

**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, COMPLAINANT*

**and**

*The City Of Calgary, RESPONDENT*

**before:**

*T. Hudson, PRESIDING OFFICER*

*D. Julien, MEMBER*

*C. McEwen, 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 2010 Assessment Roll as follows:

**ROLL NUMBER:** 078070406  
**LOCATION ADDRESS:** 1235 26 AVE SE  
**FILE NUMBER:** 58811  
**ASSESSMENT:** \$ 10,810,000

This complaint was heard on the 23<sup>rd</sup> day of June, 2010 at the office of the Assessment Review Board located at 4<sup>th</sup> floor, 1212 – 31 Avenue NE, Calgary, Alberta, Boardroom 1.

Appeared on behalf of the Complainant:

- *Randall Worthington*                      *Altus Group*
- *Reid Hutchinson*                        *Altus Group*

Appeared on behalf of the Respondent:

- *Don Kozak*                                *Assessor, City of Calgary*

**PROPERTY DESCRIPTION:**

The property is located at 1235 – 26 Ave SE in the Bonnybrook industrial area. The site area is 7.65 acres with two (2) improvements including a single tenant warehouse with 87,945 sq ft of net rentable area, and a free standing outbuilding of 14,919 sq ft. Site coverage totals 20.50%. The property currently known as the Cross Roads Market is the former Canada Packers Manufacturing plant. The current assessment reflects a value of \$110 psf for the total 102,864 sq ft of net rentable area; less adjustments for negative influences. The requested assessment based on the cost approach for the improvements plus the land value is \$4,516,000.<sup>00</sup>

**ISSUES:**

The central issue in dispute is the approach to valuation. The Complainant argues that the property is special purpose and therefore should be assessed using the cost approach plus the value of the land. The current assessment was prepared using the direct sales comparison approach.

**BOARD FINDINGS ON THE ISSUE:**

The Complainant pointed out that Calgary ARB reduced the 2009 assessment of the subject property from \$9,260,000 to \$7,710,000 based on very similar evidence and argument. The reduction was based on the cost approach for the improvement and land value less adjustments for negative influences. This decision was not appealed by the City of Calgary.

The Respondent indicated that the cost approach is a reasonable method given the particular circumstances of the subject property.

It was also noted by both parties that little has changed since the property assessment was set for 2009.

The Board finds that the assessment should be set at the same level as the ARB decision in 2009, based on the presentations of the parties.

**BOARD DECISION:**

The assessment is reduced to \$ 7,710,000.

**REASONS FOR THE DECISION:**

The cost approach to value is accepted by the parties as appropriate due to the special purpose characteristics of the subject property. There was no compelling evidence to alter the assessment from that set in 2009.

DATED AT THE CITY OF CALGARY THIS 23<sup>rd</sup> DAY OF JULY 2010.



**T. Hudson**  
**Presiding Officer**

TH/mc

Cc: Owner

*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.*