



## 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 59/10

Canadian Valuation Group  
1200 10665 Jasper Ave.  
Edmonton, AB  
T5J3S9

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> 1328756	<b>Municipal Address</b> 4910 74 <sup>th</sup> Ave. N.W.	<b>Legal Description</b> Plan: 8323168 Block: T Lot: 10
<b>Assessed Value</b> \$3,084,000	<b>Assessment Type</b> Annual New	<b>Assessment Year</b> 2010

#### **Before:**

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

#### **ISSUES**

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

#### **BACKGROUND**

The subject property is a warehouse containing 32,995 sq. ft. comprised of 29,047 total main floor area and 3,947 finished mezzanine area. The subject property is located at 4910 74<sup>th</sup> Ave. N.W. located in the S.E. area of Edmonton.



## **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 seven comparable sales ranging in value from \$72.10/ sq. ft. to \$111.30 /sq. ft. and is requesting a value of \$80.00/ sq. ft. for a total assessment of \$2, 639,500. Three of the Complainant's sales were within the same area as the subject property, ranging in value from \$72.60-\$111.30/ sq. ft.

## **POSITION OF THE RESPONDENT**

The Respondent put forward four sales in the S.E. ranging in value from \$91.97-\$135.61/ sq. ft. Further, the Respondent put forward an equity comparable assessment list indicating a range from \$92-\$97/ sq. ft.

## **DECISION**

The Board confirms the assessment at \$3,084,000.

## **REASONS FOR THE DECISION**

The Board is of the opinion that the Respondent sales comparables in the S.E. best compare to the subject property in attributes such as location, site coverage, land size and building size.

Although the Respondent argues that the calculated A.S.R.s represent the total number of properties particular to a specific grouping, the Board questions the A.S.R.s of specific comparables used to demonstrate equity.

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

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Presiding Officer

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

