

# enterprise temiskaming

**small business resource centre**  
*centre de ressources pour petite entreprise*

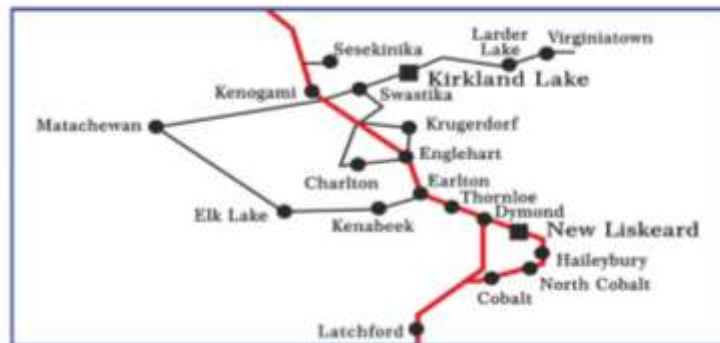
**starting a  
small  
business**

*“Whatever the mind  
can conceive and  
believe; the mind can  
achieve.”*

*-Napoleon Hill-*

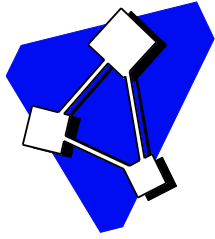
## District of Timiskaming

Catchment Area - Map



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# enterprise temiskaming

**small business resource centre**  
*centre de ressources pour petite entreprise*

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## **Our services include:**

- Information on starting and expanding a business
- Assistance with business plan development
- Guidance on regulations, licenses and registrations
- Market research and access to resource library
- Access to loans, grants and other financial incentive programs
- Business seminars, networking and mentoring opportunities
- Assistance with online business registrations
- One-on-one consultations

## **Be sure to pick up the following guide:**

- Business plan guide



**YOUTH**

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# CONSIDER YOUR OPTIONS

## Starting From Scratch

Starting your own business can be quite a challenge, so make sure you seek advice and conduct as much research as possible before getting started.

## Buying an Existing Business

If you plan on purchasing an existing business, it would be wise to contact an accountant to review the past year's financial statements, and a lawyer who could provide you with a checklist of necessary details to consider prior to your purchase.

### ADVANTAGES AND DISADVANTAGES OF EACH OPTION

#### Starting From Scratch

<p><b><u>Pros:</u></b></p> <ul style="list-style-type: none"> <li>· Low cost</li> <li>· Flexibility</li> <li>· New markets</li> <li>· Relatively easy to start</li> </ul>	<p><b><u>Cons:</u></b></p> <ul style="list-style-type: none"> <li>· High risk - unproven market</li> <li>· Extensive planning</li> <li>· Many decisions</li> <li>· Financing is often difficult to obtain</li> <li>· No existing clientele</li> </ul>
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#### Buying An Existing Business

<p><b><u>Pros:</u></b></p> <ul style="list-style-type: none"> <li>· Limited risk (already established)</li> <li>· Established cash flow</li> <li>· Established business</li> <li>· Established staff and suppliers</li> <li>· Existing clientele</li> </ul>	<p><b><u>Cons:</u></b></p> <ul style="list-style-type: none"> <li>· Product/service obsolete</li> <li>· Mature market</li> <li>· Accounts may be uncollectible</li> <li>· Hidden problems</li> <li>· Location may not be ideal</li> <li>· Key employees may leave</li> </ul>
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#### Buying A Franchise

<p><b><u>Pros:</u></b></p> <ul style="list-style-type: none"> <li>· Proven formula</li> <li>· Reduced risk factor</li> <li>· Solid management support</li> <li>· Fewer decisions</li> </ul>	<p><b><u>Cons:</u></b></p> <ul style="list-style-type: none"> <li>· High start-up cost</li> <li>· Ongoing royalties/Share profits</li> <li>· Franchise is selective</li> <li>· Conformity to rules/agreement</li> <li>· Contract often favors the franchiser</li> </ul>
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## Buying a Franchise

A franchise is a contractual agreement between an individual or company, the franchiser, to another individual or company, the franchisee. This agreement is the right to sell, in a specified manner and within a specific territory, the goods or services developed by the franchiser. For more information on franchises, visit: Industry Canada's web site [www.ic.gc.ca](http://www.ic.gc.ca) or Canadian Franchise Association's website [www.cfa.ca/](http://www.cfa.ca/) or call them at (905) 625-2896 or 1 (800) 665-4232.

# DETERMINE IF YOUR IDEA IS GOOD

## **Preliminary Analysis**

A feasibility study involves gathering, analyzing and evaluating information with the purpose of answering the question: "Should I go into business?" Answering this question involves a preliminary assessment of both personal and project considerations.

## **General Personal Considerations**

Are your personality characteristics such that you can both adapt to and enjoy small business ownership/management? Answer the following questions with a YES or NO. Where the answer is NO, you have some work to do.

1. Do you like to make your own decision?
2. Do you enjoy competition?
3. Do you have will power and self-discipline?
4. Do you plan ahead?
5. Do you get things done on time?
6. Can you take advice from others?
7. Are you adaptable to changing conditions?
8. Do you understand that owning your own business may entail working 12 to 16 hour days, probably six days a week, and possibly on holidays?
9. Do you have the physical stamina to handle a business?
10. Do you have the emotional strength to withstand the strain?
11. Are you prepared to lower your standard of living for several months or years?
12. Are you prepared to lose your savings?
13. Do you know which skills and areas of expertise are critical to the success of your project and do you possess them?
14. Can you find personnel that have the expertise you lack?
15. Will your project effectively meet your career aspirations?
16. Do you have the time and ability to perform the feasibility study?

