

**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, Revised Statutes of Alberta 2000 (the Act).

**between:**

***Canadian Property Holdings (Alberta) Inc. (as represented by Altus Group Limited),  
COMPLAINANT***

**and**

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

**before:**

***B. Horrocks, PRESIDING OFFICER  
H. Ang, MEMBER  
D. Morice, MEMBER***

This is a complaint 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 2012 Assessment Roll as follows:

<b>ROLL NUMBER:</b>	<b>200787877</b>
<b>LOCATION ADDRESS:</b>	<b>5664 69 AV SE</b>
<b>HEARING NUMBER:</b>	<b>68383</b>
<b>ASSESSMENT:</b>	<b>\$22,150,000</b>

This complaint was heard on the 26th day of July, 2012 at the office of the Assessment Review Board located at Floor Number 4, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 3.

Appeared on behalf of the Complainant:

- Mr. D. Mewha (Altus Group Limited)

Appeared on behalf of the Respondent:

- Mr. J. Lepine

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

- [1] There were no concerns with the Board as constituted.
- [2] There were no preliminary matters. The merit hearing proceeded.

**Property Description:**

[3] The subject property is an 11.72 acre parcel located in the Starfield Industrial Park in SE Calgary. The site is improved with a 309,690 square foot (SF) multi bay warehouse (IWM) that was constructed in 2005, has 3% finish, 60.67% site coverage and an assessable building area of 309,690 SF. The subject is assessed at the rate of \$71.55/SF using the Sales comparison approach to value.

**Issues:**

[4] The Assessment Review Board Complaint Form contained 11 Grounds for complaint. At the outset of the hearing the Complainant advised there was only one outstanding issue, namely: "The aggregate assessment per square foot applied to the subject is inequitable with assessments of other similar and competing properties and should be \$63 psf".

**Complainant's Requested Value:** \$19,500,000 (Complaint form)  
\$19,180,000 (Hearing)

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

**Issue:** Is the subject property inequitably assessed?

[5] The Complainant's Disclosure is labelled C-1.

[6] The Complainant, at page 11, provided a table titled Equity Information which contained 4 purported equity comparables with assessments per SF ranging from \$60 to \$63 and a median of \$62/SF in support of the requested assessment rate of \$62/SF. It is noted that all of the comparables are located in the Foothills Industrial Park and are older than the subject while the subject is located in the Starfield Industrial Park. The best comparable, located at 4901 64 AV SE is 5 years older than the subject and larger than the subject, however the subject has larger average bay size.

[7] The Complainant, at page 12, provided two charts titled Leasing Comparables noting there was a new lease signed in the subject in September of 2011 for \$5.00/SF.

[8] The Respondent's Disclosure is labelled R-1.

[9] The Respondent, at page 9, provided a table titled 2012 Industrial Equity Chart which contained 11 equity comparables with assessment rates per SF ranging from \$68 to \$109.78 and a median of \$79.59/SF noting the subject is assessed at the rate of \$71.55/SF, near the bottom of the range.

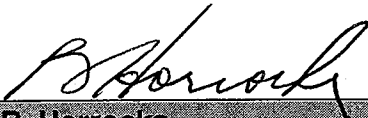
[10] The Respondent, at page 13, provided a response to the Complainant's evidence. In particular it was noted that the average bay size for the subject is 61,938 SF which is more comparable with the bottom table on page 12 of C-1 where the properties are achieving a median rental of \$5.90/SF.

[11] The Board finds that the evidence from the Respondent which came from a wider area of the City and represents more of the market to be more compelling and concludes the subject is equitably assessed.

**Board's Decision:**

The 2012 assessment is confirmed at \$22,150,000.

DATED AT THE CITY OF CALGARY THIS 28 DAY OF August 2012.

  
B. Horrocks  
Presiding Officer

**APPENDIX "A"****DOCUMENTS PRESENTED AT THE HEARING  
AND CONSIDERED BY THE BOARD:**

<b>NO.</b>	<b>ITEM</b>
1. C1	Complainant Disclosure
2. R1	Respondent Disclosure
3. C2	Complainant Rebuttal

*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.*

**For Administrative Use**

<b>Subject</b>	<b>Property type</b>	<b>Property sub-type</b>	<b>Issue</b>	<b>Sub-issue</b>
CARB	warehouse	Multi bay	Sales Approach	Equity