

**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:

Colliers International Advisors Inc. , COMPLAINANT

And:

The City Of Calgary, RESPONDENT

Before:

Dean Sanduga, PRESIDING OFFICER

S. Rourke , MEMBER

J. Rankin , MEMBER

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

ROLL NUMBER: 067055400

LOCATION ADDRESS: 718 – 7 AW SW

HEARING NUMBER: 58676

ASSESSMENT: \$3,050,000

This complaint was heard on 4th day of October, 2010 at the office of the Assessment Review Board located at Floor Number 3, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 11.

Appeared on behalf of the Complainant:

- *D. Porteous*

Appeared on behalf of the Respondent:

- *D. Thistle*

Property Description:

The subject is a vacant land parcel located in the downtown commercial core, with a CM-2 land use designation, contains 9,760 sq. ft.

Issues:

(As indicated on the complaint form)

The Board notes that section 5 of the complaint form contains several statements as to why the subject property's assessment is incorrect; however, the Board will only address those issues raised at the hearing.

- 1- Is the comparable sales for the subject property in the relevant time frame, suggest that the assessed value is in excess of market value?
- 2- Is the assessment of similar properties suggests that the assessment is inequitable with these and other properties?

Complainant's Requested Value:

\$1,930,000

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

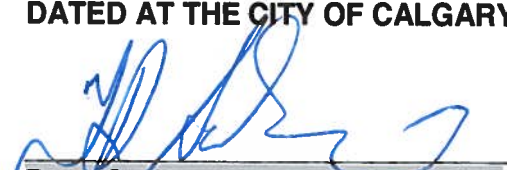
Arguments on FAR is not a valid value indicator. FAR with bonus cannot change with density, (C1 page 5).

The board finds that the Complainant has not met their onus to prove that the assessment is incorrect and, as a result, confirms the assessment.

Board's Decision:

The decision of the Board is to confirm the 2010 assessment at \$3,050,000

DATED AT THE CITY OF CALGARY THIS 22nd DAY OF October 2010.


Dean Sanduga
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.*