## **Requirements for Success**

To determine whether your idea meets the basic requirements for a successful project, you must be able to answer at least one of the following questions with a YES.

1. Does the product/service/business serve a presently un-served need?
2. Does the product/service/business serve an existing market in which demand exceeds supply?
3. Can the product/service/business successfully compete with existing competition because of an "advantageous situation", such as more cost effective method of delivery, location, etc.?

## Major Flaws

A YES response to questions such as the following would indicate that the idea has little chance for success.

1. Are there any causes (i.e. restrictions, monopolies, shortages) that make any of the required factors of production unavailable (i.e. unreasonable cost, scarce skills, energy, material, equipment, processes, technology or personnel)?
2. Are capital requirements for entry or continuing operation excessive?
3. Is adequate financing hard to obtain?
4. Are there potential detrimental environmental effects?
5. Are there factors that prevent effective marketing?

## Desired Income

The following questions should remind you that you must seek **both a return on your investment** (ROI) in your own business as well as **a reasonable salary** for the time you spend in operating that business.

1. How much income do you desire and what is the minimum you require?
2. What financial investment will be required for your business?
3. How much could you earn by investing this money elsewhere?
4. How much could you earn by working?

If this income is greater than what you can realistically expect from your business, are you prepared to forego this additional income just to be your own boss with only the prospects of more substantial profit/income in future years?

## Supply

1. Do you know the quantity, quality, technical specifications, and price ranges desired?
2. Will the price available allow you to achieve an adequate markup?

## Expenses

1. Do you know what your expenses will be? e.g. rent, wages, insurance, utilities, advertising, etc.
2. Do you know which expenses are Fixed or Variable?

## Venture Feasibility

1. Are you aware of the major risks associated with your product/Service/Business and can you minimize any of them?
2. Are you aware that there is less than a **50/50** chance that you will be in business two years from now?

# CHOOSING YOUR LEGAL STRUCTURE

You have the choice of registering your business name as a sole proprietorship, partnership, or a corporation. Choosing the structure that is suitable for your business can sometimes be challenging. However, it is wise to evaluate each form of business organization to determine which one is appropriate.

## **Keep the following things in mind:**

- Different structures are accompanied by different abilities to reduce costs and maximize profits.
- If you are looking for investors, partners, or raising share capital, it may be easier to accomplish this with a certain type of business structure.
- Taxation regulations and procedures differ according to business structure.

## **There are 3 legal structure options:**

- Sole-proprietorship
- Partnership
- Corporation

## Sole Proprietorship vs. Partnership vs. Incorporation

Type of Business Organization	Advantages	Disadvantages
<p><b>Sole Proprietorship</b> <i>Business owned by one person, called a "proprietor."</i></p>	<ul style="list-style-type: none"> <li>Low start-up costs</li> <li>Owner has direct control</li> <li>All profits go to owner</li> <li>Less regulations than other forms of business</li> <li>Minimal requirements for working capital</li> <li>Tax advantages for the small business owner (losses can be applied against other income of proprietor)</li> </ul>	<ul style="list-style-type: none"> <li>Owner assumes all risk of business; responsible for payment of all business debt</li> <li>Difficult to raise capital</li> <li>Lack of continuity (ownership not transferable)</li> <li>Possible tax disadvantages (profits must be added to personal income)</li> </ul>
<p><b>Partnership</b> <i>Business owned by two or more individuals or corporations.</i></p>	<ul style="list-style-type: none"> <li>Low start-up costs</li> <li>Ease of formation</li> <li>Broader management base</li> <li>Limited outside regulation</li> <li>Partners provide sources of additional capital and skills</li> <li>Possible tax advantage</li> </ul>	<ul style="list-style-type: none"> <li>Partners assume personal liability for debts of business</li> <li>Difficulty in raising additional capital</li> <li>Divided authority</li> <li>Difficulty in finding suitable partners</li> <li>Partners can legally bind each other without prior approval</li> <li>Lack of continuity</li> <li>More complex record keeping and tax returns</li> </ul>
<p><b>Corporation</b> <i>A separate legal entity which can enter into contracts and own property, separately and distinctly from its owners who are the shareholders.</i></p>	<ul style="list-style-type: none"> <li>Limited liability (generally limited to individual's personal investment in the business)</li> <li>Continuous existence (ownership transferable)</li> <li>Legal entity</li> <li>Easier to raise capital (i.e. money for the business can be raised by selling shares)</li> <li>Specialized management</li> <li>Possible tax advantages</li> </ul>	<ul style="list-style-type: none"> <li>Most expensive and complicated form of business to organize</li> <li>Closely regulated</li> <li>Charter restrictions</li> <li>Extensive record keeping and complex taxation</li> <li>Shareholders may be held legally responsible in certain circumstances</li> </ul>



# STRUCTURE DESCRIPTION

## SOLE PROPRIETORSHIP

A sole proprietorship is a single unincorporated business owner. This form of business organization is the most simple and common for self-employed people. As a sole proprietor you assume complete responsibility/ liability for your business. Any income generated and expenses incurred are claimed through personal income taxes each year.

