

New in Homes & Condos

»TORONTO STAR«

SECTION H
SATURDAY
FEBRUARY 20, 2010
thestar.com

HUMIDOR WITH HISTORY

'Old Bill' character makes for a great collectable, **H10**



THE REAL DEAL

The Village in Niagara-on-the-Lake is a testament to New Urbanism, **H2**

MyHome – our New Online Warranty Service

Tarion.com

PLACES TO GROW

Taking on the World

Mixed-use development in Markham near public transit, major highways

TRACY HANES
TORONTO STAR

There's a certain pride in Marco Filice's voice as he describes Liberty Developments' new condo project in Markham as the "poster child" for the province's Places to Grow strategy.

World on Yonge will rise on a four-hectare site in Markham on the east side of Yonge St. and Meadowview Ave. that currently is home to a 40-year-old strip mall. The master-planned development will replace the lowrise plaza with four residential towers housing 1,200 condo suites, a 20-storey office building and boutique hotel, and three storeys of retail stores.

The sea of asphalt that covers 100 per cent of the site will be dramatically reduced; about 60 per cent will become landscaped space as most of the parking will go underground and a park will be added on Meadowview Ave.

A courtyard will be the focal point of the development and the buildings will boast multiple green roofs.

World on Yonge will bring a decidedly urban vibe to the older suburban neighbourhood and accord-

It will bring a decidedly urban vibe to the older suburban neighbourhood

ing to RealNet statistics, is the top-selling condo highrise site in the GTA. Since last fall's partial release of Phase 1 residential suites, 443 of 477 sold by Dec. 31.

Phase 1's two slim 31-storey condo towers will be the first residential offerings, facing Yonge St. and linked by a podium. The sales office is in a corner of the parking lot where a Wendy's restaurant formerly stood.

More than 90 per cent of Shops on Yonge, the retail indoor three-level mall and more than 70 per cent of Office on Yonge, a 21-storey office building, have been sold or leased. Recently launched World Shops, a two-level office/retail at the base of the 31-storey residential offers Yonge St. frontage for lease or sale.

The time is right for a project of this scale and scope, according to Filice, vice-president for Liberty Developments. Growth has been pushing relentlessly north along

WORLD continued on H14

RITZ-CARLTON RESIDENCES

Puttin' on the Ritz



PHOTOGRAPHY BY AARON HARRIS FOR THE TORONTO STAR

"A little exotic yet comfy," is how Alessandro Munge — pictured in the rotunda — describes the model suite for the Ritz-Carlton Residences.

Model suite is sophisticated, yet still retains comfy feel



The master bedroom in the model suite has a dramatic double headboard. Instead of installing a traditional bedskirt, Alessandro Munge had the box spring upholstered, thereby creating a sleeker line. Right, the walk-in closet.



RITA ZEKAS
SPECIAL TO THE STAR

Who would want to live in the showroom of a high-end furniture store? It is too intimidating. That first blob of ketchup on the settee would be a deal breaker — even if it were Heinz.

But I could happily move into the Ritz-Carlton Residences model suite at Front and Simcoe Sts.

Hey, I could live in the walk-in closet.

How suite it is: The elevator opens up into your apartment, just like it does in those swanky New York digs featured in films like *Bonfire of the Vanities*.

Alessandro Munge, managing partner in Munge Leung & Associates, the man behind the set decoration and appointment of the model suite and sales centre, admits they were going for a "New York feel."

The residences at the Ritz-Carlton will be in a 53-storey building housing 159 condo suites and penthouses. Over 70 per cent of the suites are sold; the remaining ones go from \$1.595 million to more than nine million big ones and range in size from 1,512 to 6,020 square feet.

The model suite is the Monte Carlo, measuring 2,000 square feet, less the second bedroom, bathroom and powder room. The actual two-bedroom suite starts at \$2.985 million and runs 2,557 square feet.

They are, after all, masters in putting on the Ritz so they didn't skimp on anything. Built-in dresser drawers in the hall closets have easy/soft glide drawers with customized hardware — no more getting your drawers stuck between the drawers.

RITZ-CARLTON continued on H14

SOON, YOU'LL BE ABLE TO CONNECT TO EVERYTHING.

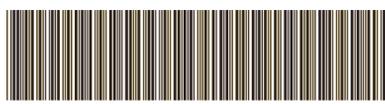


www.mattamyhomes.com

(see centre spread for details)

MOUNT PLEASANT VILLAGE
BRAMPTON

CONNECTED TO LIFE IN THE VILLAGE.



HOMES & CONDOS

Top seller brings urban vibe to Markham

WORLD from H1

Yonge and Yonge/Sheppard, just south of World on Yonge, is designated as a major regional transit node.

Markham has been far ahead of the Places to Grow curve, curbing sprawl and promoting pedestrian-friendly, mixed-use development connected to transit since the early 1990s. The town is currently considering three alternatives for future growth, ranging from 52 per cent to 60 per cent to 100 per cent high-density to accommodate 150,000 new residents through 2031. Most of the intensification will unfold along Yonge St. and Highway 7.

