

**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:

Altus Group Ltd., COMPLAINANT

and

The City Of Calgary, RESPONDENT

before:

J. GILMOUR, PRESIDING OFFICER

J. O'HEARN, MEMBER

V. NESRY, MEMBER

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

ROLL NUMBER: 068200690

LOCATION ADDRESS: 124 17 AVENUE SE

FILE NUMBER: 58778

ASSESSMENT: \$ 2,650,000

This complaint was heard on the 24th day of November, 2010 at the office of the Assessment Review Board located at 4th Floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 3.

Appeared on behalf of the Complainant:

- *B. Neeson*

Appeared on behalf of the Respondent:

- *D. Satoor*

I. Property Description

The subject property is retail/office space located in the Beltline area of the City of Calgary. The building area consists of 11,123 S.F. on a parcel of land of 15,397 S.F. The building was built in 1954.

II. Summary of Parties Evidence

The City stated that the property had been assessed on the "highest and best use" method as vacant land, at \$215 P.S.F. for the Beltline area.

The City relied on five land sales in 2010 for the Beltline, which resulted in a median of \$221 P.S.F. The Respondent also submitted recent Board decisions confirming the vacant land method for a value of \$215 P.S.F.

The Complainant sought a rate of \$190 P.S.F. for the vacant land, with a vacant land analysis of 9 properties resulting in a median rate of \$179 P.S.F.

III. Requested Assessment of the Complainant

\$2,340,000


IV. Finding

The Complainant recognized previous decisions confirming the vacant land rate of \$215 for the Beltline area and limited his argument accordingly.

V. Decision

The Board confirms the assessment of \$2,650,000.

DATED AT THE CITY OF CALGARY THIS 2nd DAY OF DECEMBER, 2010.



J. GILMOUR,
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.*