## PARTNERSHIP

General Partnership	Limited Partnership
<p>A General partnership is the ownership structure involving two or more individuals, corporations, trusts, or partnerships joining together to carry on the business as one. As a partnership, each partner assumes unlimited liability for the debts and liabilities of that partnership. The partnership is bound by the actions of any member, as long as the actions are within the usual scope of the operations.</p>	<p>In a limited partnership, the partners are liable only to the extent of the capital they have contributed. There must be at least one managing partner, and that one partner has unlimited liability. The limited partner will become a general partner if they take on ANY part of the management in the partnership.</p> <p>Typically, only accountants and lawyers are able to open LLPs in Ontario.</p> <p>Refer to the Limited Liability Partnership Act for the rights, powers, and obligations of the limited partner. A paper or electronic copy can be found at:</p> <p><b>Ontario Government Bookstore</b> 880 Bay St. Toronto, ON M7A 1N8 <a href="http://www.e-laws.gov.on.ca">www.e-laws.gov.on.ca</a> 1-416-326-1234 or toll free 1-800-267-8097</p>

## **Preparing a Partnership Agreement**

A Partnership Agreement is a voluntary contract between two or more persons to enter into a business relationship between or among one another with the intention of carrying out the said business and sharing its profits/losses among themselves as agreed to in the document.

The parties to the agreement are referred to as Partners. The Partners agree to put all their capital, labor and skills towards achieving maximum gains from the venture. A Partnership Agreement will also spell out the manner in which it may be dissolved and must be signed and followed by each of the Partners.

If you are considering forming a partnership, a partnership agreement will identify the terms and conditions for all parties involved.

## **CORPORATION**

A corporation is the legal structure which creates a business as a completely separate legal entity from its directors/owners. With time a corporation offers little liability of the owners, since the entity can enter into contracts separately and distinctly from the directors/owners.

It is important to note:

- If the owner personally guarantees a contract, then that owner is taking on liability.
- If the owner personally does something that affects the business, they will be held responsible/liable.
- If the owner files the incorporation papers themselves, if there are any mistakes or missing clauses, they would become personally liable once again.

### **Note:**

*This is a guideline about how to incorporate a business on your own. **Depending on the complexity of your business situation, you may wish to contract the services of a lawyer.***

## Provincial Corporations Vs. Federal Corporations

If you're thinking of incorporating your business, you will need to decide whether you should incorporate federally (under the Canada Business Corporations Act) or provincially (in Ontario under the Ontario Business Corporations Act).

The following table explains the pros and cons of provincial and federal incorporation.

Type of Corporation	Advantages	Disadvantages
<p><b>Provincial Corporation</b></p>	<ul style="list-style-type: none"> <li>• Name selection is self-policing</li> <li>• Name only needs to be available under Ontario laws</li> <li>• Faster incorporation turnaround time (real time available)</li> <li>• No government fee for Form 1 filings under the Corporations Information Act (Initial Return, Notice of Change, and Annual Return)</li> </ul>	<ul style="list-style-type: none"> <li>• Higher government incorporation fee</li> <li>• May be difficult to use corporate name when expanding into other provinces</li> </ul>
<p><b>Federal Corporation</b></p>	<ul style="list-style-type: none"> <li>• Name decision by government examiners based on availability across Canada</li> <li>• Enhanced name protection</li> <li>• Increased global recognition of federal charter</li> <li>• Ability to operate in every province</li> <li>• Lower government incorporation fee</li> <li>• Filing Articles of Incorporation and other required documents online is accessible and convenient</li> <li>• Location flexibility</li> <li>• High quality clientele service</li> <li>• Resources for small businesses</li> </ul>	<ul style="list-style-type: none"> <li>• Finding an available name is more difficult</li> <li>• Name decision made by government examiners</li> <li>• Longer processing time (1-2 days)</li> <li>• Government fees associated with annual filings</li> </ul>

## CLAIMING YOUR INCOME

### Claiming your *business income* (Sole-proprietorship and partnership)

For details on how to claim your income on your personal income taxes visit the Canada Revenue agency website to obtain the guide:

**Guide: T4002 – Business and Professional Income**

[www.cra-arc.gc.ca/E/pub/tg/t4002/README.html](http://www.cra-arc.gc.ca/E/pub/tg/t4002/README.html)

### Claiming your *corporation's* income

For details on how to file corporate taxes, visit the Canada Revenue agency website to obtain the guide:

**Guide: T4012 – T2 Corporation Income Tax Guide**

[www.cra-arc.gc.ca/E/pub/tg/t4012/README.html](http://www.cra-arc.gc.ca/E/pub/tg/t4012/README.html)

## REGISTERING YOUR BUSINESS

### The Business Name

If the business will operate in your given name, you are not required to register the business. If you attach any word to your given name, you are required to register under the Business Names Act.

Bill Gates -**Does Not Need to Register**

Bill Gates Computers -**Needs to Register**

## Master Business License (Sole Proprietor / Partnership)

This license is required for all businesses operating in Ontario under a trade/business name. The license allows the business to **advertise the name and to open a business bank account**. Financial institutions require proof of registration to open a business account. The Master Business License will provide them with the business identification number (9 digit ID number).

**Note:**

The registration of the business name does not grant you exclusive use of the name. In other words, Service Ontario and the Province of Ontario are not required to inform you of a business name that has already been registered.

In order to legally protect your business name, you would have to register a trademark/trade name or incorporate that name in the area you wish to be protected. If you would like more information on protecting your business name, contact Service Ontario.

