

**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(4).

between:

Colliers International Realty Advisors, COMPLAINANT

and

The City of Calgary, RESPONDENT

before:

***L. Lundgren, PRESIDING OFFICER
B. Jerchel, MEMBER
D. Morice, MEMBER***

This is a complaint to the Calgary Assessment Review Board in respect of six property assessments prepared by the Assessor of The City of Calgary and entered in the 2010 Assessment Roll as follows:

Roll Number	Address	Hearing #	Assessment
068244805	382 2 Avenue SW	57818	\$3,900,000
068245000	201 Barclay Pr SW	58720	\$2,180,000
068245109	208 Barclay Pr SW	58722	\$5,420,000
068244508	101 Barclay Pr SW	58713	\$2,050,000
068244607	111 2 Street SW	58715	\$41,170,000
068244706	342 2 Avenue SW	58717	\$17,400,000

This complaint was heard on 14th day of September, 2010 at the office of the Assessment Review Board located at 3rd Floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 10.

Appeared on behalf of the Complainant:

- *C. Hartley, Agent, Colliers International Realty Advisor*

Appeared on behalf of the Respondent:

- *D, Thistle, Assessor, City of Calgary*

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

There were no procedural or jurisdictional matters.

Property Description:

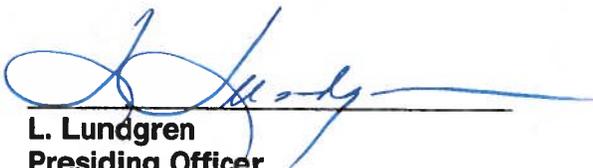
The six subject properties, known as Eau Claire Festival Market, were constructed in 1994 and have since been re-zoned to allow for a comprehensive mixed use development.

Board's Decision:

The parties reached an agreement on each of the properties under complaint. The property assessments are confirmed with the exception of Roll Number 068244607 which is reduced to correct the leasable area of the building. The parties also agreed to change the taxable status of each of the properties from 100% non-residential to 60% non-residential and 40% residential because Eau Claire Festival Market has been re-designed to accommodate more residential uses.

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068244706	342 2 Avenue SW	58717	\$17,400,000	\$17,400,000

MAILED FROM THE CITY OF CALGARY THIS 17 DAY OF September 2010.


L. Lundgren
Presiding Officer

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.*