

REAL ESTATE

WAVING NOT DROWNING



ANDREW FRANCIS WALLACE TORONTO STAR

Condo buyer Sanya Rambally, right, plans to live and run her business from her condo. Developer Shakeel Walji of the Sher Corporation, left, and architect Katie Kuzan of Kohn Partnership Architects Inc. join Rambally at The Downing Street offices.

Designer finds novel way to balance life and work

She'll spend weeks at Warehouse Lofts Toronto in Parliament & Co., in historic Corktown, and be with family in Mississauga on weekends

TRACY HANES
SPECIAL TO THE STAR

Sanya Rambally works long hours in Toronto as she builds her new luxury swimwear business. The 90-minute daily commute each way from her family home in Mississauga is gruelling. She's found a way around it.

Rambally plans to spend Monday to Thursday working and living in Toronto, and weekends in Mississauga.

In her 1,700-square-foot loft downtown, she'll be able to design and curate pieces for her Sandy Bottom Swimwear, administer its e-commerce store, set up a showroom, hold meetings and have a comfortable place to stay.

"We had a condo at Yonge and Bloor that my husband and I worked out of and was in a great location, but it was hard, as we were on top of each other," says Rambally. "New York is one of my favourite cities. The Parliament project caught my attention as the layout has a New York Soho loft warehouse feeling. I loved everything about it."

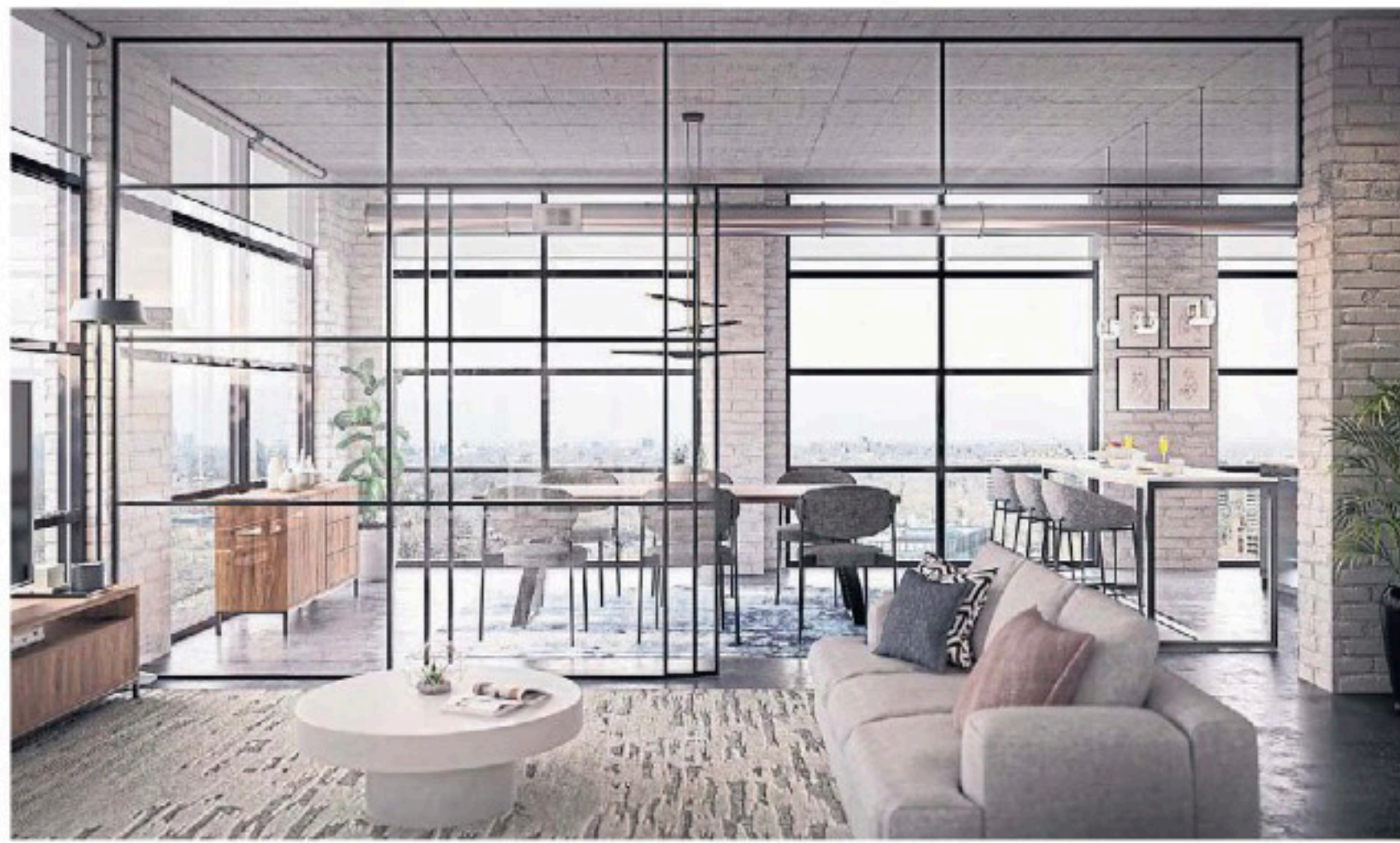
She's going to be working and living at Warehouse Lofts Toronto in Parliament & Co., a new development in the historic Corktown neighbourhood.

