

**CALGARY
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(4).

between:

Altus Group Ltd., COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

***Board Chair, J. Zezulka
Board Member 1, A. Zindler
Board Member 2, I. Zacharopoulos***

These are complaints to the Calgary Assessment Review Board in respect of a Property assessment prepared by the Assessor of The City of Calgary and entered in the 2010 Assessment Roll as outlined following. With the agreement of all parties, the complaints were dealt with concurrently.

LOCATION ADDRESS:	FILE NUMBER	ROLL NUMBER	ASSESSMENTS
10 – Freeport Drive N.E.	59017	200461523	\$1,690,000
20 – Freeport Drive N.E.	59020	200461531	\$1,640,000
21 - Freeport Place N.E.	59022	200461606	\$1,700,000
25 - Freeport Place N.E.	59024	200461614	\$1,710,000
11885 – 16 Street N.E.	58585	201413192	\$1,840,000

This complaint was heard on 7 day of September, 2010 at the office of the Assessment Review Board located at Floor Number 4 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 4.

Appeared on behalf of the Complainant:

- *D. Chabot*

Appeared on behalf of the Respondent:

- *K. Buckry*

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

Not Applicable

Property Description:

All of the properties are undeveloped industrial sites. The Freeport Drive addresses are located in Stoney 2, to the east of Deerfoot Trail. The 16 Street N.E. property is situated in Stoney 1, to the west of Deerfoot Trail.

Land areas are as follows;

10 – Freeport Drive N.E.....1.69 acres
20 – Freeport Drive N.E.....1.65 acres
21 - Freeport Place N.E.....1.79 acres
25 - Freeport Place N.E.....1.71 acres
11885 – 16 Street N.E.....1.85 acres

Issues (Grounds for Appeal):

Out of the numerous grounds for appeal listed on their complaint form, the only issue addressed at the hearing was the following. “ The aggregate assessment per acre applied to the subject property does not reflect market value for assessment purposes when using the direct sales comparison approach and should be \$600,000.00 per acre.

Complainant's Requested Value: In the evidence submission of the Complainant, the requested assessed rate per acre was \$850,000.

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

The Complainant presented 14 undeveloped land sales of parcels between 1.30 and 9.50 acres that have occurred in Calgary during 2008 and 2009. All except one of the transactions is located in South East Calgary. Per acre prices ranged from \$360,000 to \$760,000 per acre. There was only one transaction in N.E. Calgary, at 4300A – 21 Street. The selling price calculated to be \$862,000 per acre.

The Respondent offered six sales comparables as evidence of the subject's market value. All of the properties are in North East Calgary. The comparable site sizes ranged from 0.87 to 11.47 acres.

The transactions took place during 2007, 2008 and 2009. Time adjusted selling prices ranged from \$727,027 to \$1,503,029 per acre.

During the hearing, both parties agreed that the best comparable of all of the evidence presented was one of the subject properties, at 11886 – 16 Street N.E. The property sold in an arm's length transaction in February, 2009, for \$1,757,900, or \$950,000 per acre. It is of similar size to the other subjects, and is in a similar location, albeit on the other side of Deerfoot Trail.

Board's Decision:

The Board agrees with both parties to this complaint, and finds that the values of each of the subject properties is best represented by the selling price of 11886 – 16 Street N.E., or \$950,000 per acre. The assessments are reduced as follows;

LOCATION ADDRESS:	FILE NUMBER	ROLL NUMBER	REVISED ASSESSMENTS
10 – Freeport Drive N.E.	59017	200461523	\$1,600,000
20 – Freeport Drive N.E.	59020	200461531	\$1,560,000
21 - Freeport Place N.E.	59022	200461606	\$1,610,000
25 - Freeport Place N.E.	59024	200461614	\$1,620,000
11885 – 16 Street N.E.	58585	201413192	\$1,750,000

DATED AT THE CITY OF CALGARY THIS 16 DAY OF SEPTEMBER 2010.



J. Zezulka
Presiding Officer

List of Exhibits

C-1; Evidence submission of the Complainant for 59017, 59020, 59022, 59024
C-2; Evidence submission of the complainant for 58585
R-1; City of Calgary Assessment Brief for 59017, 59020, 59022, 59024
R-2; City of Calgary Assessment Brief for 58585

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.*