



## **ASSESSMENT REVIEW BOARD**

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

### **NOTICE OF DECISION      NO. 0098 318/10**

CVG Ltd.  
1200, 10665 Jasper Avenue  
Edmonton AB T5J 3S9

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 25, 2010 respecting a complaint for:

<b>Roll Number</b> 10062235	<b>Municipal Address</b> 10570 113 St. NW	<b>Legal Description</b> Plan: 0623648 Block: 13 Lot: 1
<b>Assessed Value</b> \$4,884,000	<b>Assessment Type</b> Annual New	<b>Assessment Notice for:</b> 2010

#### **Before:**

Myron Chilibeck, Presiding Officer  
Ron Funnell, Board Member  
Reg Pointe, Board Member

#### **Board Officer:**

J. Halicki

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

Peter Smith, Agent  
CVG Ltd.

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

Cameron Ashmore, Solicitor  
Renee Gosselink, Assessor

### **PRELIMINARY MATTERS**

Upon questioning, the parties expressed no objection to the composition of the CARB.

### **ISSUE(S)**

Both parties agreed to correct some factual matters on the subject property that resulted in a proposed recommendation.

## **BACKGROUND**

The subject property, known as the Milan Building, a two-storey structure, is located in the Queen Mary Park neighbourhood.

## **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.

## **POSITION OF THE COMPLAINANT**

The Complainant's position, according to the complaint form, is that, among other things, the property was not fairly and equitably assessed in relation to similar properties.

## **POSITION OF THE RESPONDENT**

A pro-forma statement (R1) was submitted and accompanied by oral testimony from the Respondent indicating that two proposed changes would result in a recommendation to reduce the assessment on the subject property. First, given the location of the subject property, the Respondent proposed to reclassify the subject's location from the 124 Street district to the 118 Avenue district. This change results in the rent rate changing from \$15 to \$14 per square foot. Second, a correction to the office space square footage was proposed to change 2,552 sq. ft. to CRU – other (storage) space at a rent rate of \$6.00/sq. ft.

As a result of the proposed changes, the Respondent recommends a reduction in the 2010 assessment to \$4,246,000.

## **DECISION**

The Board's decision is to accept the recommendation of the Respondent and to revise the assessment for the subject property for 2010 from \$4,884,000 to \$4,246,000.

## **REASONS FOR THE DECISION**

The Board accepts the mutually agreed upon revisions and the resulting revised assessment.

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

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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  
1043521 Alberta Ltd.