

**CALGARY  
ASSESSMENT REVIEW BOARD  
DECISION WITH REASONS**

In the matter of the complaint against the Property/Business assessment as provided by the *Municipal Government Act*, Chapter M-26, Section 460(4).

**between:**

***Altus Group Ltd., COMPLAINANT***

**and**

***The City Of Calgary, RESPONDENT***

**before:**

***L. Wood, PRESIDING OFFICER***

***J. Pratt, MEMBER***

***K. Kelly, MEMBER***

This is a complaint to the Calgary Assessment Review Board in respect of Property/Business assessment prepared by the Assessor of The City of Calgary and entered in the 2010 Assessment Roll as follows:

**ROLL NUMBER: 031010911**

**LOCATION ADDRESS: 3508 32 Ave NE**

**HEARING NUMBER: 59065**

**ASSESSMENT: \$16,730,000**

This complaint was heard on the 19th day of July, 2010 at the office of the Assessment Review Board located at Floor Number 3, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 8.

Appeared on behalf of the Complainant:

- A. Iazard

Appeared on behalf of the Respondent:

- S. Cook

**Board's Decision in Respect of Procedural or Jurisdictional Matters:**

The parties agreed to several corrections for the subject property, the Horizon Shopping Centre, at the commencement of the hearing. The parties stated that the restaurant space that is currently coded as free standing space should be corrected to reflect CRU space. This would affect the space described as the Restaurant Dining Lounge (4,644 sq ft) as well as the Restaurant Fast Food space (6,689 sq ft) which currently have a market net rental rate of \$30.00 psf (Exhibit R1 page 15).

The correction would reduce the market net rental rate to \$19.00 and \$17.00 psf respectively. The parties also agreed that the mezzanine space of 1,517 square feet has a net market rental rate of \$1.00 psf. The parties also agreed that the total rentable area for the subject property is 129,471 sq ft as opposed to 126,934 sq ft. The Board is in agreement with these corrections. This results in a reduction for the subject property from \$16,730,000 to \$15,540,000 for the 2010 assessment year.

DATED AT THE CITY OF CALGARY THIS 30<sup>th</sup> DAY OF JULY, 2010.

  
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Lana J. Wood  
Presiding Officer

*An appeal may be made to the Court of Queen's Bench on a question of law or jurisdiction with respect to a decision of an assessment review board.*

*Any of the following may appeal the decision of an assessment review board:*

- (a) *the complainant;*
- (b) *an assessed person, other than the complainant, who is affected by the decision;*
- (c) *the municipality, if the decision being appealed relates to property that is within the boundaries of that municipality;*
- (d) *the assessor for a municipality referred to in clause (c).*

*An application for leave to appeal must be filed with the Court of Queen's Bench within 30 days after the persons notified of the hearing receive the decision, and notice of the application for leave to appeal must be given to*

- (a) the assessment review board, and*
- (b) any other persons as the judge directs.*