

**MUNICIPALITY OF CENTRAL MANITOULIN****REPORT ON COMPLAINT RE: J. BISAILLON****EXECUTIVE SUMMARY**

During the month of July 2025, the Integrity Commissioner received a Complaint naming Councillor J. Bisailon as Respondent and alleging breaches of the Code of Conduct. The allegations related to an interaction with the Complainant whereby the Respondent was alleged to threaten to have the Complainant charged with trespassing during an interaction between the two. At the same time, the Complainant also made an Application alleging a breach of the *Municipal Conflict of Interest Act* (“MCIA”) by the Respondent. This report addresses the Code of Conduct complaint as received by the Integrity Commissioner. A separate, parallel report addresses the MCIA application.

Following receipt of the Complaint the Integrity Commissioner interviewed the Applicant, requested relevant documents from the Municipality, and conducted interviews with the Respondent and any other relevant witness identified through review of the documentation or arising from the prior interviews. Following the completion of the inquiry process, the Integrity Commissioner provided a preliminary copy of the report to the Applicant and Respondent for comment. The Applicant and Respondent were invited to provide comment if desired. Any comments provided did not require further clarification in the language of the below report.

The Integrity Commissioner does not find that there has been a violation of the Code of Conduct by the Respondent as alleged in the original Complaint. Accordingly, no recommendations are made for Council on any penalty as no violation of the Code of Conduct is found.

ALL OF WHICH IS RESPECTFULLY SUBMITTED



Zachary Courtemanche

As provided to the Municipality, March 24, 2026

**MUNICIPALITY OF CENTRAL MANITOULIN**  
**REPORT ON COMPLAINT RE: J. BISSAILON**

1. During the month of July 2025, the Integrity Commissioner received a Complaint naming Councillor Bisailon as Respondent and alleging breaches of the Municipality's Code of Conduct ("Code"). The Complainant ultimately provided completed materials dated July 30, 2025.
2. At the same time, the Complainant also made an Application alleging a breach of the *Municipal Conflict of Interest Act* ("MCIA") by the Respondent. This report addresses the Code of Conduct complaint as received by the Integrity Commissioner.
3. Following receipt of the Complaint, the Integrity Commissioner interviewed the Complainant (as the individual will be referred to in this report and who is not a member of Council), requested relevant documents, and conducted interviews with the Respondent and any other relevant witness identified through review of the documentation or arising from the prior interviews. Where appropriate, the Integrity Commissioner interviews witnesses suggested by the Complainant, Respondent, or other witnesses in order to determine the relevant facts.
4. For ease of reference, this report has been labelled as CM-25-02.

**THE RELEVANT PORTIONS OF THE CODE OF CONDUCT & COMPLAINT**

5. As a first step, it must be noted that the Complaint alleges breaches of the "Incompatible Activity" section of the Code which arises from an interaction with the Respondent on or about July 3, 2025.
6. Specifically, and for ease of reference, the relevant portion of the Code is reproduced here:

***Incompatible Activity***

*Members of Council shall not engage in any activity, financial or otherwise, which is incompatible or inconsistent with the ethical discharge of their official duties to represent the public interest.*

*Specifically, members of Council shall not:*

- *Use any influence of their office for any purpose other than for their official duties;*
- *Act as an agent before Council any committee, board, or commission of Council;*
- *Solicit, demand, or accept the services of any corporation, employee, or individual providing services to the municipality at a time in which said person or corporation is being paid by the municipality;*
- *Use any information gained in the execution of their office that is not available to the general public for any purpose other than for their official duties;*
- *Place themselves in a position of obligation to any person or organization which might benefit from special consideration or may seek preferential treatment;*
- *Give preferential treatment to any person or organization in which a member or members of Council have a financial interest;*
- *Influence any administrative or Council decision or decision-making process involving or affecting any person or organization in which a member or members of Council have a financial interest; and,*
- *Use corporate materials, equipment, facilities, or employees for personal gain or for any private purpose.*

[emphasis added]

7. According to the Complaint, the Complainant has alleged that the Respondent threatened to have the Complainant charged with trespassing, and that such was an attempt to use his office for a purpose other than his official duties contrary to the above-noted section of the Municipality's Code.

**BACKGROUND**

8. Following review of the relevant documentation and interviewing the Complainant, Respondent, and relevant witnesses, it is appropriate to summarize the relevant facts as it relates to the matter.
9. The Complainant utilizes a property within the Municipality adjacent to a waterway and near a property owned by the Respondent. Recently, the Complainant has expressed concern about work being performed on the Respondent's property with the Municipality. The property in question is also adjacent to this waterway is effectively vacant land.
10. As part of this effort, the Complainant took pictures of the Respondent's property.
11. On or about July 3, 2025, the Complainant and Respondent interacted as it related to this property. The interaction started when the Respondent attended the property the Complainant uses.

