



## 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 628/10

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 November 23, 2010 respecting a complaint for:

<b>Roll Number</b> 4232682	<b>Municipal Address</b> 307 Dechene Way NW	<b>Legal Description</b> Plan: 9422409 Block: 27 Lot: 75
<b>Assessed Value</b> \$1,051,000	<b>Assessment Type</b> Annual New	<b>Assessment Notice for:</b> 2010

#### **Before:**

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

#### **Board Officer:**

J. Halicki

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

Chris Buchanan, Agent  
Altus Group Ltd.

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

Peter Bubula, Assessor  
Assessment and Taxation Branch

#### **Observer:**

Ingrid Russell, ARB Staff

### **PROCEDURAL MATTERS**

The parties expressed no objection as to the composition of the CARB; Board Members expressed no bias toward this or any of the other accounts appearing on the agenda. The parties were reminded that they remained under oath.

## **BACKGROUND**

The subject property, located in the Dechene subdivision, is a single tenant building approximately 2,891 ft<sup>2</sup> built in 2001 and situated on approximately 29,834 ft<sup>2</sup> of land with a site coverage of 10%. Both parties agree that the excess land portion consists of 18,270 ft<sup>2</sup>.

## **ISSUES**

1. What is the market value of the excess land portion of the subject?
2. Is the excess land value fair and equitable to similar properties?

## **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 provided five direct sales comparables ranging in adjusted values per square foot from \$15.53 to \$21.74 (C1, pg. 13). The subject property is at \$23.05/ft<sup>2</sup> and the requested value is \$18.05/ft<sup>2</sup> that equates to an excess land component value of \$329,839.

Further, the Complainant put forward twelve land equity comparables ranging in value per square foot from \$14.00 to \$21.50 (C1, pg 14). The average value is \$17.41/ft<sup>2</sup> and the requested land value \$329,839 that equates to \$18.05/ft<sup>2</sup> or \$946,500 in total (C1, pg. 16).

## **POSITION OF THE RESPONDENT**

The Respondent provided eight direct sales and equity comparables ranging in adjusted values per square foot from \$18.29 to \$27.07. The equity comparables presented ranged per square foot from \$19.63 to \$27.87 (R1, pg. 34).

Further, the Respondent provided four additional equity comparables ranging per square foot from \$21.54 to \$29.86 (R1, pg. 79).

## **DECISION**

The decision of the Board is to confirm the 2010 assessment at \$1,051,000.

## **REASONS FOR THE DECISION**

The Board is of the opinion that the excess land equity comparables (R1, pg.79) presented by the Respondent, ranging in value from \$21.54 to \$29.86/ft<sup>2</sup> and ranging in size from 0.21 to 1.35 acres, support the current assessed value of \$23.78/ft<sup>2</sup>.

Further, sales #2 and #7 (R1, pg. 34) indicate sales of \$27.07/ft<sup>2</sup> and \$19.93ft<sup>2</sup> for excess land size of 0.31 and 0.67 acres similar to the subject.

## **DISSENTING OPINION AND REASONS**

There was no dissenting opinion.

Dated this 21<sup>st</sup> day of December, 2010 A.D., at the City of Edmonton, in the Province of Alberta.

Tom Robert  
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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.*

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CC: Municipal Government Board  
City of Edmonton, Assessment and Taxation Branch  
Shamrock Property Management Ltd.