

MINUTES

CITY OF SASKATOON

BOARD OF REVISION

Date: June 23, 2016
Location: Council Chambers
Session: 1:00 p.m.

PRESENT: Adrian Deschamps, Panel Chair
Marvin Dutton, Board Member
Colin Butler, Board Member
Joyce Fast, Board of Revision Panel Clerk

The parties involved were advised that the proceedings were being recorded for the purposes of the Board and the Secretary. The Chair introduced the Board members and the Secretary and briefly outlined the procedures that would be followed during the course of the hearing. Those present were also informed that all witnesses, including Appellants and the Assessor, would be sworn under oath, or affirm that their statements are true, before their testimony would begin.

1. **Appeal No. 89-2016**
Civic Address: 110 Marquis Drive
Legal Description: Parcel(s) 119030239 and 151960248
Roll No. 404907000

Appearing for the Appellant

Mr. Jesse Faith, Altus Group Limited

Appearing for the Respondent

Mr. Travis Horne, Assessment Manager, Assessment & Taxation (Advocate)
Mr. Bryce Trew, Senior Assessment Appraiser, Assessment & Taxation
Ms. Laurie Pilkey, Assessment Appraiser, Assessment & Taxation

Grounds and Issues

Ground 1: The market value is too high due to an inflated cap rate.
(subsequently withdrawn)

Ground 2: The estimated net operating income is too high and in error.

- Facts:
- a) The subject property receives a \$0.86 arterial through street adjustment to the rent for being located on Marquis Drive which is unwarranted.
 - b) The rents used to develop the premium do not support an adjustment to be applied to the subject.
 - c) The majority of the rents used to develop the upward rental adjustment are located on Faithfull Avenue, Millar Avenue, 51st Street, Avenue C, Quebec Avenue and Idylwyld Drive, not Marquis Drive.
 - d) The subject's location is not comparable to Faithfull Avenue, Millar Avenue, 51st Street, Avenue C, Quebec Avenue or Idylwyld Drive.

Exhibits

- Exhibit A.1: Notice of Appeal from Altus Group Limited to the Board of Revision, received February 5, 2016.
- Exhibit A.2: Common Document submitted by Altus Group Limited titled "To the Board of Revision of the City of Saskatoon on Appeal between Acklands-Grainger Inc., et al and the City of Saskatoon", received May 27, 2016.
- Exhibit A.3: Common Document submitted by Altus Group Limited, a replacement page 14 for Exhibit A.2, received June 7, 2016.
- Exhibit A.4 Common Rebuttal Document submitted by Altus Group Limited, received June 10, 2016.
- Exhibit A.5: Document submitted by Altus Group Limited, titled "To the Board of Revision of the City of Saskatoon on Appeal between Citylife Investments Corp and the City of Saskatoon", received May 27, 2016.
- Exhibit: Appellant's expert witness CV and Summary presentation, received (not numbered) June 9, 2016.
- Exhibit R.1: Common Document submitted by the City Assessor titled "Warehouse & Automotive Response 2016 Assessment, received June 7, 2016.
- Exhibit R.2: Confidential Common Document submitted by City Assessor titled "Confidential 2016 Assessment", June 7, 2016.
- Exhibit R.3: Common Document submitted by the City Assessor titled "Property Assessment 2016 General Law and Legislation Brief, received June 7, 2016.
- Exhibit R.4: Common Document submitted by the City Assessor titled "Property Assessment 2016 Notice of Appeal Law and Legislation Brief", received June 7, 2016.
- Exhibit R.5: Common Document submitted by the City Assessor titled "Property Assessment, 2016 Expert Witness Law and Legislation Brief", received June 7, 2016.
- Exhibit: Respondent's expert witness CV and Summary Presentation, received (not numbered) June 7, 2016.

Supplementary Notations

At the request of the Respondent, and pursuant to Section 208 of *The Cities Act*, the Chair ordered that the hearing be recorded by Royal Reporting Services as per the Order given on June 17, 2016.

The Chair reminded the Appellant and Respondent they were still affirmed to tell the truth from the June 17, 2016 hearing.

Mr. Travis Horne advised he would be acting as the Advocate for the Respondent.

The Appellant undertook to supply an amended notice regarding the facts for Ground 1, however, this ground was subsequently withdrawn by the Appellant by email dated June 24, 2016.

The Appellant and Respondent requested that the evidence and testimony from Appeal 87-2016 be carried forward into this appeal.

Conclusion

For the reasons given in the Record of Decision dated July 21, 2016, Ground 2 of the appeal is upheld.

The Board of Revision respectfully requests the Assessor remove the \$0.86 per square foot upward adjustment applied to the subject property so as to comply with BOR decisions in Appeals 188-2013 and 151-2014 as well as a Committee decision in Appeal AAC 2013-0213.

The adjusted assessed value shall be 3,690,000.

The hearings concluded at 2:45 p.m.

As Secretary to the above Board of Revision Panel, I certify that these are accurate minutes of the hearings held on June 23, 2016.

Joyce Fast, Panel Clerk
Board of Revision