## Master Business License (Corporation)

This license is required for all Corporations operating in Ontario using an **“OPERATING AS” Trade Name**. (i.e.: Microsoft Inc. “operating as” Bob’s Computer Repair OR 123456 Ontario Ltd. “operating as” Bob’s Computer Repair).

The license allows the business to **advertise the name and to open a business bank account**. Financial institutions require proof of registration to open a business account. The Master Business License will provide them with the business identification number (9 digit ID number).

## Choosing a Corporate Name or Numbered Company

<b>Corporate Name</b> (i.e.: Microsoft Inc.)	<b>Number Company</b> (i.e.: 123456 Ontario Ltd.)
By incorporating a business name you obtain legal ownership.  <b>Note:</b> <i>A Master Business License is not required when incorporating a specific name.</i>	If you register as a numbered company and you wish to use an ‘operating as’ name, you <u>must register</u> that name under the corporation with Service Ontario. This is called the Master Business License.

## Where to Register

When you are ready to register your business name or your **“OPERATING AS” Trade Name**, please visit Service Ontario for your **online registration**. There is a fee of **\$60.00** (renewable every five years). The online registration also enables you to register for Employer Health Tax and Workplace Safety and Insurance.

The business name that you have chosen can be searched before registering your business. The search is conducted in Ontario and searches for that exact business name only.

**The fee is \$8.00 per search.**

**There are three ways you can register:**

<b>In Person</b> Free, self-service public computer	<b>Service Ontario</b> 280 Armstrong Street North New Liskeard, ON P0J 1P0 (Cash, Cheque, Debit, Credit Card)	<b>Service Ontario</b> 10 Government Road East Kirkland Lake, ON P2N 1A2 (Cash, Cheque, Debit, Credit Card)
<b>Online</b>	<b>Service Ontario</b>  <a href="http://www.ontario.ca/page/business-and-economy">www.ontario.ca/page/business-and-economy</a> (Credit Card Only)	
<b>Personal Assistance</b> (in person at an SBEC)	<b>Enterprise Temiskaming</b> Temiskaming Shores or Kirkland Lake  <b>By Appointment Only</b> 705-672-5155 or 1(800) 361-2281 <a href="http://www.enterprisetemiskaming.ca">www.enterprisetemiskaming.ca</a> (Credit Card Only)	

## MUNICIPAL BUSINESS LICENSES

Each municipality has set by-laws with respect to business licenses, zoning and business taxes. Keep in mind that every municipality is different, therefore, if you will be working in multiple communities, ensure that you review the requirements with each one.

Please refer to page 26 for municipal contacts.

## **MUNICIPAL ZONING REGULATIONS**

The three main categories of zones are residential, commercial, and industrial. Zoning by-laws include: type of activity, size of building, parking, number of employees, amount of traffic, and size of signs. If the location you have chosen must be re-zoned, issues, such as time and cost, may be important factors.

Please refer to page 26 for municipal contacts.

## **HARMONIZED SALES TAX (HST)**

The HST is composed of the 5% federal tax (GST) and the 8% provincial tax (PST) for a combined total amount of 13% (HST).

**HST follows the same general rules as GST with a few differences.**

Every person/business engaged in a commercial activity with *worldwide revenues greater than \$30,000 within 12 consecutive months* is required to register and charge the HST. If your gross worldwide revenues are less than \$30,000, you are not required to register and therefore, do not charge this tax to your customers. However, you may voluntarily request to have HST even if you are under \$30,000.

**There is no fee for this registration.**

**NOTE:** *If you are already registered for GST, your business will automatically be registered for HST.*

To register and/or obtain more information, contact:  
Canada Revenue Agency  
1 (800) 959-5525  
[www.cra-arc.gc.ca/tx/bsnss/tpcs/gst-tps](http://www.cra-arc.gc.ca/tx/bsnss/tpcs/gst-tps)

### **FYI - Before you register you need:**

- Social Insurance Number (Sole-proprietor) (ALL partners in a partnership)
- Article of Incorporation (Corporation)
- Business structure
- Name and Location of the business
- Business activity
- Contact person/ representative (name and address)
- Sales estimate for year/ reporting period
- Fiscal year end (generally Dec 31 - normally only corporations can choose different fiscal year ends)
- Effective date

## **BUSINESS INSURANCE**

Insurance coverage at some level is required by most businesses and is usually necessary as a condition of a loan from a financial institution. As a sole proprietor, having sufficient insurance coverage is especially important because you are personally liable for all debts. For those of you that are starting a home-based business, your existing homeowner's policy does not automatically cover business assets and operations. The latter also holds true for vehicle insurance policies.

There are several types of commercial insurance to consider for your business, some of which include:

- liability insurance
- home insurance
- vehicle insurance
- disability insurance
- property insurance
- errors and omissions insurance
- business interruption insurance

Contact an insurance broker to discuss your specific business insurance needs.

## **ACCESSIBILITY STANDARD FOR CUSTOMER SERVICE**

Accessibility is the law in Ontario. Accessible customer service is not about installing ramps or automatic door openers. It's about making small changes to your customer service to address the needs of people with disabilities.

The Accessibility Standard for Customer Service applies to all organizations (public, private and non-profit) that provide goods or services either directly to the public or to other organizations in Ontario and that have one or more employees in Ontario. What you need to do depends on how many employees you have.

