

**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:**

***1239451 Alberta Ltd. (as represented by Altus Group Limited), COMPLAINANT***

**and**

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

**before:**

***B. Horrocks, PRESIDING OFFICER***

***J. Joseph, MEMBER***

***R. Deschaine, 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:

<b>ROLL NUMBER:</b>	<b>090039801</b>
<b>LOCATION ADDRESS:</b>	<b>4116 MACLEOD TR SE</b>
<b>HEARING NUMBER:</b>	<b>63919</b>
<b>ASSESSMENT:</b>	<b>\$4,470,000</b>

This complaint was heard on the 31st day of Oct., 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:

- Mr. B. Neeson (Altus Group Limited)
- Mr. M. Cameron (Altus Group Limited)

Appeared on behalf of the Respondent:

- Mr. E. Daltorio

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

There were no concerns with the composition of the Board.

There were no preliminary matters. The merit hearing proceeded.

**Property Description:**

The subject property is 1.34 acre parcel located in the Manchester Industrial community in SE Calgary. The site is improved with a 31,846 square foot (SF) retail warehouse that was constructed in 1973 and is considered to be of B quality. The subject is assessed as a "Junior Big Box" with storage space, utilizing the Income Approach to Value.

**Issues:**

The Assessment Review Board Complaint Form contained 13 Grounds for Appeal. At the outset of the hearing, the Complainant advised that the only outstanding issue was the Market Net Rental Rate for the CRU space JR BIG BOX 14,001 – 50,000 SF.

**Complainant's Requested Value:** \$2,630,000 (Complaint Form)  
\$3,720,000 (Hearing)

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

**Issue** Market Net Rental Rate

The Complainant's Disclosure is labelled C-1.

The Complainant, at page 37, provided Market Rental Rate Comparables that included 5 lease comparables on Macleod Trail with leases ranging from \$13.00/SF to \$20.75/SF and a median lease rate of \$13.83/SF in support of his request for a rate of \$14.00/SF. The Complainant submitted the most comparable property was Coast Wholesale Appliances with the most recent lease at \$14.65/SF and the second most comparable property was Calgary Co-op Home Care with a lease rate of \$13.00/SF.

The Complainant, at page 42 provided one equity comparable located at 6909 Macleod Trail SW with an assessed market net rental rate of \$12.00/SF.

The Complainant, at page 45, provided one equity comparable located at 9287 Macleod Trail SW with an assessed market net rental rate of \$12.00/SF.

The Complainant, at page 46, provided one equity comparable located at 210 61 AV SW with a market net rental rate of \$11.00/SF.

The Respondent's Disclosure is labelled R-1.

The Respondent advised that the subject was renovated in 2008, and the assessment was appealed in 2010 and confirmed with a market net rental rate of \$16.00/SF.

The Respondent, at page 24, provided lease comparables for Jr. Big Box 14,001 – 50,000 SF, with rental rates ranging from \$12.50/SF to \$30.91/SF and a median of \$17.05/SF in support of the assessment at \$17.00/SF.

The Respondent, at page 25, provided Equity Comparables for Jr. Big Box 14,001 – 50,000 SF, all with assessments of \$17.00/SF.

The Board finds that most of the lease and equity comparables utilized by the Respondent differed from the subject as follows:

- Power Centre locations as compared to stand-alone.
- Newer improvements than 1973 Year of Construction.

The Board finds the \$14.00/SF request is supported by the most recent Macleod Trail area leasing activity of non Power Centre comparables.

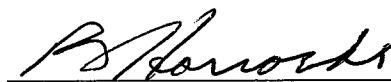
**Board's Decision:**

The 2011 assessment is reduced to \$3,720,000.

**Reasons**

The evidence provided by the Complainant is more compelling.

DATED AT THE CITY OF CALGARY THIS 25<sup>th</sup> DAY OF November 2011.



**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 ONLY**

<i>Subject</i>	<i>Property type</i>	<i>Property Sub Type</i>	<i>Issue</i>	<i>Sub Issue</i>
<i>CARB</i>	<i>Retail</i>	<i>Stand Alone</i>	<i>Income Approach</i>	<i>Net Market Rent/Lease Rate</i>