Important Topic : Creating a Will

Creating a Will is one of the most important steps in an estate plan. While it is possible to prepare your own Will in Ontario, we generally recommend obtaining legal advice. The additional cost of having a Will prepared by an experienced estate lawyer is often modest relative to the benefits and can help ensure important details are not overlooked.

For straightforward situations, some individuals choose a do-it-yourself Will or an online Will service. The primary difference is that online providers generally guide users through a questionnaire and generate a document based on the information provided, whereas a traditional DIY Will is drafted without that guidance. In either case, the legal requirements and potential risks are generally the same.

What Makes a Will Valid in Ontario?

Under Ontario's Succession Law Reform Act, a formal Will is generally valid if:

- It is in writing.
- It is signed by the testator.
- Two independent witnesses are present when it is signed.

Ontario also recognizes handwritten (holograph) Wills that are entirely handwritten and signed by the testator. These do not require witnesses but can sometimes create additional challenges during probate, particularly where additional evidence may be required to establish the authenticity of the handwriting and signature, as discussed in the Affidavit of Execution section below.

Common Mistakes with DIY and Online Wills

Most problems arise not because the Will is invalid, but because important details are missed. Common examples include:

- Unclear or ambiguous language.
- Improper signing or witnessing.
- Missing executor or residual estate provisions.
- Failing to update the Will following major life changes.
- Failing to complete and retain an Affidavit of Execution.
- Having a beneficiary or the spouse of a beneficiary act as a witness.

A particularly important rule is that if a beneficiary (or their spouse or partner) acts as a witness, the Will itself may remain valid, but that beneficiary's inheritance may be void. This is one of the costliest mistakes made with self-prepared Wills.

The Affidavit of Execution

An Affidavit of Execution is often overlooked with DIY and online Wills.

For a formal Will, one of the witnesses may complete an Affidavit of Execution. The Affidavit is sworn before a lawyer, notary public, or commissioner for taking affidavits, who confirms the identity of the witness and commissions the document.

Although the Affidavit is not required for the Will itself to be valid, it is commonly required when the estate applies for probate. Having the Affidavit completed and retained when the Will is signed can help avoid delays, costs, and administrative complications for the executor in the future.

If an Affidavit of Execution is not available when the estate applies for probate, additional evidence may be required. For example, if a witness has died or cannot be located, the executor may need to provide evidence regarding the authenticity of the signatures and the circumstances surrounding the signing of the Will. In the case of a handwritten (holograph) Will, the executor may need to provide evidence that the handwriting and signature are those of the deceased. These additional steps can create delays, costs, and administrative complications for the estate.

Additional Estate Planning Documents

In addition to a Will, we generally recommend establishing both a Continuing Power of Attorney for Property and a Power of Attorney for Personal Care as part of a complete estate plan.

We work with several estate lawyers and would be pleased to provide recommendations based on your particular circumstances.

Summary

You can legally prepare your own Will in Ontario, and it can be valid if the applicable legal requirements are met. However, for many individuals and families, the additional cost of obtaining legal advice can provide valuable peace of mind that important considerations have been addressed and the documents have been properly prepared.

The primary risk is not whether the Will is valid, but whether errors or omissions create additional costs, delays, or complications for your family.

Market Update – June 2026

Markets had a strong quarter overall, with Canadian, U.S., international, and emerging markets all finishing higher. While there were some periods of volatility, the overall trend remained positive as company earnings held up well and the global economy proved more resilient than many had expected.

One of the biggest market setbacks came in March, when the conflict involving Iran raised concerns about energy prices, inflation, and the potential for a broader regional conflict. Markets reacted quickly, creating one of the year’s sharpest pullbacks, but as tensions eased, investors regained confidence and markets recovered. It was another reminder that geopolitical events can cause short-term swings, but they don’t necessarily change the long-term direction of the market.

The other major story continues to be artificial intelligence. Companies around the world are investing billions of dollars into AI, data centers, semiconductors, power infrastructure, and software. We're still in the early stages of what could be one of the biggest technology shifts since the internet. As businesses become more productive and efficient, these investments are expected to create opportunities across many sectors and not just technology. While short-term volatility is always part of investing, the long-term outlook remains encouraging for disciplined investors.

Portfolio Update

For the month the portfolio was % and year to date the portfolio was %.

Attached please find a summary of account totals as of June 30th, 2026

Index	Month	Quarter	Year to date
Bonds FTSE Canada Universe Bond Index - CAD	0.50%	2.10%	2.20%
Canadian Equity - S&P/TSX 60 Index - CAD	1.90%	8.20%	11.50%
US Equity – S&P 500 - CAD	-1.30%	14.30%	8.60%
International – MSCI EAFE Index - USD	0.70%	8.60%	9.90%
Global Small Companies - CAD	4.70%	17.10%	21.00%
Emerging Markets - MSCI Emerging Markets Index - CAD	3.00%	23.30%	29.70%
Real Estate - Dow Jones® Global Real Estate Index - USD	2.10%	9.60%	12.10%
S&P/TSX Preferred Share Index - CAD	0.50%	4.30%	4.40%

YCharts 06/30/26

Have a great month and let us know if there is anything we can do for you,

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