To find out what you need to do to comply with the customer service standard, contact:

Ministry of Community and Social Services  
1-866-515-2025

[www.mcsc.gov.on.ca/en/mcss/programs/accessibility/index.aspx](http://www.mcsc.gov.on.ca/en/mcss/programs/accessibility/index.aspx)



## **WSIB: MANDATORY COVERAGE IN THE CONSTRUCTION INDUSTRY**

Under new legislation, independent operators, sole proprietors, some partners in a partnership and some executive officers in a corporation carrying on a business in construction are required to have WSIB coverage starting January 1, 2013 (some exceptions apply).

To register and/or obtain more information, contact:

### **The Workplace Safety and Insurance Board**

Mailing address:

200 Front Street West  
Toronto, Ontario M5V 3J1

Telephone: 416-344-1000

Toll free: 1(800) 387-0750

*(Select Option "3" to Connect with the Employer Service Center)*

TTY: 1 (800) 387-0050

Fax: 416-344-4684 or 1 (888) 313-7373

[www.wsib.on.ca](http://www.wsib.on.ca)

# HIRING EMPLOYEES

Employees are the lifeblood of your business, and it is important to know your obligations and opportunities when it comes to hiring people. This guide will help you familiarize yourself with employer regulations in Ontario and the resources that are available for employers.

## EMPLOYEE OR SELF-EMPLOYED INDIVIDUAL

It is important to determine whether a worker is an **employee** or a **self-employed individual**. Employment status directly affects a person's entitlement to Employment Insurance (EI) benefits under the *Employment Insurance Act*. It can also have an impact on how a worker is treated under other legislation such as the *Canada Pension Plan*, and the *Income Tax Act*.

The facts of the working relationship as a whole determine the employment status.

If the worker is an **employee** (employer-employee relationship), the payer is considered an employer. Employers are responsible for deducting Canada Pension Plan (CPP) contributions, Employment Insurance (EI) premiums, and income tax from remuneration or other amounts they pay to their employees. They have to remit these deductions along with their share of CPP contributions and EI premiums, to the Canada Revenue Agency.

An employer who fails to deduct the required CPP contributions and EI premiums has to pay both the employer's share and the employee's share of any contributions and premiums owing, plus penalties and interest. For more information, go to Payroll.

\*NOTE: Service Ontario may provide you a Canada Revenue agency guide or you can view the guide online: [www.cra-arc.gc.ca](http://www.cra-arc.gc.ca). Search Bar: RC4110

## PAYROLL DEDUCTIONS (SOURCE DEDUCTIONS)

As an employer, you have the responsibility of making certain deductions on behalf of your employees. The federal deductions consist of Employment Insurance Premium (EI), Canada Pension Plan Contributions (CPP) and Personal Income Tax (T4s). There is no fee for this registration.

## **Income Tax**

As an employer, you are responsible for deducting income tax from the remuneration or other income you pay. There is no age limit for deducting income tax and there is no employer contribution required.

[www.cra-arc.gc.ca/tx/bsnss/tpcs/pyrll/clcltng/ncmtx/menu-eng.html](http://www.cra-arc.gc.ca/tx/bsnss/tpcs/pyrll/clcltng/ncmtx/menu-eng.html)

*\*Note: As the employer you will need to provide the federal and provincial **TD1 Form** for employees to fill in order to determine how much income tax to deduct from their pay.*  
[www.cra-arc.gc.ca](http://www.cra-arc.gc.ca). Search Bar: TD1 Form

## **Canada Pension Plan (CPP)**

Employer must match dollar for dollar

[www.cra-arc.gc.ca/tx/bsnss/tpcs/pyrll/clcltng/cpp-rpc/menu-eng.html](http://www.cra-arc.gc.ca/tx/bsnss/tpcs/pyrll/clcltng/cpp-rpc/menu-eng.html)

## **Employment Insurance (EI)**

Employer must provide 1.4 times each dollar deducted from the employee

[www.cra-arc.gc.ca/tx/bsnss/tpcs/pyrll/clcltng/ei/menu-eng.html](http://www.cra-arc.gc.ca/tx/bsnss/tpcs/pyrll/clcltng/ei/menu-eng.html).

Self-employed Canadians are now able to access Employment Insurance (EI) special benefits. There are four types of EI special benefits:

- Maternity benefits;
- Parental benefits;
- Sickness benefits; and
- Compassionate care benefits.

To register and/or obtain more information, contact:

Canada Revenue Agency

1-800-959-5525

[www.cra-arc.gc.ca/tx/bsnss/tpcs/pyrll](http://www.cra-arc.gc.ca/tx/bsnss/tpcs/pyrll)

## **ONTARIO'S WORKPLACE SAFETY AND INSURANCE BOARD**

(Formerly Worker's Compensation)

The Workplace Safety and Insurance Act covers most industries. Employers are required to pay into this fund through assessment, coverage, accident reporting requirements and appeal procedures. You are required to contact the Workplace Safety and Insurance Board ***within 10 calendar days of hiring an employee***. To ensure that workers are aware of their rights, employers are required, by law, to post the following document:

**1) In Case of Injury – 1234** : Under a regulation of the Workplace Safety and Insurance Act (WSIA), employers are required to prominently display the poster entitled "In Case of Injury-- 1234" in their workplace. This poster is provided free of charge to employers directly by the WSIB. Employers can get the poster by calling the WSIB or by downloading it online at:

[www.wsib.on.ca/en/community/WSIB/230/ArticleDetail/24338?vgnextoid=cafee35c819d7210VgnVCM100000449c710aRCRD](http://www.wsib.on.ca/en/community/WSIB/230/ArticleDetail/24338?vgnextoid=cafee35c819d7210VgnVCM100000449c710aRCRD)

*\*Note: As an owner, you do have the option to apply for personal coverage under the Workplace Safety and Insurance Act, but it is not required as it is for all employees.*

### **The benefits of registration include:**

- Help in returning your injured employees to the job
- Insurance benefits to cover lost earnings as a result of injury
- No-fault insurance
- Prevention and training programs
- Protection from law suits

Refer to page 14 for WSIB contact information.

