



## ASSESSMENT REVIEW BOARD

MAIN FLOOR CITY HALL  
1 SIR WINSTON CHURCHILL SQUARE  
EDMONTON, ALBERTA T5J 2R7  
(780) 496-5026 FAX (780) 496-8199

### NOTICE OF DECISION NO. 0098 314/10

Altus Group Ltd.  
17327 106A Avenue  
Edmonton, AB T5S 1M7

The City of Edmonton  
Assessment and Taxation Branch  
600 Chancery Hall  
3 Sir Winston Churchill Square  
Edmonton, AB T5J 2C3

This is a decision of the Composite Assessment Review Board (CARB) from a hearing held on October 20, 2010 respecting a complaint for:

<b>Roll Number</b> 3185642	<b>Municipal Address</b> 16104- 121A Ave. NW	<b>Legal Description</b> Plan: 8332ET Block: 3 Lots: 2,3,4
<b>Assessed Value</b> \$17,325,000	<b>Assessment Type</b> Annual New	<b>Assessment Notice for:</b> 2010

#### **Before:**

Jack Schmidt, Presiding Officer  
Howard Worrell, Board Member  
Petra Hagemann, Board Member

#### **Board Officer:**

J. Halicki

#### **Persons Appearing: Complainant**

Chris Buchanan, Agent  
Senior Consultant, Altus Group Ltd.

#### **Persons Appearing: Respondent**

Shelly Milligan, Assessor  
Assessment and Taxation Branch

### **PRELIMINARY MATTERS**

Upon questioning by the Presiding Officer, the parties indicated no objection to the CARB's composition.

### **ISSUE(S)**

- 1) Land component of the 2010 assessment is too high.
- 2) The subject property is assessed as if it is located on a major traffic artery.

### **LEGISLATION**

***The Municipal Government Act, R.S.A. 2000, c. M-26;***

- s.467(1) An assessment review board may, with respect to any matter referred to in section 460(5), make a change to an assessment roll or tax roll or decide that no change is required.
- s.467(3) An assessment review board must not alter any assessment that is fair and equitable, taking into consideration
- (a) the valuation and other standards set out in the regulations,
  - (b) the procedures set out in the regulations, and
  - (c) the assessments of similar property or businesses in the same municipality.

## **BACKGROUND**

The subject property is best described as a “large warehouse” located in the Hawin Park Estate Industrial subdivision in the northwest quadrant of Edmonton. The property has a surface area of approximately 583,746 sq.ft.

## **COMPLAINANT’S POSITION**

The Complainant only challenged the assessment of the land portion of the subject property. The Complainant submitted three comparables land sales located in the northwest quadrant of Edmonton with an average, time-adjusted sale price of \$7.36/sq. ft. Applying this to the size of the subject property at 583,746 square feet, a revised assessment of \$4,295,169 was requested for the land value.

The Complainant further noted that the subject property was incorrectly assessed as if fronting on a major arterial roadway. This would also suggest that the assessment is excessive.

## **RESPONDENT’S POSITION**

The Respondent submitted eight comparable land sales, all except # 1 and #2, are located in southeast Edmonton. These time-adjusted sales ranging from \$7.21 to \$15.19/sq. ft. with an average of \$10.45/sq. ft. support the 2010 land assessment of \$10.62/sq. ft. or \$6,199,068.

The Respondent advised the Board that the “major artery” designation attached to the assessment of the subject property had been removed and no change in the value of the assessment occurred. The Respondent indicated that the designation was an administrative error and in no way reflects any additional upward adjustment to the 2010 assessment.

## **FINDINGS**

- 1) The land component of the subject property has been overstated.
- 2) The subject’s property assessment does not reflect a value based on being located on a major arterial roadway.

## **DECISION**

The decision of the Board is to allow the complaint in part.

## **REASONS FOR THE DECISION**

With respect to the issue raised regarding location on a major arterial roadway, the Board accepts the Respondent's explanation that no additional upward adjustment was applied to the 2010 assessment.

The Complainant provided three land sale indicators showing an average, time-adjusted sale price of \$7.36/sq. ft. to support the requested reduced assessment.

The Respondent provided eight land sale comparables indicating an average time adjusted sales price of \$10.45/sq ft to support the subject land assessment at \$10.62/sq. ft.

In reviewing the sales comparables provided by both the Complainant and Respondent, the Board placed most weight on similar size, comparable location, and equivalent zoning designation. In consideration of these factors, the Board was convinced the best market value indicator was the sale transaction which both parties presented, located at 11330-189 Street NW. While this transaction was a July 2006 sale, requiring a time adjustment, both parties provided the same time adjustment factor in their evidence. This sale indicates a per square foot value of \$9.35 for the assessment year under complaint and was accepted by the Board as the best indication of value for assessment purposes in this case.

Accordingly the land value component of the property assessment is reduced from \$6,199,068 to \$5,458,000. The property assessment is, therefore, reduced from \$17,325,000 to \$16,584,000.

## **DISSENTING DECISION AND REASONS**

There were no dissenting decisions/reasons.

Dated this twenty-seventh day of October, 2010 A.D. at the City of Edmonton, in the Province of Alberta.

---

Presiding Officer

*This decision may be appealed to the Court of Queen's Bench on a question of law or jurisdiction, pursuant to Section 470(1) of the Municipal Government Act, R.S.A. 2000, c.M-26.*

CC: Municipal Government Board  
City of Edmonton, Assessment and Taxation Branch  
Loblaws Properties West Inc.