

**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-26.1, Section 460(4).

**between:**

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

**and**

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

**before:**

***T. Helgeson, PRESIDING OFFICER***

***M. Grace, MEMBER***

***I. Fraser, MEMBER***

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

**ROLL NUMBER: 054001003**

**LOCATION ADDRESS: 740 Meridian Road N.E.**

**HEARING NUMBER: 59587**

**ASSESSMENT: \$1,840,000**

This complaint was heard on the 24<sup>th</sup> day of August, 2010 at the office of the Assessment Review Board located at 4<sup>th</sup> Floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 2.

Appeared on behalf of the Complainant:

- *D. Chabot*

Appeared on behalf of the Respondent:

- *J. Lepine*

**Property Description:**

The subject property is a single-tenant industrial-commercial building, constructed in 1960, and situated on 1.04 acre site in northeast Calgary. The subject property has a rentable building area of 8,520 square feet, for a site coverage of 19%. Due to the low site coverage, an excess land adjustment of 0.42 acres (at \$1,000,000 an acre) was added, for a total assessment of \$1,840,000.

**Issues:**

Is \$1,000,000 per acre for the excess land adjustment too high?

**Complainant's Requested Value:**

Initially, the Complainant submitted that the value of the excess land adjustment should be reduced to \$700,000 an acre. However, CARB decision ARB 0719/2010-P reduced the assessment of an industrial-commercial property in northeast Calgary on grounds that the assessed land value (at \$1,000,000 an acre) was not supported by either the market or equity. The panel that decided ARB 0719/2010-P found that a land rate of \$800,000 per acre was more appropriate. Based on that rate for the excess land adjustment in the present case, the Complainant submitted that the assessment of the subject property should be reduced to \$1,750,000 (truncated).

**Board's Decision:**

Despite the Respondent's vigorous defence of the assessment, the Board found that a rate of \$800,000 per acre for the excess land adjustment was reasonable based on equity and the Complainant's sales evidence. Accordingly, the assessment of the subject property was reduced to \$1,750,000.

DATED AT THE CITY OF CALGARY THIS 20<sup>th</sup> DAY OF September 2010.



**T. Helgeson**  
**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.*