

**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:**

***Sun Life Assurance Company of Canada, COMPLAINANT (as represented by Altus Group Ltd)***

**and**

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

**before:**

***F.W. Wesseling, PRESIDING OFFICER  
A. Blake, MEMBER  
E. Reuther, 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 2011 Assessment Roll as follows:

**ROLL NUMBER: 033037904**

**LOCATION ADDRESS: 3419 12 Street NE**

**HEARING NUMBER: 64101**

**ASSESSMENT: \$7,370,000**

This complaint was heard on 12<sup>th</sup> day of July, 2011 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:

- *J. Weber -- Altus Group Ltd*

Appeared on behalf of the Respondent:

- *M. Berzins -- City of Calgary*

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

No specific jurisdictional or procedural matters were raised during the course of the hearing, and the CARB proceeded to hear the merits of the complaint

**Property Description:** Subject property is located in the McCall industrial area in NE Calgary. The site contains three (3) warehouse buildings which were constructed in 1976 and 1977. The buildings are 29,952, 16128 and 27,648 square feet respectively and assessed at \$93.00, \$120.00 and \$93.81 per square foot. The property contains 5.17 acres of land. Combined site coverage is 32.77 %. The site is classified "Industrial-General" in the City of Calgary Land Use Bylaw.

**Issues:** The Complainant raised the following matter in Section 4 of the Assessment Complaint form: Assessment amount

Presentation of the Complainant and Respondent were limited to:

- Assessment market value is overstated in relation to comparable properties.

**Complainant's Requested Value:** \$6,520,000.00

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

**Complainant's position:** The Complainant's request is largely based on an equity analysis and supported by sales comparables. The equity comparables provided indicated a value range of \$84.00 to \$91.00 per square foot. All comparables are lower than the blended assessment value of \$99.00 per square foot of the subject property. The sales comparables provided in support of the equity data indicated a value of \$83.00 per square foot. It was indicated the comparables are single building properties and not multi building sites as the subject is. . Various CARB decisions from 2010 were included in the presentation for the Board's consideration, including a decision on the subject property.

**Respondent's Position:** The City's presentation focused on showing that the sales approach to value is most appropriate and acceptable method to derive market value. Seven (7)) sales were

provided in support of the 2011 assessment which resulted in a median of \$123.00 per square foot for the smaller building while for the larger building the median reported was \$119.00 per square foot. The respondent presented fourteen (14) equity comparables seven for smaller buildings and seven for larger buildings all within the McCall industrial area. Equity is the only issue in this complaint and the equity comparables provided by the City compare favourably with the subject site. The multi building co-efficient was outlined and how it was derived based on 2010 CARB decisions. The multi-building downward adjustment was applied in arriving at the assessment for the subject property.

**Board's Decision:** Upon reviewing the verbal and written evidence provided by the parties, the Board found that the Respondent's evidence most relevant and that the Complainant's requested assessment was not supported by the data presented.

**Reasons:** The Board determined that the approach as presented by the respondent was based on a good sample size and is more compelling and relevant. The Complainant's position is largely based on an equity analysis. Site specific evidence does not support a reduction in assessment. The City did apply the multi-building adjustment which influenced the assessment downward. Having regard to Section 467 (3) of the Municipal Government Act, the Board found no alteration to the assessment was warranted.

The Board confirms the assessment at \$7,370,000.00.

DATED AT THE CITY OF CALGARY THIS 9 DAY OF August 2011.



F.W. Wesseling  
Presiding Officer

#### **APPENDIX "A"**

#### **DOCUMENTS PRESENTED AT THE HEARING AND CONSIDERED BY THE BOARD:**

Complainant: C1 Evidence Submission of the Complainant to the 2011 ARB

Respondent: R1 Assessment Brief prepared by City of Calgary Assessment

*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.*