects 15.85

The Respondent presented sales comparable of 2010 and 2011 sales that averaged \$735,000 and concluded that the rate of \$609,000 per acre used for the subject properties assessment was applied fairly.

Board's Decision

The 2012 assessment is confirmed as follows.

- Roll # 841367 at \$9,652,600

-and-

- Roll.# 841365 is confirmed at \$3,038,900,
- Roll.# 841366 is confirmed at \$2,253,300

Reasons:

The Board agreed that Complainant did not present compelling evidence to convince the Board that the assessment was incorrect. The Board weighed both parties comparables and agreed that although there was minimal activity during the assessment period and it was difficult for either party to find strong comparables, the respondents evidence was superior.

Dated at Airdrie, in the Province of Alberta this 28th day of July, 2012.

Rob Irwin, Presiding Officer

This decision may be appealed to the Court of Queen's Bench on a question of law or jurisdiction, pursuant to Section 470(1) of the Municipal Government Act, R.S.A. 2000, c.M-26.