

MUNICIPALITY OF CENTRAL MANITOULIN

REPORT ON APPLICATION RE: J. BISAILLON

EXECUTIVE SUMMARY

During the month of July 2025, the Integrity Commissioner received an Application naming Councillor J. Bisailon as Respondent and alleging breaches of the *Municipal Conflict of Interest Act*. The allegations related to a committee meeting of June 19, 2025, wherein it was alleged that, despite declaring a pecuniary interest, the Respondent participated in discussion on a matter in consideration.

Following receipt of the Application 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. 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 *Municipal Conflict of Interest Act* by the Respondent as alleged in the original Application. Accordingly, no application to a Judge will be made by the Integrity Commissioner arising from this Application.

ALL OF WHICH IS RESPECTFULLY SUBMITTED



Zachary Courtemanche

As provided to the Municipality, January 26, 2026

MUNICIPALITY OF CENTRAL MANITOULIN
REPORT ON APPLICATION RE: J. BISAILLON

1. During the month of July 2025, the Integrity Commissioner received an Application naming Councillor Bisailon as Respondent and alleging breaches of the *Municipal Conflict of Interest Act* (“*MClA*”). The Applicant ultimately provided a completed Application dated July 30, 2025.
2. The Applicant also made a Complaint that the Respondent had violated elements of the Municipality’s Code of Conduct. This report addresses the *MClA* allegation, and a second, separate report will address the Code of Conduct Complaint.
3. The allegations in the above-noted Application related to an alleged violation of the *MClA* by the Respondent in relation to a Committee meeting on June 19, 2025.
4. Following receipt of the Application, the Integrity Commissioner interviewed the Applicant (as the individual will be referred to in this report and who is not a member of Council), 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. Where appropriate, the Integrity Commissioner interviews witnesses suggested by the Applicant, Respondent or other witnesses in order to determine the relevant facts.
5. For ease of reference, this report has been labelled as CM-25-01.

THE RELEVANT PORTIONS OF THE *MClA*

6. As a first step, it must be noted that the Application alleges breaches of s.5(1) of the *MClA*.
7. With respect to the *MClA* itself, the relevant portions of the legislation’s applicable sections alleged to be violated read as follows:

When present at meeting at which matter considered

5 (1) Where a member, either on his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member,

(a) shall, prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;

(b) shall not take part in the discussion of, or vote on any question in respect of the matter; and

(c) shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question. R.S.O. 1990, c. M.50, s. 5 (1).

Where member to leave closed meeting

(2) Where the meeting referred to in subsection (1) is not open to the public, in addition to complying with the requirements of that subsection, the member shall forthwith leave the meeting or the part of the meeting during which the matter is under consideration. R.S.O. 1990, c. M.50, s. 5 (2).

[. . .]

THE FACTUAL OUTLINE

8. Following review of the relevant documentation and interviewing the relevant parties, it is appropriate to summarize the relevant facts as it relates to the matter.

9. The Municipality's Finance & Economic Development Committee held a meeting on June 19, 2025. The Respondent is not a voting member of this Committee, but attended the meeting in a non-voting capacity, which is a normal practice within this Municipality.
10. As part of this meeting, a delegation was scheduled to speak in relation to shoreline work occurring within the Municipality. The delegation took the form of a presentation made to the Committee.
11. The Respondent, near the outset of the Committee meeting, and at the time allocated for such declarations, declared a pecuniary interest as it related to this presentation. This declaration is acknowledged in the Application.
12. At the allotted time for the delegation, the Respondent vacated his seat and left the Council Chamber for the time of this delegation. The Respondent resumed his seat shortly after the delegation ended and the presenting person (who had attended remotely) had left the meeting.
13. The Committee meeting's agenda did not note any specific motion language as it relates to this delegation. However, the Committee (during the period of absence of the Respondent, passed a motion to refer the matter to staff for further information).
14. The Respondent did not vote on this motion and was not present when the motion was moved and, ultimately, passed.
15. The Applicant alleges that, based on being so advised in a later conversation regarding the Respondent, that the Respondent, after returning to the meeting, was present for further discussion on the issue as it related to the matter arising from the delegation.

CONSIDERATION OF VIOLATION BY THE RESPONDENT

16. A pecuniary interest has been defined by case law as relating to monetary considerations. Specifically, *Magder v. Ford, 2013 ONSC 263 (CanLII)* reads as follows:

[6] Case law has determined that a pecuniary interest for purposes of the MCI A is a financial or economic interest. For the MCI A to apply, the matter to be voted upon by council must have the potential to affect the pecuniary interest of the municipal councillor (*Greene and Borins (Re)* (1985), 1985 CanLII 2137 (ON SC), 50 O.R. (2d) 513, [1985] O.J. No. 2510 (Div. Ct.), at p. 8 (QL)).

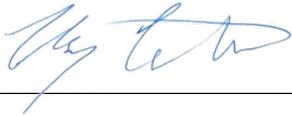
17. A pecuniary interest can be direct or indirect. The *MCI A* outlines various bases for an “indirect pecuniary interest” at section 2. A deemed pecuniary interest can also occur where the circumstances in section 3 of the *MCI A* arise.
18. In this case, it is not necessary for the Integrity Commissioner to evaluate whether or not the Respondent needed to declare a pecuniary interest. He declared one, and vacated the Chamber during the discussion of the issue in question. This portion of the facts do not seem to be in dispute. Accordingly, for the sake of this report, the Integrity Commissioner assumes without evaluating that the Respondent had a pecuniary interest in the matter at hand.
19. Accordingly, the true issue as alleged in the Application was whether, following the portion of the Committee meeting from which the Respondent absented himself, the Respondent returned to the Committee meeting and participated in further discussion on the topic in any manner that would violate the *MCI A*, section 5(1).
20. The Integrity Commissioner has reviewed the meeting materials from the Municipality. However, it is apparent having reviewed these materials that the Committee did not return to the topic of the above-noted delegation, and did not have further dialogue on the matter.
21. It bears not that, while the Agenda for the Committee meeting contemplates an “In Camera” session, the meeting ended without such a session occurring. The Integrity Commissioner is not aware of any closed session discussions occurring as part of this meeting.

22. Simply put, all discussions at the June 19, 2025 Finance & Economic Development Meeting occurred in open session, the Respondent declared a pecuniary interest and in fact vacated the Committee during the delegation and discussions in question, and no further discussions in fact happened following his return (and the departure of the delegation).
23. Accordingly, the Integrity Commissioner is unable to determine that the allegations contained in the Application regarding a violation of the MCIA are substantiated.

CONCLUDING REMARKS

24. Since the Integrity Commissioner does not believe that there has been a violation of the *MCIA* by the Respondent in relation to the allegations made in the Application, no application to a Judge will be made by the Integrity Commissioner.
25. 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.
26. The *Municipal Act* requires that after deciding whether or not to apply to a Judge, the Integrity Commissioner shall publish written reasons for this determination and advise the Applicant. These are those reasons. The final report shall be published electronically through the Municipality's website, and a copy will be provided to the Applicant.
27. 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.
28. The Respondent and Applicant, should they wish to respond to the determinations in this report, ought to be permitted to do so.

ALL OF WHICH IS RESPECTFULLY SUBMITTED



Zachary Courtemanche

January 19, 2026