## **WORKPLACE HEALTH AND SAFETY**

As an employer in Ontario, you have a number of obligations, including a duty to instruct, inform and supervise your workers to protect their health and safety. Please note that the law has changed, and since January 1, 2013 everyone working in the Ontario construction industry MUST have workplace safety and insurance coverage from the WSIB.

Having a WSIB clearance number is now MANDATORY for construction contractors to work. The clearance number proves that a business/contractor is registered with the WSIB and that their account is in good standing. Failure to have a valid clearance number before construction begins means both the principal and the contractor will face penalties and significant fines, starting in 2014.

You can request a clearance number online or with your mobile device using our eClearance service 24/7, at [www.wsib.on.ca](http://www.wsib.on.ca).

To ensure that workers are aware of their rights, employers are required, by law, to post the following documents:

**1) Health & Safety at Work: Prevention Starts Here:** The most recent version of the "Health & Safety at Work: Prevention Starts Here" poster must be posted in the workplace where it is likely that employees will see them. They are available in multiple languages and can be downloaded for free at [www.labour.gov.on.ca/english/hs/pubs/poster\\_prevention.php](http://www.labour.gov.on.ca/english/hs/pubs/poster_prevention.php). It can be printed in colour or black and white on letter-size (8 1/2" x 11") paper.

**2) Occupational Health and Safety Act:** Under the Occupational Health and Safety Act (OHSA), Employers are required to post a copy of the Occupational Health and Safety Act in their workplaces. The act is available online for free at: [www.ontario.ca/laws/statute/90o01](http://www.ontario.ca/laws/statute/90o01).

**3) Occupational Health and Safety Policy:** The OHSA also requires employers to prepare and review, at least once a year, a written occupational health and safety policy, and to develop and maintain a program to implement that policy. The policy must be posted in the workplace. For information on how to prepare a health and safety policy, visit: [www.labour.gov.on.ca/english/hs/pubs/ohsa/ohsag\\_appx\\_a.php](http://www.labour.gov.on.ca/english/hs/pubs/ohsa/ohsag_appx_a.php).

**4) Workplace Violence and Workplace Harassment Policy:** The OHSA also requires employers to prepare and review, at least once a year, workplace violence and workplace harassment policies, and to develop and maintain programs to implement those policies. These policies must be in writing and posted in the workplace except for workplaces with five or fewer regularly employed workers, unless ordered by an inspector. Learn more about workplace violence and workplace harassment by visiting:  
[www.labour.gov.on.ca/english/hs/topics/workplaceviolence.php](http://www.labour.gov.on.ca/english/hs/topics/workplaceviolence.php).

**Read Online Guides:**

Occupational Health and Safety Act [www.labour.gov.on.ca/english/hs/pubs/ohsa/index.php](http://www.labour.gov.on.ca/english/hs/pubs/ohsa/index.php)

## **ONTARIO'S EMPLOYMENT STANDARDS**

The Ministry of Labour, through the Employment Standards Program, will provide you with information regarding the terms and conditions of employment. Vacation, minimum wage, working conditions and statutory holidays are examples of the terms and conditions.

To ensure that workers are aware of their rights, employers are required, by law, to post the following document:

**1) What You Should Know About the Ontario Employment Standards Act:** The most recent version of the Ministry of Labour's "What You Should Know About the Ontario Employment Standards Act" poster must be posted in the workplace where it is likely that employees will see it. They are available in multiple languages and can be downloaded for free at [www.ontario.ca/ESAposter](http://www.ontario.ca/ESAposter). It can be printed in colour or black and white on legal-size (8 1/2" x 14") paper.

***\*Note: There is no registration. The Ministry of Labour can provide resources and information on Employment Standards.***

To obtain more information, contact:

200 First Avenue West, Unit 204  
North Bay, ON P1B 3B9

Tel: 705-497-5234 or 1(877) 717-0778  
1 (800) 531-5551 (Canada-wide)  
Fax: 705-497-6850

[www.labour.gov.on.ca/english/es](http://www.labour.gov.on.ca/english/es)

**ONTARIO'S EMPLOYER HEALTH TAX (EHT); if applicable**

The Employer Health Tax is a payroll tax that applies to all employers in Ontario. Employer Health Tax payments are made monthly, quarterly or annually based on the size of the payroll. As of January 1, 2014, the first \$450,000 of the payroll is exempt from Employer Health Tax.