**FACTUAL DETERMINATIONS**

12. As above, the Integrity Commissioner interviewed the relevant parties and gathered the necessary documentation in order to assess the within Complaint. Having collected and considered same, the following determinations have been made.
13. Having reviewed the various accounts of the July 3, 2025 interaction, the following factual determinations can be made. It appears to be undisputed that the interaction commenced when the Respondent visited the Complainant's property on July 3, 2025. The interaction commenced when the Respondent called out for someone from outside the building. The Complainant's spouse initially interacted with the Respondent outside the building. The conversation began with the Respondent addressing the matter of a confused fire route number for his property and that on which the Complainant was staying.

14. More specifically, given the vacant nature of the Respondent's property, no number indicator had been affixed to its roadside edge. The Respondent, erroneously, had ordered and placed a marker with the number that was actually designated for the Complainant's property. Once he became aware of this issue, he attended the property to confirm the error.
15. Throughout the various accounts of this conversation, the Respondent spoke first with the Complainant's spouse about this issue. In the course of the conversation, it arose that the property was the one on which the Complainant was residing. The Respondent advised the Complainant's spouse that since the Complainant had seemingly taken photographs on his property that he could be charged with trespassing.
16. Following this, the Complainant (who could hear this conversation from inside the building) left the building, somewhat upset, and spoke to the Respondent. This conversation was not overly pleasant in nature. As part of this portion of the conversation, the Respondent noted that the Complainant had, in his view, taken pictures of his property by entering uninvited onto the property. The Complainant, in turn, asserted that he had not done so, and that the pictures in question were taken from off the property. The Complainant asserted that the Respondent had, in the course of this interaction, entered onto the Complainant's property, and that he ought not have done so. The Complainant, seemingly upset at the conversation, appears to have asserted that the Respondent was himself trespassing and advised him that he is not to attend his property going forward.
17. Following this portion of the conversation, the Complainant withdrew from the conversation and the Respondent spoke further with the Complainant's spouse closer to the roadside for a further several minutes, after which he left.

## **ANALYSIS OF THE ISSUE**

18. The pivotal question in this Complaint is whether the Respondent contravened the Code when he commented that he could have the Complainant charged with trespassing on his property.

19. Arising from the various interviews conducted in this matter, such a determination cannot be made.
20. Firstly, the ability to charge someone with trespassing is not directly connected to the office of a municipal councillor. The role of council is defined in the *Municipal Act, 2001, S.O. 2001, c. 25* as follows:

**Role of council**

224 It is the role of council,

- (a) to represent the public and to consider the well-being and interests of the municipality;
- (b) to develop and evaluate the policies and programs of the municipality;
- (c) to determine which services the municipality provides;
- (d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- (d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (e) to maintain the financial integrity of the municipality; and
- (f) to carry out the duties of council under this or any other Act.

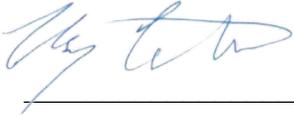
21. Importantly, a member of council does not have enforcement powers. Enforcement powers are held by applicable enforcement officers, police, or other such designated officials under applicable provincial statutes and/or by-laws. They are not held by individual Councillors by virtue of holding such an office.
22. Rather, trespass issues are governed by the *Trespass to Property Act, R.S.O. 1990, c. T.21*, a provincial statute.
23. Equally, given the provincial and private enforcement elements of the *Trespass to Property Act*, the Respondent's office does not give him any real influence over the ability of

someone to be charged with trespassing. Moreover, no apparent attempt to exert such an influence is found to have occurred.

## CONCLUDING REMARKS

24. For all the above reasons, the Integrity Commissioner is unable to conclude that a breach of the Code of Conduct occurred as alleged. Simply put, while the interaction between the Respondent and Complaint is regrettable, the Respondent did not violate the Code regarding the improper use of his office with respect to an action about which his office has no specific authority. Equally, there is nothing in the facts to suggest an improper influence on anyone as it relates to such conduct.
25. Since the Integrity Commissioner does not find that there has been a violation of the Code of Conduct by the Respondent as alleged in the Complaint, no recommendations are made to Council on any penalty where no violation of the Code of Conduct is found.
26. The parties are thanked for their cooperation in the process of addressing this Complaint and the completion of this report.
27. The Integrity Commissioner has considered the implications of subsection 223.8 of the *Municipal Act*, and has not found it to apply to the within matters.
28. Subsections 223.6(2) and 223.5(2.3) of the *Municipal Act*, as applicable, state that the Integrity Commissioner may disclose in these written reasons such information as, in the Integrity Commissioner's opinion, necessary. All the content of these reasons is, in the opinion of the Integrity Commissioner, necessary.
29. The Municipality is reminded that, pursuant to s.223.6(3), it shall ensure that the final report from this Complaint is made available to the public.
30. The Respondent and Complainant, should they wish to respond to the determinations in this report, ought to be permitted to do so.

**ALL OF WHICH IS RESPECTFULLY SUBMITTED**



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Zachary Courtemanche

January 19, 2025