Parliament & Co., at Parliament and Queen Sts., developed by the Sher Corp. and the Downing Street Group, took design inspiration from the city's warehouse and artist lofts from the '60s and '70s. With its black, mullioned windows; natural, wood benches; concrete floors; and whitewashed, brick interiors, it has a retro look. But it is equipped with "smart" spaces and modern technology. (And it has Taron warranty coverage.)

"This project was originally a purely commercial development with a different partner," says architect Katie Kuzan of Kohn Partnership Architects. "As it evolved and Shakeel (Shakeel Walji, owner of The Sher Corp.) and his team got involved, they saw this (gap) in the market.

"Because of the planning environment in this area of Toronto, they chose to integrate live-work units, which is what the market wanted and (is) in line with the city's vision for the neighbourhood."

Walji says late Toronto councillor Pam McConnell influenced the vision for the project. A need was



identified for commercial spaces for business owners and creative entrepreneurs in Corktown and Regent Park. McConnell was an advocate for poverty reduction and for the revitalization of the Regent Park neighbourhood.

"There are a lot of other developments that have a live-work component, but this is unique, in the sense it's not a typical, ground-related, two-storey unit," says Walji. "Toronto has seen this typology before, but this is a new take and the zoning is quite unique. Most others are zoned to be purely commercial. With a typical live-work, it can't be a person's primary residence."

However, in this case, "the onus is on the purchasers; there's a lot of flexibility. They can live part-time or have another home, and use this as truly a hybrid business." An advantage is that entrepreneurs/artists can purchase a unit as a corporation.

There will be 3,000 square feet of retail space at street level, dedicated

Parliament & Co. is a mixed-used live-work development at Parliament and Queen streets. It is designed to look like the city's artist lofts from the '60s, and incorporate the latest in "smart" technology.

commercial lofts from floors two to five, and live-work warehouse lofts from floors six to 10. The 11th-floor, indoor-outdoor, event space will be enclosed by glass, with retractable walls. Amenities include relaxation and lounge areas, a dog-wash area, bicycle store and meeting rooms.

The project is about half completed. Three lofts remain for sale.

Because the interior finishing of the retail and commercial floors is up to the owners of the businesses/offices, the building will be finished much quicker than a conventional condo building, says Walji.

Rambally likes the flexibility to adapt her space for many purposes and appreciates the polished concrete ceilings, the integrated Italian kitchen — appliances are hidden behind cabinetry — and being able to move the island. She was able to customize the space by removing a wall, and designing closets to suit her own needs and those of her husband. They added a finishing touch: "We like wine, so we integrated a wine fridge in the kitchen."

She says running a business out of a suite would be "frowned on" at many typical condos and she's looking forward to getting to spend the week surrounded by like-minded artists and entrepreneurs.

Rambally has no intentions of giving up her family home in Mississauga. "We have an 18-year-old daughter and she has a lot of ties there. We have a beautiful home backing on to the Credit River and I have an enormous vegetable garden I'm not prepared to give up."

The city loft will enable her to separate her work and personal life, and relax and enjoy her time with her family at home.

PROPERTY LAW

Joint ownership can prove risky



BOB AARON
ADVICE

A decision of the Superior Court earlier this year provides a cautionary tale for people who might be tempted to use joint ownership as an estate-planning tool. This is often done to avoid the payment of Ontario's 1.5-per-cent probate fee when one owner dies.

When a house is owned by two joint tenants, which is what the law calls joint owners, and one of them dies, title automatically transfers to the survivor without the obtaining of a certificate of probate from the court. As average house values continue to soar, this is becoming an increasingly popular tool for Ontario homeowners ... but it is not without significant risks.

Nigel Jackson and Bernie Taube had been domestic partners since 1963. Together, they owned an antique business, which they operated from rented premises. (It was never profitable.)

In November, 2005, they executed mirror wills leaving everything to the survivor. They named Lori Rosenberg, who was Taube's great niece, as the alternate beneficiary.

Taube died in July 2010.

At the time of his death, the couple jointly owned a condominium in Yorkville, which was automatically inherited by Jackson.

As well, Jackson owned a home on Potts Lane in Port Hope. In 2012, Jackson transferred ownership to himself and Rosenberg as joint owners, meaning she would inherit his share when Jackson died. He said his intention was that, although she would be the owner eventually, she would not acquire any ownership interest during Jackson's lifetime.

In August, 2020, Jackson became worried that Rosenberg would take steps to force him out of his home. The next month, he instructed his lawyer to revoke the joint tenancy, and transfer ownership to himself and Rosenberg as tenants in common, meaning each would have a 50 per cent ownership with no rights of survivorship.

Jackson and Rosenberg then sued each other, with Rosenberg claiming that the 2012 transfer was a gift to her, and Jackson claiming that he was the beneficial owner of the half interest registered in Rosenberg's name — meaning that he was the owner of all of the house.

The dispute came before Justice Robert Charney last June. In his 10,000-word decision, he ruled that Jackson's transfer of the title to the Port Hope home to himself and Rosenberg, each as to a 50 per cent ownership, was valid. Rosenberg holds her share in trust for Jackson during his lifetime, and he is free to mortgage or sell the entire property.

When he dies, his 50 per cent share in the house becomes part of his estate and passes under his will. Rosenberg's 50 per cent share in the house, if it hasn't been sold, passes to her by right of survivorship as Jackson could not revoke the gift of survivorship.

Justice Charney wrote in his decision: "As Mr. Jackson is now discovered, joint tenancy is a risky way to minimize probate fees. The legal fees that both parties will have to pay to resolve this dispute will far exceed any probate fees that Ms Rosenberg would have had to pay."

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