To register and/or obtain further information, contact:

Employer Health Tax  
1 (800) 465-6699  
[www.rev.gov.on.ca/en/tax/eh](http://www.rev.gov.on.ca/en/tax/eh)

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# INDUSTRY SPECIFIC CONTACTS

## **Alcohol and Gaming Commission of Ontario**

1 (800) 522-2876

[www.agco.on.ca](http://www.agco.on.ca)

## **Apprenticeship training**

Ministry of Advanced Education and Skills Development

159 Cedar St, Ste 506

Sudbury, ON P3E 6A5

(705) 564-3030 1 (800) 603-5999

[www.edu.gov.on.ca/eng/tcu/](http://www.edu.gov.on.ca/eng/tcu/)

## **Bonding**

Insurance Bureau of Canada

777 Bay Street, Suite 2400

Toronto, Ontario M5G 2C8

(416) 362-2031 or toll free 1-844-227-5422

[www.ibc.ca](http://www.ibc.ca)

## **Businesses causing any type of emission (including light or sound emissions), producing wastes (storage and disposal), etc.**

Ministry of Environment

Sudbury District Office

199 Larch St. - Suite 1201

Sudbury ON P3E 5P9

(705) 564-3237 1 (800) 890-8516

[www.ene.gov.on.ca](http://www.ene.gov.on.ca)

## **Canadian Innovation Centre**

Waterloo Research & Technology Park

Accelerator (Accelerator Centre)

295 Hagey Blvd, Suite 15

Waterloo, ON N2L 6R5

(519) 885-5870

[www.innovationcentre.ca](http://www.innovationcentre.ca)

## **Construction Business (houses)**

Tarion Warranty Corporation

(705) 560-7100 1877-9TARION

[www.tarion.com](http://www.tarion.com)



**Health Canada - Cosmetics**

Health Canada Product Safety Officer  
2301 Midland Avenue  
Toronto, Ontario M1P 4R7  
1 (866) 662-0666  
[www.hc-sc.gc.ca](http://www.hc-sc.gc.ca)

**Employment Records**

Service Canada  
Toll-Free (Bil): 1 (800) 622-6232  
TTY Toll-Free (Bil): 1 (800) 926-9105  
[www.servicecanada.gc.ca](http://www.servicecanada.gc.ca)

**Environmental Protection Act / Certificate of Approval**

When a company or individual emits or has the potential to emit any contaminant into the natural environment  
Charlotte Morden, Environment and Health and Safety Intern, NORCAT  
(705) 521-8324 x 203  
[cmorden@norcat.org](mailto:cmorden@norcat.org)

**Export Development Canada**

150 Slater Street  
Ottawa, ON K1A 1K3  
1 (800) 229-0575  
[www.edc.ca](http://www.edc.ca)

**Food Premises, Food & Drug Act and regulations, Septic Tank Installations, etc.**

Timiskaming Health Unit  
247 Whitewood Avenue, Unit 43  
PO Box 1090, New Liskeard, ON P0J 1P0  
705-647-4305 tel. 866-747-4305  
705-647-5779 fax  
[www.timiskaminghu.com](http://www.timiskaminghu.com)

**Health and Safety Standards-Consumer Packaging and Labelling Act**

Competition Bureau of Canada  
Phase 1, Place du Portage  
50 Victoria Street  
Gatineau, Quebec K1A 0C9  
1 (800) 348-5358  
[www.competitionbureau.gc.ca](http://www.competitionbureau.gc.ca)

**Import/Export Business**

(Duties, tariffs, quotas and/or importer's number)

Canada Border Services Agency

1050 Notre Dame Ave

Sudbury ON P3A 5C2

(705) 669-2187 1(800) 267-8376

[www.cbsa-asfc.gc.ca](http://www.cbsa-asfc.gc.ca)

**Intellectual Property**

(Patents, Trademarks, Copyrights, Industrial Design)

Canadian Intellectual Property Office

Place du Portage 1

50 Victoria Street, Room C - 114

Gatineau, Quebec K1A 0C9

1(866) 997-1936

[www.cipo.ic.gc.ca](http://www.cipo.ic.gc.ca)

**Labelling**

Food Labelling, Food and Drug Allergy Regulations

Canadian Food Inspection Agency Regional Director, North East Ontario

National Headquarters

1400 Merivale Road

Ottawa, Ontario K1A 0X9

1 (800) 442-2342

[www.inspection.gc.ca](http://www.inspection.gc.ca)

**Motor vehicle dealers and salespersons registration**

Ontario Motor Vehicle Industry Council (OMVIC)

65 Overlea Blvd, Suite 300

Toronto, Ontario M4H 1P1

1 (800) 943-6002

[www.omvic.on.ca](http://www.omvic.on.ca)

**Pesticide License**

1 (800) 461-6290

**Private Schools, Educational Facility, Trade Certification, Estheticians/ Beauticians**

[www.edu.gov.on.ca/eng/tcu/](http://www.edu.gov.on.ca/eng/tcu/)

**Registration under the Consumer Protection Act, Incorporations.**

Timiskaming Land Registry Office

375 Main Street, P.O. Box 159

Haileybury, ON P0J 1K0

(705) 672-3332

## **Security Guard, Private Investigator, Security Alarm Monitoring Station**

Ministry of Community Safety and Correctional Services

18<sup>th</sup> Floor, 25 Grosvenor Street

Toronto, Ontario M7A 1Y6

(416) 326-5000 or toll free 1-866-517-0571

[www.mcscs.jus.gov.on.ca](http://www.mcscs.jus.gov.on.ca)

## **SOCAN**

### **Society of Composers, Authors and Music Publishers of Canada**

Licensing: businesses requiring SOCAN licences

Current licensees: 1 (866) 944-6226

New licensees: 1 (866) 944-6223

[licence@socan.ca](mailto:licence@socan.ca)