"The advantages of this particular location are that we are able to take advantage of established infrastructure," says Filice. "It achieves many of the Places to Grow principles, with multiple uses on one site. It provides access to vehicular and public transportation and it's part of an established community."

The provincial Places to Grow legislation calls for intensification within current urban areas, provision of land for employment and intensification along corridors based on transit. By 2015, at least 40 per cent of new residential development must occur within existing urban areas.

Planning for World On Yonge began about five years ago, says Filice, and while "it really helps that the stars were in alignment with this site" as far as planning policies go, "it just doesn't satisfy municipal or provincial goals, it makes good business sense. It can accommodate someone who can use transit as opposed to an automobile. At the end of the day, people need a place to live and it provides a balance with residential, office, retail."

The area is served by York Region Transit's Viva bus system and the Yonge subway is slated to extend north; Highways 401 and 407 are minutes away. Filice says the development can succeed with Viva



Liberty Development's Marco Filice stands before a scale model of World on Yonge, one of the first large, mixed-use developments in Markham. It will include residential condos, office space and a retail mall.

transit alone but "the subway would be an added bonus.

"And the beauty of this development is that it is approved and zoned. We had an excellent working relationship with municipal and regional governments and the stakeholders. And we enlisted a lot of consultation with the neighbourhood," says Filice.

"It's a very interesting project and the town did support it," says Jim Baird, commissioner of development services for Markham.

The three-storey Shops on Yonge and World on Yonge office building (with retail shops on the ground floor) will provide half a million square feet of non-residential space, while the condos will contribute 1 million square feet of resi-

dences. Filice says response so far has been "overwhelming" with some would-be retail/commercial space buyers camping out before sales opened.

"I think the purchasers realize there is a true opportunity to be part of mixed-use development on the busiest part of Yonge St. and have access to 1,200 condos," says Filice. "There is a huge opportunity here to live, work and have great access to local shops."

"For some people, mixed use was kind of a foreign concept," says Shawn Richardson, sales and marketing manager for Liberty Developments. "It is office or retail or residential? That was part of our challenge in really getting the message out. If someone is interested in re-

tail or office space, it has a broad spectrum: 'I want to open a business here, and I can walk across the bridge and end up in my condo.' It has broad appeal to anybody."

The first two residential condo buildings, designed by Kirkor Architects & Planners, will not be "your domino cookie-cutter buildings, they are tilted a little and designed intentionally to maximize views and light," says Filice.

Suites will have wraparound balconies and nine-foot ceilings and the two-storey lobby will be flanked by retail shops and services.

The buildings will be constructed to the equivalent of LEED Silver standard and the condos will be linked by a podium.

"For a development like this of-

DETAILS

Development: World on Yonge
Website: www.worldonyonge.ca

Location: Yonge St. and Meadowview Ave.

Developer: Liberty Development Corp.

Interior Design: Hefele Makowka Design Associates Inc.

Architect: Kirkor Architects & Planners

Price range/sizes: Residential condo sizes are 430 to 1,355 square feet, from studio suites to three-bedroom penthouses. \$189,000 to \$660,000

Amenities: Fitness centre, media room, billiards, golf simulator and guest suites. Retail shops/services on site.

Occupancy: Tentative dates for condos, winter 2013. Offices/shops, spring 2013

Development size: Four residential towers (31, 31, 18 and 27 storeys), 20-storey office/hotel complex and three-storey shopping centre

Sales office: 7171 Yonge St. in Markham. Call 416-477-7600 or click on www.worldonyonge.ca

fering open space, green roofs, a park, reduced parking and an opportunity to take transit, the environmental savings are hard to quantify," says Filice. "But it has a holistic community approach, uses a lot of environmental planning principles and it's spacious, with places for people to walk through. We are trying to make it best it can be to make it the best it can be for stakeholders."

"There has been a lot of paradigm shift in planning and people are embracing and appreciating this," adds Filice. "There is a positive response to what we've done. We are trying to make it a site for generations to come. At the end of the day, it saves land somewhere else from development."

A sweet suite with a 'New York feel'

RITZ-CARLTON from H1

The finest finishes and materials have been incorporated: flooring ranges from woven marble tiles to walnut hardwood laid in a herringbone pattern in the dining room floor. The ceilings are 10 feet high; the doors, eight feet.

There is a TV in the bathroom so you can keep tabs on the financial markets or the housewives from New Jersey, and how cool is the two-sided gas-burning fireplace between the living room and den?

"It opens up the space and gives it a 3D effect, like a picture frame," explains Munge.

The kitchen is state-of-the-art: Sub-Zero and Miele built-in appliances, Wolf five-burner gas cooktop, and Bellini custom-designed cabinets — which is all fine wine and dandy but probably redundant, given the residents will undoubtedly be frequenting the hotel's restaurants or ordering room service.

The model suite is understated without being boring. They have in-

corporated simple lines with layers of textures and a palette of earthy colours: Calvin Klein meets Armani.

The master bedroom, a study of taupe and beige, risks being a tad predictable if not for the dramatic double headboard. A standard padded headboard rests in front of a custom-designed one triple its size.

"We wanted to make a big statement in the room," Munge explains, smoothing out the bedspread.

