

**Instructions**General

This form must be completed for every conveyance of “agricultural land” or land that contains at least one and not more than six “single family residences”, unless the transferee listed in the conveyance acquires the land as a trustee of any of the following:

- a) A mutual fund trust within the meaning of subsection 132 (6) of the *Income Tax Act* (Canada).
- b) A real estate investment trust (REIT) as defined in subsection 122.1 (1) of the *Income Tax Act* (Canada).
- c) A specified investment flow-through (SIFT) trust as defined in subsection 122.1 (1) of the *Income Tax Act* (Canada).

**“Transferee”**

Includes a person to whom land is conveyed and any person whose interest in land is increased, created or given effect to as the result of a conveyance.

**“Agricultural land”**

Means farm lands used for farm purposes by the owner, or used for farm purposes by a tenant of the owner and buildings thereon used for farm purposes, including the residence of the owner or tenant and of the owner’s or tenant’s employees and their families on the farm land.

**“Single family residence”**

Means a unit or proposed unit under the *Condominium Act, 1998* or a structure or part of a structure that is designed for occupation as the residence of a family, including dependants or domestic employees of a member of the family, whether or not rent is paid to occupy any part of it and whether or not the land on which it is situated is zoned for residential use and,

- (a) includes such a residence that is to be constructed as part of the arrangement relating to a conveyance, and
- (b) does not include such a residence that is constructed or is to be constructed on agricultural land that is eligible to be classified in the farm property class prescribed under the *Assessment Act*.

Single family residences may include (but are not limited to): detached and semi-detached houses, duplex, freehold townhouse, condominium townhouse, condominium apartment, and cottage.

Step 1: Property Information

This information section must be completed for each property in the conveyance, as identified by a unique property identifier number (PIN).

**Note:** This section must only be completed for the PIN of the property that contains at least one and not more than six single family residences or agricultural land. **Do not** complete this section for PINs associated with the following (this is not an exhaustive list):

- storage lockers,
- parking spaces,
- rights of way, or
- easements.

**Principal residence of the transferee or family member(s) of the transferee**

Indicate if the property will be occupied as a principal residence, by either the transferee or a “family member” of the transferee. If the transferee(s) of the conveyance are exclusively corporations, the response to this question should be **no**.

- **“Family member”** means, with respect to an individual:
  - a) the individual’s spouse,
  - b) a child or step-child of the individual or the individual’s spouse,
  - c) a parent or step-parent of the individual or the individual’s spouse,
  - d) a grandparent or step-grandparent of the individual or the individual’s spouse,
  - e) a sibling or step-sibling of the individual or the individual’s spouse, or any spouse of any such sibling,
  - f) the spouse of a child of the individual, or
  - g) a grandchild, step-grandchild or great-grandchild of the individual or the individual’s spouse, or the spouse of any such grandchild or great-grandchild.

**Property Identifier Number**

The property identifier number (PIN) must be entered accurately.

**Type of Property**

Select the appropriate type of property from the drop-down menu. Please see the *General* section for definitions of “single family residence” or “agricultural land”.

- **Mixed property types** refer to land that includes any combination of a single family residence or

agricultural land, and any other type of land (e.g. commercial).

**Note:** Agricultural land containing a residence is considered to be exclusively agricultural land (see *Example #1* below).

- **Proportion of the value of the consideration** refers to an allocation of the property conveyed based on the value of the consideration.

If the mixed property types contains a single family residence or agricultural land, along with another type of land (e.g. commercial), a "0" should be entered where appropriate. Proportions for other types of land will not be required.

*Example #1:*

Property #1 is purchased for \$1,000,000 and includes a combination of two residences situated on agricultural land, and commercial land.

The combined value of the consideration for the two residences is \$300,000.

The value of the consideration for the agricultural land is \$200,000.

The value of the consideration for the commercial land is \$500,000.

For the purposes of this form, the two residences situated on agricultural land will be treated as exclusively agricultural land.

The response should look like the following:

"Single Family Residence" (%)	0
"Agricultural Land" (%)	50

*Example #2:*

Property #2 is purchased for \$500,000 and includes a combination of two single family residences, and commercial land.

The value of the consideration for the first single family residence is \$100,000, and for the second single family residence is \$100,000.

The value of the consideration for the commercial land is \$300,000.

The response should look like the following:

"Single Family Residence" (%)	40
"Agricultural Land" (%)	0

## **Beneficial Interest in the Land**

Indicate if any of the beneficial interest in the land is acquired by an individual or corporation, who is not listed as a transferee in the Land Transfer Tax statements.

### Step 2: Transferee Information

Information relating to each transferee (individual or corporation) is required to be provided.

#### **Individuals**

Transferees who are individuals must provide specific information relating to their legal name, date of birth, residency, citizenship, and permanent resident status.

- **Permanent resident of Canada** refers to an individual who is defined as a "permanent resident" in the *Immigration and Refugee Protection Act* (Canada).

