



## ASSESSMENT REVIEW BOARD

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

July 14, 2010

### NOTICE OF DECISION NO. 0098 58/10

Canadian Valuation Group  
1200 10665 Jasper Ave.  
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 Assessment Review Board (ARB) from a hearing held on July 14, 2010 respecting an appeal on the 2010 Annual New Realty Assessment.

<b>Roll Number</b> 1040633	<b>Municipal Address</b> 7323 46 St. N.W.	<b>Legal Description</b> Plan: 8120968 Block: 13 Lot: 2
<b>Assessed Value</b> \$1,710,000	<b>Assessment Type</b> Annual New	<b>Assessment Year</b> 2010

#### **Before:**

Tom Robert, Presiding Officer  
Thomas Eapen, Board Member  
John Braim, Board Member

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

Tom Janzen, CVG

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

Mary Alice Lesyk, Assessor, City of Edmonton  
Steve Lutes, Lawyer, City of Edmonton

### **PRELIMINARY MATTERS**

The parties did not identify any preliminary matters.

### **BACKGROUND**

The subject property is a warehouse, consisting of 9,275 sq. ft., comprised of 8,925 sq. ft. of main floor offices, warehouse, and 350 sq. ft. finished mezzanine area. Located at 7323 46 st. N.W., in the Weir Industrial Area.

### **ISSUES**

Is the assessment of the subject property assessed according to market value adhering to s. 467(3) of the Municipal Government Act?

### **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 put forward 11 time adjusted sales comparables indicating a requested per sq. ft. value of \$165 producing an adjusted assessment of \$1,530,000 based on analysis and comparability to the subject. All sales took place in 2008 and 2009.

The Complainant also put forward equity comparable A.S.R.'s for the City of Edmonton sales indicating a range of 78% to 101.1% arguing the best indicated value was \$153.67/ sq. ft.

### **POSITION OF THE RESPONDENT**

The Respondent sales were all located in the same area as the subject property. The four sales indicate a range in value from \$180.25/ sq. ft. to \$222.92/ sq. ft. The Respondent argues that the attributes of these sales are very comparable to the subject, all similar location, site coverage, lot size and square footage.

The Respondent listed five assessment comparables ranging from \$190 to \$210/ sq. ft. arguing the subject property at \$184/ sq. ft. was certainly within an acceptable range.

### **DECISION**

The Board confirms the assessment at \$1,710,000.

### **REASONS FOR THE DECISION**

The Board first looked to the arguments put forward on market value. The Board is of the opinion that sales closer in geographical proximity are the best comparables, given other attributes are similar.

The Complainant's four sales in the same S.E. area range in value from time adjusted \$117-\$185/ sq. ft. The Respondent's four sales in the S.E. range in value from \$180-\$228/ sq. ft.

The Board put most weight on the Respondent sales. The building, area, location, site coverage and year of construction best compares to the subject.

In regard to the equity issue, the Board reviewed both schedules (Complainant range from \$153 to \$214 and the Respondent range from \$190 to \$210) and was satisfied that both ranges indicated that the subject was assessed fairly.

Dated this 14<sup>th</sup> day of July, 2010 at the City of Edmonton, in the Province of Alberta.

---

Presiding Officer

---

CC: STREAM-FLO INDUSTRIES LTD., ASSESSMENT MV ADVISORS INC - O/A ASSESSMENT  
ADVISORY GROUP