

**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:**

***B. Horrocks, PRESIDING OFFICER***

***I. Fraser, MEMBER***

***Y. Nesry, 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:

<b>ROLL NUMBER:</b>	<b>019121904</b>
<b>LOCATION ADDRESS:</b>	<b>5404 DALTON DR NW</b>
<b>HEARING NUMBER:</b>	<b>59648</b>
<b>ASSESSMENT:</b>	<b>\$10,010,000</b>

This complaint was heard on the 17th day of August, 2010 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 2.

Appeared on behalf of the Complainant:

- Mr. D. Genereux (Altus Group Ltd.)

Appeared on behalf of the Respondent:

- Mr. D. Zhao

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

None. The merit hearing proceeded.

**Property Description:**

The subject property is a 374,381 sq. ft. site located in the Dalhousie community of Calgary. The site contains a Canadian Tire retail store, a free standing gas bar, and a Budget Rent- A-Car trailer pad. The main building was constructed in 1982.

**Issues:**

The complainant identified 12 issues on the Assessment Review Board Complaint but advised that he would only speak to two issues namely:

1. The assessed rental rate applied to the Budget Rent-A-Car trailer pad site on the subject property should be \$16.00 / sq. ft. and
2. The assessed rental rate applied to the Retail Anchor Space within the subject property should be \$8.00 / sq. ft.

**Complainant's Requested Value:** \$8,000,000

**Board's Decision in Respect of Each Matter or Issue:**

Issue #1 - Rental rate applied to the Budget Rent-A-Car trailer pad.

No evidence was provided by the complainant in support of the request to reduce the rental rate from \$30.00/ sq. ft. to \$16.00/ sq. ft.

Issue #2 – Rental rate applied to the Retail Anchor Space

Amongst other things, the complainant at page 40 of his evidence package provided a "Retail Anchor Tenant Rental Analysis" which contained 10 leases with start dates ranging from March 1996 to March 2008. Face lease rates ranged from a low of \$4.00 / sq. ft. to a high of \$14.50 / sq. ft. The average lease rate was calculated to be \$8.95 /sq. ft.

The respondent at page 14 of his evidence package provided 5 "Lease Comparables", (3 of which were included in the complainant's submission). The average lease rate was calculated to be \$12.77 / sq. ft.

Taking all of the leases presented by the complainant and the respondent into consideration, excluding the three duplications, the Board calculated the simple average lease rate to be \$9.53 / sq. ft.

The Board finds the average lease rate of \$9.53 / sq. ft., as calculated above, to be more supportive of the \$10.00 / sq. ft. assessed rate than the requested rate of \$8.00 / sq. ft.

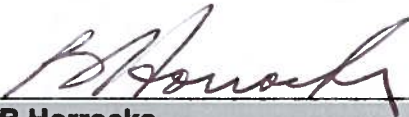
**Board's Decision:**

The rental rate applied to the Budget Rent-A-Car space is confirmed at \$30.00 / sq. ft.

The rental rate applied to the retail anchor space is confirmed at \$10.00 / sq. ft.

The assessment for the subject property is confirmed at \$10,010,000.

DATED AT THE CITY OF CALGARY THIS 25 DAY OF August 2010.



**B Horrocks**  
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.*