#### **Corporations**

Transferees who are corporations must provide information relating to their legal name, incorporation and control, directors, and shareholders.

- **"Foreign corporation"** means a corporation that is one of the following:
  1. A corporation that is not incorporated in Canada.
  2. A corporation that is incorporated in Canada and is controlled by one or more of the following:
    - i. A foreign national.
    - ii. A corporation that is not incorporated in Canada.
    - iii. A corporation that would, if each share of the corporation's capital stock that is owned by a foreign national or by a corporation described in paragraph 1 were owned by a particular person, be controlled by the particular person;
- **"Controlled"**, in relation to the control of a corporation, means controlled, directly or indirectly in any manner whatever, within the meaning of section 256 of the *Income Tax Act* (Canada).
- **"Foreign national"** refers to an individual who is not a Canadian citizen or a permanent resident, and includes a stateless person, as defined in the *Immigration and Refugee Protection Act* (Canada).
- **List of countries of citizenship of directors who are foreign nationals**

The percentage proportion of foreign national directors from each listed country must be provided. The proportion will compare the number of foreign national directors from the specific country, to the total number of directors of the corporation.

*Example #3:*

The total number of directors from Corporation #1 is 10. The total number of foreign national directors is 2.

If one foreign national director is a citizen of France and the other is a citizen of Germany, the response should look like the following:

**France:** 10%  
**Germany:** 10%

- **Percentage of voting rights exercisable by shareholders**

Determine the amount of voting rights that are exercisable by (or on behalf of) shareholders who are foreign nationals or foreign corporations. These voting rights must allow the shareholder to exercise a vote (or multiple votes) to elect the directors of the corporation.

Express this amount as a percentage of the total amount of voting rights held by all shareholders.

*Example #4:*

The total number of voting rights exercisable by all shareholders of Corporation #2 is 50.

The total number of voting rights exercisable by foreign nationals or foreign corporations is 25.

The response to this question should be 50%.

- **List of countries of citizenship of the shareholders who are foreign nationals and the countries of incorporation of the shareholders that are foreign corporations.**

The percentage proportion of foreign national and foreign corporation shareholders, from each listed country must be provided. The proportion will compare the number of foreign national and foreign corporation shareholders from the specific country, to the total number of all the shareholders of the corporation.

*Example #5:*

The total number of shareholders from Corporation #3 is 100. The total number of foreign national shareholders is 10. The total number of foreign corporation shareholders is 15.

5 foreign national shareholders are citizens of France, and 5 are citizens of Germany.

5 foreign corporation shareholders are incorporated in France, 5 are incorporated in the

United States of America, and 5 are incorporated in Spain.

The response should look like the following:

**France:** 10%  
**Germany:** 5%  
**USA:** 5%  
**Spain:** 5%

**Acting as a trustee, nominee, or in a similar capacity**

Where the transferee acquires land as a trustee of a trust, information is required for the transferee trustee and the beneficiaries of the trust (see *Step 3: Beneficial Owners*).

This checkbox would also apply where the transferee is acting as a nominee, agent or in any similar capacity for any person obtaining beneficial interest in land.

*Step 3: Beneficial Owners (if applicable)*

If a transferee acquires land as a trustee, nominee, or in a similar capacity, the prescribed information must be provided for each beneficial owner (e.g. beneficiaries of a trust).

**Note:** If a transferee is also a beneficial owner (e.g. a trustee and a beneficiary), the transferee is required to provide the required information for all capacities.

**Note:** If multiple transferees act as trustees, nominees or in a similar capacity for the same beneficial ownership arrangement (e.g. trustees of the same trust), only one transferee needs to provide information on the beneficial owners of the arrangement.

*Step 4: Certification*

The solicitor or agent of the transferee(s) must acknowledge the statements at the end of the form and provide their legal name and email address.

*Step 5: Submission*

Once completed, press the submit button at the end of the form. Correct any issues if prompted by the system.

**Confirmation Number**

After submission, the system will provide you with a Confirmation Number. This number must be inputted into the applicable provincial land transfer tax statement in the instrument that is being registered.

To retrieve a lost Confirmation Number, a link will be available to search for your Confirmation Number by providing the following:

- Teraview account number,
- account name, and
- date of form submission.

## Enquiries

For assistance in completing this form, please contact the Ministry of Finance:

Manager, Land Taxes  
33 King St. West, PO Box 625  
Oshawa ON L1H 8H9

Toll free                   1 866 ONT-TAXS (1 866 668-8297)  
Teletypewriter (TTY) 1 800 263-7776  
Fax                         905 433-5770  
Ministry website       **[ontario.ca/finance](http://ontario.ca/finance)**

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These instructions are intended to assist you in the completion of the *Prescribed Information for Purposes of Section 5.0.1* form. However, the instructions do not replace the law under which the prescribed information is required to be provided; nor do they constitute a legal interpretation of the *Land Transfer Tax Act*, and the *Prescribed Information for Purposes of Section 5.0.1* regulation, made under the Act.