

## **Edmonton Composite Assessment Review Board**

**Citation: CVG v The City of Edmonton, 2012 ECARB 2189**

**Assessment Roll Number:** 9974956  
**Municipal Address:** 14630 Yellowhead Trail NW  
**Assessment Year:** 2012  
**Assessment Type:** Annual New

Between:

**CVG**

Complainant

and

**The City of Edmonton, Assessment and Taxation Branch**

Respondent

---

### **DECISION OF**

**Robert Mowbrey, Presiding Officer**  
**Jack Jones, Board Member**  
**Pam Gill, Board Member**

---

### **Preliminary Matters**

[1] Each of the parties stated that they had no objection to the composition of the Board. Each Board Member indicated that they had no bias with respect to this matter.

[2] The parties indicated that they would be carrying forward evidence from roll number 2194504.

### **Background**

[3] The subject is a multiple building, industrial office/warehouse property, located in northwest Edmonton, on Yellowhead trail. Built in 1985, building 1 is 31,215 sq. ft. and contains an auto centre. Building 2 was built in 1968 and contains 17,919 sq. ft. of warehouse and office space. Building 3 was built in 1985, contains 5,244 sq. ft. and is assessed using the cost approach. Buildings 1 and 2 are assessed using the direct sales approach. The subject has site coverage of 16%.

## **Issue**

[4] The original complaint form listed a number of issues, however at the hearing the Complainant noted the only remaining issue before the Board was as follows:

Is the 2012 assessment of the subject property at \$6,695,000 correct?

## **Legislation**

[5] The Municipal Government Act reads:

### ***Municipal Government Act, RSA 2000, c M-26***

s 1(1)(n) “market value” means the amount that a property, as defined in section 284(1)(r), might be expected to realize if it is sold on the open market by a willing seller to a willing buyer;

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**

[6] The Complainant presented evidence (C-1) and argument for the Board’s review and consideration.

[7] In support of a requested valuation for the subject property at \$110.00 per square foot the Complainant presented ten time adjusted sales comparables (C-1, page 1) which ranged in value from \$73.41 to \$131.33 per square foot. They ranged in site coverage from 15 to 50%. The subject property is assessed at \$136.25 per square foot, with site coverage of 16%. The Complainant noted that the time adjustments were made based on the factors utilized by the City of Edmonton (C-1, page 7)

[8] The Complainant indicated that the best comparables were #1, 2, 5, 7, 9 & 10 with respect to size, site coverage and proximity to the subject property. The Complainant noted that the subject property was zoned IM (Medium Industrial) which presented limitations with respect to potential future development. The Complainant also noted that access to the subject site off of the Yellowhead Trail was difficult.

[9] The Complainant noted that seven of the Respondents sales comparables (R-1, page 22) were in a different market area than the subject property. One was in Winterburn and six were on the south side.

[10] In summary, the Complainant requested the 2012 assessment of the subject property be reduced from \$6,695,000 to \$5,400,000.

### **Position of the Respondent**

[11] The Respondent presented evidence (R-1 & R-2) and argument for the Board's review and consideration.

[12] The Respondent presented ten time adjusted sales comparables (R-1, page 22) in support of the 2012 assessment of the subject property at \$136.27 per square foot, with site coverage of 16%. The value of the comparables presented ranged from \$127.94 to \$178.28 per square foot and the site coverage ranged from 10 to 29%. Of the ten comparables presented, five were two-building sites.

[13] The Respondent also presented six equity comparables (R-1, page 43) in support of the 2012 assessment. The value of the equity comparables presented ranged from \$125.05 to \$169.64 per square foot and the site coverage ranged from 13 to 21%. The equity comparables all were two building sites similar to the subject property.

[14] The Respondent critiqued the Complainant's sales comparables #1 (R-1, page 45) as a motivated sale and #2 (R-1, page 46) as including a large canopy which skewed the unit valuation presented.

[15] In summary the Respondent requested the 2012 assessment of the subject property be confirmed at \$6,695,000.

### **Decision**

[16] The decision of the Board is to confirm the 2012 assessment of the subject property at \$6,695,000.

### **Reasons for the Decision**

[17] After reviewing the evidence and argument presented by both parties the Board determined the 2012 assessment of the subject property at \$6,695,000 was correct.

[18] The Board placed greatest weight on the equity comparables presented by the Respondent (R-1, page 43), which averaged \$140.00 per square foot and supported the subject's assessment at \$136.27 per square foot. The equity comparables were similar to the subject property with respect to location, age, condition, size site coverage and were all two-building properties.

[19] The Board did not find the sales comparables presented by either party to be particularly similar to the subject property and therefore placed less weight on the sales comparables in the analysis.

[20] The most comparable sales in terms of location and site coverage were one building properties (R-1, page 22, #1 and #3; C-1, page 1, #2 and #3) and none were comparable in terms of building size.

[21] The Board finds that the revised 2012 assessment of the subject property at \$6,695,000 is fair and equitable.

### **Dissenting Opinion**

[22] There was no dissenting opinion.

Heard October 11, 2012.

Dated this 22 day of October, 2012, at the City of Edmonton, Alberta.

---

Robert Mowbrey, Presiding Officer

### **Appearances:**

Peter Smith

for the Complainant

Suzanne Magdiak, Assessor

for the Respondent

---

*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.*