



ASSESSMENT REVIEW BOARD

Churchill Building
10019 103 Avenue
Edmonton AB T5J 0G9
Phone: (780) 496-5026

NOTICE OF DECISION NO. 0098 550/11

Canadian Valuation Group (CVG)
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 December 19, 2011, respecting a complaint for:

Roll Number	Municipal Address	Legal Description	Assessed Value	Assessment Type	Assessment Notice for:
10211509	10405 120 STREET NW	Plan: 1026207 Block: 21 Lot: 1	\$14,658,000	Annual Revised	2011

Before:

Tom Robert, Presiding Officer
George Zaharia, Board Member
Petra Hagemann, Board Member

Board Officer: Karin Lauderdale

Persons Appearing on behalf of Complainant:

Tom Janzen, CVG

Persons Appearing on behalf of Respondent:

Deanne Bannerman, Assessor, City of Edmonton
Tanya Smith, Barrister & Solicitor, City of Edmonton
Chris Rumsey, Assessor, City of Edmonton (Observer)

PROCEDURAL MATTERS

Upon questioning by the Presiding Officer, the parties present indicated no objection to the composition of the Board. In addition, the Board members indicated no bias with respect to this file.

BACKGROUND

The subject property is a 6.309 acre (274,823 square feet) parcel of commercial zoned land located in the Oliver Subdivision of central Edmonton. The property was formerly an automotive dealership.

ISSUE(S)

What is the market value of the subject property as at July 1, 2010?

LEGISLATION

Municipal Government Act, RSA 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 presented five time-adjusted direct sales comparables ranging in value from \$15.00 to \$34.66 per square foot (Exhibit C-1, page 1). One of the sales comparables is the subject that traded in 2005. The time-adjusted value was estimated, since the time-adjustment table does not include 2005. The sale of the neighbouring property at 10439 – 121 Street has issues regarding contamination and historical designation.

The Complainant presented five assessment equity comparables ranging in value from \$17.91 to \$53.34 per square foot (the subject) (Exhibit C-1, page 1).

The Complainant argues that the sales in the Ambleside (Windermere) neighbourhood are similar in size, zoning and traffic count, and offer similar development opportunities to the subject, and would therefore trade for similar values.

The Complainant provided maps of the City's assessment comparables (Exhibit C-2).

The Complainant suggested that a rate of \$30.00 per square foot be applied to the subject and requested that the Board reduce the 2011 from \$14,658,000 to \$8,244,500.

POSITION OF THE RESPONDENT

The Respondent presented three time-adjusted direct sales comparables ranging in value from \$55.52 to \$103.26 per square foot. The 2011 assessment is \$53.34 per square foot.

Further, the Respondent provided three assessment equity comparables ranging in value from \$60.35 to \$62.42 per square foot.

The Respondent argues that the major factor to consider in comparability is location. The direct sales comparables and the assessment equity comparables are considerably smaller than the subject; however, the location of these comparables is very close to the subject.

The Respondent advises that direct sales comparables of properties similar size, location, zoning and characteristics to the subject are non-existent within the subject area – a fact agreed to by the Complainant.

The Respondent advises that the value of \$53.54 per square foot is reflective of the size of the subject parcel (economies of scale), in that both the direct sales and assessment equity comparables are valued at considerably higher values than the subject on a per square foot basis.

DECISION

The decision of the Board is to confirm the 2011 assessment at \$14,658,000.

REASONS FOR THE DECISION

The Board recognizes that the subject property is somewhat unique in terms of size (6.309 acres or 274,823 square feet), and location given its presence in the central Edmonton Oliver Subdivision neighbourhood.

The Board is not satisfied that the direct sales comparables presented by the Complainant provides the Board with the justification to alter the current assessment of \$14,658,000.

DISSENTING OPINION AND REASONS

There was no dissenting opinion.

Dated this 20th day of December, 2011, at the City of Edmonton, in the Province of Alberta.

Tom Robert, 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, RSA 2000, c M-26.

cc: WEST FOURTH DEVELOPMENT INC