

**CALGARY  
COMPOSITE 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 Limited, COMPLAINANT***

**and**

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

**before:**

***L.R. Loven, PRESIDING OFFICER***

***I. Fraser, MEMBER***

***R. Glenn, MEMBER***

This is a complaint to the Calgary Combined 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: 200204881**

**LOCATION ADDRESS: 5330 Skyline Way N.E.**

**HEARING NUMBER: 59190**

**ASSESSMENT: 4,060,000**

This complaint was heard on the 12<sup>th</sup> day of October, 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:

- D. Chabot, representing Altus Group Limited, on behalf of Toyota Canada Inc.

Appeared on behalf of the Respondent:

- M. Berzins, representing the City of Calgary

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

Both the Respondent and the Complainant confirmed to the Board that they had no procedural or jurisdictional matters to be raised.

**Property Description:**

The subject property consists of a 11,099 square foot industrial warehouse constructed in 1985, located in the Skyline East Community, on 2.99 acres of land zoned Industrial–Business (I-B). The assessed value is \$4,060,000.

**Issues:**

1. Reduce the land portion from \$1,000,000 per acre to \$850,000 per acre.

**Complainant's Requested Value:** \$3,730,000

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

**Issue 1: Land Assessment**

The Complainant submitted an Assessment Explanation Supplement showing 2.20 acres of extra land, site coverage at 8.52% and a land adjustment of \$2,195,636. The Complainant then, submitted a table showing the 2.2 acres of excess at the requested \$850,000 per acre having an assessment of \$1,870,000.

The Complainant provided a table of six comparable sale in the NW showing a median of \$726,010 per acre and a table containing one NE comparable sales of 8.9 acres at \$668,151 per acre, and showed the time adjusted sale price of \$863,207.55 per acre.

The Complainant submitted an excerpt from MGB Board Order 037/09 regarding the determination of market value of and with respect to parcel size.

The Respondent submitted a photo showing the exposure of the subject property to Deerfoot Trail.

The Respondent provided a table containing five industrial vacant land sales, all zoned I-G having a mean parcel size of 0.96 acres and a time adjusted sale price of \$1,213,318.28 per acre.

The Respondent submitted the Complainant's table containing five sales comparable and noting all had limited access that would result in 25% reduction in assessed value.

Based on its consideration of the above evidence and argument, the Board finds that of the seven comparable sales provided by the Complainant six are for another (NW) quadrant of the City and the one for the same NE quadrant as the subject property was dated July 1, 2007 and is for almost 9 acres; whereas the subject is 2.2 acres of extra land.

#### **Summary:**

The only issue argued by the Complainant was the assessed value per acre of extra land.

The valuation method applied in this instance was the Sales Comparison Approach. The use of this approach to value is contextually allowed in the legislation. The Complainant did not argue that this approach was inappropriate.

The Board finds that the sales information presented by the Respondent did not support the requested reduction in the assessed land rate from \$1,000,000 per acre to \$850,000 per acre.

The Board further finds that the industrial vacant land sales provided by the Respondent supported the assessed land rate of \$1,000,000 per acre.

#### **Board's Decision:**

For the reasons set forth above, the assessment of the subject property is hereby confirmed as follows: \$4,060,000.

DATED AT THE CITY OF CALGARY THIS 17 DAY OF November 2010.

**L.R. LOVEN**  
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.*