

**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:**

***Great West Life Assurance Company, COMPLAINANT (represented by Colliers  
International Realty Advisors Inc.)***

**and**

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

**before:**

***F.W. Wesseling, PRESIDING OFFICER  
B. Jerchel, MEMBER  
P. Pask, 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: 112135751**

**LOCATION ADDRESS: 603 77 Avenue SE**

**HEARING NUMBER: 62904**

**ASSESSMENT: \$10,610,000**

This complaint was heard on 31<sup>th</sup> day of August, 2011 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:

- S. Meiklejohn - Colliers International Realty Advisors

Appeared on behalf of the Respondent:

- T. Luchak - 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 East Fairview Industrial area. Three multi-tenanted warehouse buildings are located on the site which has a total acreage of 8.3 acres. The three buildings have assessable floor areas of 25,100, 27,170 and 50,470 square feet respectively. Site coverage is at 25.79% while building finish are 27%, 29% and 75% respectively.

The site is classified "C-R1" Commercial-Regional 1 District 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 overstated in relation to comparable properties.

**Complainant's Requested Value:** \$7,820,000 (as corrected at the hearing)

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

Complainant's position: The location of the subject property was outlined in relation to the new Farmer's market immediately adjacent and the associated traffic concerns. The current assessment is \$108.46 per square foot while the Complainant is proposing that \$80.00 per square foot is more appropriate. The complainant's position to amend the assessment is primarily based on comparable sales and equity. To support the analysis done, the complainant provided the Board with a background of the seven key components and variables of the 2011 property assessment. These components are building type, net rentable area, actual year of construction, region, finish %, site coverage and multiple buildings. In particular the complainant focused on site coverage and finish in terms of the subject property. The Complainant addressed the multi-building adjustment which has been applied and further indicated the objection to the determination by the City that the larger building had an indicated

finish of 75%. The Complainant provided four sale comparables. These comparables were picked based on the similarities with the subject property in terms of the variables above that are part of the City's assessment model. This analysis showed an average sales price of \$97.88 per square foot while the assessment value per square foot came in at \$85.59. Additional data presented were 'Total Industrial sales' and "Industrial Assessments" for the central region.

**Respondent's Position:** The City provided background on the subject property including the *Assessment Request for Information* which included rent roll information. Equity comparables as well as sales comparables were provided for larger and smaller buildings. The medium assessment value per square foot for the Respondent's sale comparables came in at \$117.00. In addition, the Respondent reviewed the complainant's comparables. It was noted that none of the comparables had the same land use classification as the subject property and that site coverage was an issue as well. The Respondent demonstrated that site coverage issues as presented by the Complainant do not have an impact on value in the market. CARB Order 1573/2010-P was included for the Board's consideration as well as CARB 0855/2011-P dealing with multiple building sites.

**Board's Decision:** Upon reviewing the verbal and written evidence provided by the parties, the Board considers the Respondent's evidence to be more compelling and relevant. The Board confirms the assessment at \$10,610,000.

**Reasons:** The Board notes that the traffic issue raised by the Complainant for the 2011 assessment is a non-issue as the Farmer's market just opened recently. Site specific evidence, particularly as it relates to site coverage, 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.

DATED AT THE CITY OF CALGARY THIS 12 DAY OF September 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  
 C2 City of Calgary Non-Residential Sales July 2008-June 2010  
 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.*

*For MGB Administrative Use Only*

<i>Decision No.</i>		<i>Roll No.</i>		
<u>Subject</u>	<u>Type</u>	<u>Issue</u>	<u>Detail</u>	<u>Issue</u>
CARB	Warehouse (Multi-Tenant)	Sales approach	Land and improvement comparables	Site coverage