

**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: 024015307**

**LOCATION ADDRESS: 955 53 Avenue N.E.**

**HEARING NUMBER: 59644**

**ASSESSMENT: 1,480,000**

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 1.48 acres of land only open storage, located in the Skyline East Community, zoned Industrial – General (I-G). The assessment is \$1,480,000.

**Issues:**

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

**Complainant's Requested Value:** \$1,250,000

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

**Issue 1: Land Assessment**

The Complainant submitted an Avison Young Calgary Industrial Market Report for Year End 2009/2010 underlining, "...there were no conventional land sales recorded in the northeast portion of the city to-date for 2009. But, there was one special-use site sold for a bottle depot, which was priced significantly above what industrial sites would be expected to sell for in the surrounding area, at \$953,000 per acre."; and, a Colliers Calgary Industrial Perspective for first quarter 2010, noting fully serviced land values at approximately \$800,000 per acre.

The Complainant provided the only sale of vacant land between July 2008 and July 2009, dated July 29, 2008 for 5.51 acres, located in the NE district of North Airways, at \$862,069 per acre.

The Complainant provided a table of Industrial Rates showing I-G zoning in the NE assessed at \$1,000,000 per acre for the first two acres and three to ten acres at \$350,000 per acre, and submitted that a rate of \$850,000 should be applied to the first two acres.

The Respondent submitted a table containing five industrial vacant land sales all zoned IG two located in the SE and three in the NE ranging in parcel size from 0.558 acres to 1.845 acres with a median of 0.960 acres and time adjusted sale price ranging from \$952,574.53 to \$1,406,250.00 per acre with a median of \$1,213,318.28 per acre.

The Complainant submitted a rebuttal, regarding one of the Respondent's sales located at 2572 Sunridge Way NE. According to the City of Calgary Assessment Summary Report for the two parcels, they were zoned Industrial - Commercial (I-C), not I-G as given in the Respondents table; and secondly, according to a table of industrial land assessment rates in the NE i-C is assessed at \$1,000,000 per acre; and thirdly referenced Calgary Assessment Review Board CARB 1485/2010-P reducing the assessment from \$1,000,000 per acre to \$950,000 per acre, for five land only parcels, located in the NE, ranging in size from 1.65 to 1.79 acres,

Based on its consideration of the above evidence and argument, the Board finds that the third party market reports only provide an indicator of value that can be used to support comparable sales information, and as the Complainant did not present its table of fourteen sales comparables, that appear to match those referenced in CARB 1485/2010-P, it is difficult for the Board to reply on the single sale presented; moreover, of the five comparable sales provided by the Respondent, even though they vary in quadrant and zoning compared to the subject property, the median time adjusted sales price per acre is greater than the assessed rates. Furthermore, the Board notes the Calgary Assessment Review Board decision, CARB 1485/2010-P, cited by the Complainant, was at the agreement of the parties and based on comparables different in quadrant, number, time-frame and selling price from those presented at this hearing.

**Summary:**

The only issue argued by the Complainant was the assessed value per acre of 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 Complainant 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 for the first two acres.

**Board's Decision:**

For the reasons set forth above, the assessment of the subject property is hereby confirmed as follows: \$1,480,000.

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

  
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**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.*