If God is in the details, He would be in heaven here. Instead of installing a traditional bed skirt, Munge had the box spring upholstered, thereby creating a sleeker line. There is texture in the curtains — a silk-blend, beige, pinstriped sheer — and the walls are a basketweave grain with a silver sheen.

The den has leather on the walls and its centrepiece is a lamp with chicken feet, which look more like gnarled tree roots.

"It is very organic," Munge explains. "It is hammered metal that

looks like wood."

The seams in the silver grey and burgundy seagrass wall covering in the living room deliberately don't match. It makes the artwork — everything from Harold Town to Parisian street scenes — pop, giving a new meaning to "pop art."

A black leather ottoman serves as a coffee table in the living room and there is a screen behind the sofa just for the performance art of it.

"The screen anchors the couch," Munge explains.

"There is only one floor lamp, which casts a great light on the screen — I like asymmetrical.

"Our mantra is 'don't be predictable in your spaces,'" he adds, settling onto a bench covered in faux lizard. Munge scours the globe for unique pieces; he and his staff even bring in stuff from their own homes.

"We will hit 30 to 50 stores," he says. "I called on seven or eight shops for the living room carpet."

In the lobby is a glass-ceiling fixture by Jeff Goodman, which looks



Master touches include the walnut hardwood laid in a herringbone pattern in the dining room areas of the Ritz-Carlton model suite.

like a giant goldfish. Kids visiting the suite relate to it.

"This suite is not just the 60-year-olds and up," Munge insists.

"The demographic is sophisticated with a sense of taste. I didn't want it to feel old. It is not so stodgy, but polished, fresh and worldly — a

little exotic yet comfy. People have said 'I feel I can move in.'"

Occupancy is summer 2010. Don't know when they are going to strike the model suite but until then, I am available for sleepovers.

• For more information, go to www.theresidenceontario.com.

Buyer overpaid builder for estimated taxes

In 2005, Stuart signed an agreement to purchase a condominium unit for \$326,900 in an upscale 20-storey project not far from the Annex area.

He was able to take possession of his unit early in 2008 and final closing occurred on Aug. 12, 2008.

On Stuart's closing, as with every other real estate transaction, the seller's lawyer prepared what's known as a statement of adjustments. The statement is used to calculate the unpaid balance of the purchase price due on closing. In addition, it allocates adjustable items like tax bills between the parties as of the closing date.

As set out in the purchase agreement, the builder adjusted 2008 taxes with Stuart (and the other 215 owners) on the assumption that it would pay all of the taxes for the year of closing when the bills were issued.

On this basis, the builder would



BOB AARON

be responsible for 222 days of taxes (to Aug. 12), and Stuart would be responsible for the remaining 143 days of the year.

But since the actual 2008 tax bills were unknown at the time of closing, the builder estimated the taxes and adjusted with the purchasers on the assumption that the taxes had been (or would be) paid.

On the builder's closing statement of adjustments, the 2008 taxes were estimated at \$3,970.

But when the city finally issued the 2008 tax bill in January 2010, it came in at only \$2,107.92. As a

result, the builder had over-estimated the 2008 tax bill by a staggering \$1,862.08.

Recalculating the tax bill as of Aug. 12, 2008 meant that on closing Stuart had overpaid \$720.20 for his portion of the year.

If everyone in the building was overcharged \$720 on closing, the windfall to the builder would be about \$155,500, minus any refunds it had to pay out to those buyers who were sharp enough to calculate and claim the overpayment — or who had their lawyers do it for them.

But that's not the end of the overcharge. Prior to final closing, Stuart was in possession of his unit for almost six months paying interim occupancy fees. Those fees include estimated taxes based on the builder's calculations.

As part of his occupancy fees, Stuart paid taxes of \$330.83 a month to the builder, according to the

builder's estimate of \$3,970 for the year. Using the real tax bill of \$2,107.92, Stuart should only have paid \$175.66 a month for taxes during the occupancy period, rather than \$330.83. He was overpaying \$155.17 a month.

As a result, Stuart overpaid the builder an additional \$931 or so in interim occupancy fees, making his total overpayment to the builder \$1,651.

If this amount is a reasonable average for all the units in the building, the total amount of tax "overestimates" by the builder came to around \$350,000.

The issue still has not been resolved.

Stuart may have to file a claim with his title insurer, the same one recommended by the builder for use by all purchasers in the project.

Based on my experience in handling transactions like Stuart's, as many as half of all condominium

builders use the same method of overestimating taxes, while the other half arrange it so there is no overcharge at all.

In general, I have no objection to builders charging purchasers whatever they want for the condominium units and for any additional closing costs, as long as the charges are clearly disclosed up front.

This way, a purchaser can choose whether or not to pay the costs or walk away from the deal.

What I find very troubling, however, is builders who take advantage of issues like estimated taxes to scoop large amounts from purchasers — presumably expecting that they may not have to account for some or all of it.

Bob Aaron is a Toronto real estate lawyer and board member of the Taron Warranty Corp. He can be reached at bob@aroon.ca. Visit his website at aaron.ca.