

**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:

***Dundee Canada (GP) Inc. (as represented by Colliers International Realty Advisors),
COMPLAINANT***

and

The City Of Calgary, RESPONDENT

before:

***J. Acker, PRESIDING OFFICER
R. Kodak, MEMBER
P. McKenna, 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 2012 Assessment Roll as follows:

ROLL NUMBER:	031018591
LOCATION ADDRESS:	3520 29 Street NE
HEARING NUMBER:	65950
ASSESSMENT:	\$ 7,980,000

This complaint was heard on 12th day of July, 2012 at the office of the Assessment Review Board located at Floor Number 3, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 10.

Appeared on behalf of the Complainant:

- *Troy Howell, Colliers International Retail Advisors Inc.*

Appeared on behalf of the Respondent:

- *M. Hartmann*
- *George Bell*

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

1. No procedural or jurisdictional matters were raised by the parties.

Property Description:

2. The subject property is a 3.02 acre parcel improved with a 64,897 square foot multi-tenant industrial warehouse constructed in 1998. The site coverage is 36.24%. The subject parcel is zoned I- G (General Industrial).

3. The 64,897 sq. ft. building exhibits a 56% office/retail finish

Issues:

4. In comparison with other similar properties, the subject assessment is inequitable.

Complainant's Requested Value: \$ 5,510,000 (\$85/sq. ft.)

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

5. In support of the Complainant's request for an assessed value of \$85/sq. ft., the Complainant submitted five time adjusted sales in the NE quadrant of the City of Calgary which indicated values of \$56 - \$96/sq. ft. as indicative of market values in this area. The Complainant suggested that the properties at 2835 23 Street NE and 930 – 64 Avenue NE are the most similar to the subject property

6. The Respondent provided five sales of comparable properties from both SE(2 sales) and NE (3 sales) in the City of Calgary to support the assessed rate of \$123.02/sq. ft. applied to the subject property.

7. The Board examined all sales of similar properties submitted by both parties and did not find any of these to be comparable to the subject. One of the two properties indicated by the Complainant as having the most similarity to the subject was 2835 23 Street NE which was similar in parcel size but was comprised of two buildings totalling 64,356 sq. ft.. It was built in 1978 while the subject was constructed in 1998. For these reasons, the Board found little similarity.



8. The second Complainant comparable was 930 64 Avenue NE – a property whose parcel size at 6.40 acres was twice as large as the subject and upon which was situated a 128,693 sq. ft. improvement – again, twice the size of the subject.

9. A review of the remaining Complainant comparables demonstrated dissimilarity to the subject property. Accordingly, the Board determined that the Complainant had failed to meet the onus of establishing doubt with the assessment as rendered. No detailed review of the Respondent's disclosure was pursued.

Board's Decision:

The complaint is dismissed and the assessment is confirmed at \$7,980,000

DATED AT THE CITY OF CALGARY THIS 20 DAY OF July 2012.


for 
Presiding Officer

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

NO.	ITEM
1. C1	Complainant Disclosure
2. R1	Respondent Disclosure

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.*