

**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:

**694281 Alberta Ltd.(as represented by Assessment Advisory Group Inc.), COMPLAINANT
and**

The City Of Calgary, RESPONDENT

before:

**Board Chair, J.Zezulka
Board Member 1, A. Ang
Board Member 2, D. Julien**

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: 023162308

LOCATION ADDRESS:422 McKnight Boulevard NE

HEARING NUMBER:64775

ASSESSMENT: 1,490,000.00

This complaint was heard on 29 day of August, 2011 at the office of the Assessment Review Board located at Floor Number Three, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom Eight.

Appeared on behalf of the Complainant:

- *T. Howell*

Appeared on behalf of the Respondent:

- *C. Neal*
- *R. Powell*

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

No specific jurisdictional or procedural issues were raised, and the CARB proceeded to hear the merits of the complaint.

Property Description and Background:

The subject is an A & W fast food outlet, located in the Greenview district of NE Calgary. The building is 3,179s.f. . The land area is 0.62 acres.

Issues:

A number of issues were raised on the complaint form. However, upon reviewing the evidence, the Complainant chose to withdraw the complaint, and did not wish to proceed further.

Complainant's Requested Value:

\$900,000.00 on the Complaint form, but withdrawn at the hearing.

Board's Decision

The assessment is confirmed at \$1,490,000 with the consent of both parties.

DATED AT THE CITY OF CALGARY THIS 7th DAY OF SEPTEMBER, 2011.


Jerry Zezulka
Presiding Officer

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

NO.	ITEM
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NONE	
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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><i>Subject</i></u>	<u><i>Type</i></u>	<u><i>Issue</i></u>	<u><i>Detail</i></u>	<u><i>Issue</i></u>
Carb.	Fast Food A & W	withdrawn		