[www.socan.ca](http://www.socan.ca)

## **Taxi/Limousine Service**

Ministry of Transportation

1 (800) 387-7736

[www.mto.gov.on.ca](http://www.mto.gov.on.ca)

## **Technical Standard & Safety Authority (TSSA)**

1 (877) 682-TSSA

customerservices@tssa.org

[www.tssa.org](http://www.tssa.org)

## **Tourist Establishments**

Ministry of Tourism, Culture and Sport

(416) 326-9326

[www.mtc.gov.on.ca/en/home.shtml](http://www.mtc.gov.on.ca/en/home.shtml)

## **Travel Industry Council of Ontario**

1 (888) 451-8426

[www.tico.on.ca](http://www.tico.on.ca)

## **Translation and Interpretation**

Association of Translators and Interpreters of Ontario

(613) 241-2846

[www.atio.on.ca](http://www.atio.on.ca)

## **Video Rental/Sales- Film Exchange license**

Ministry of Government Services

1 (800) 268-6024

[www.ofrb.gov.on.ca](http://www.ofrb.gov.on.ca)

***For more information on industry  
specific guides, please visit***

Canada Business Ontario

[www.cbo-eco.ca](http://www.cbo-eco.ca)

1 (888) 576-4444

# USEFUL INTERNET SITES

## General Information

Enterprise Temiskaming

[www.enterprisetemiskaming.ca](http://www.enterprisetemiskaming.ca)

Canada Business Network

[www.canadabusiness.ca](http://www.canadabusiness.ca)

## Market Research

Canada 411 Directory

[www.canada411.ca](http://www.canada411.ca)

CHMC- Canada Mortgage and Housing Corporation

[www.cmhc-schl.gc.ca](http://www.cmhc-schl.gc.ca)

Esource Suppliers Directory

[www.esourcecanada.com](http://www.esourcecanada.com)

Innovation, Science and Economic Development Canada

[www.ic.gc.ca](http://www.ic.gc.ca)

Innovation, Science and Economic Development Canada  
search "SME Benchmarking Tool"

[www.strategis.ic.gc.ca](http://www.strategis.ic.gc.ca)

Labour Market Information

[www.labourmarketinformation.ca](http://www.labourmarketinformation.ca)

Statistics Canada

[www.statcan.gc.ca](http://www.statcan.gc.ca)

## Others

### *Provincial:*

Ministry of Economic Development, Employment & Infrastructure

[www.ontario.ca](http://www.ontario.ca)

Ministry of Finance

[www.fin.gov.on.ca](http://www.fin.gov.on.ca)

Northern Ontario Heritage Fund Corporation

[www.nohfc.com](http://www.nohfc.com)

E-laws

[www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca)

### *Federal:*

Service Canada

[www.canada.gc.ca](http://www.canada.gc.ca)

Canada Revenue Agency (GST, payroll, etc.)

[www.cra-arc.gc.ca](http://www.cra-arc.gc.ca)

Canadian Intellectual Property Office (patents, trademarks, etc.)

[www.cipo.ic.gc.ca](http://www.cipo.ic.gc.ca)

Canadian Border Services Agency (Import, Export)

[www.cbsa.gc.ca](http://www.cbsa.gc.ca)

Innovation, Science and Economic Development Canada

[www.ic.gc.ca](http://www.ic.gc.ca)

FedNor- Industry Canada

[www.fednor.ic.gc.ca](http://www.fednor.ic.gc.ca)

# MUNICIPAL CONTACTS

## CITIES AND TOWNS

### ***City of Temiskaming Shores:***

City Hall (all inquiries) 705-672-3363  
Health Regulations & Inspections: Health Unit 705-647-4305

***Town of Cobalt:*** 705-679-8877

***Town of Englehart:*** 705-544-2244

### ***Town of Kirkland Lake:***

Licensing & General Municipal Information: Town Clerk 705-567-9361  
Zoning Information: Building Inspector 705-567-9365  
Home & Commercial Tax Information:  
    Regional Assessment Office (MPAC) 800-461-9931  
    Tax Collector 705-567-9361  
Health Regulations & Inspections: Health Inspector 705-567-9355  
Fire Regulations & Inspections: Business Calls 705-567-3400  
Economic Development & Tourism:  
    Director of Economic Development 705-567-9361  
Kirkland Lake Board of Education 705-567-3271  
Northeastern Catholic District School Board 705-567-3327

***Town of Latchford:*** 705-676-2416

## TOWNSHIPS, MUNICIPALITIES, AND VILLAGES

***Municipality of Charlton and Dack:*** 705-544-7525

***Township of Armstrong (Earlton):*** 705-563-2375

***Township of Brethour:*** 705-647-1712

***Townships of Casey, Harley, Hudson, and Kerns*** 705-647-5439

***Township of Chamberlain (Chamberlain, Krugerdorf, Wabewawa):*** 705-544-8088

***Township of Coleman:*** 705-679-8833

***Township of Evanturel (Heaslip):*** 705-544-8200

***Township of Gauthier (Dobie):*** 705-568-8951

***Township of Harris (Sutton Bay):*** 705-647-5094

<b>Township of Hilliard</b> ( <i>Hilliardton, Couttsville, Whitewood Grove</i> ):	705-563-2593
<b>Township of James</b> ( <i>Elk Lake</i> ):	705-678-2237
<b>Township of Larder Lake</b> :	705-634-2478
<b>Township of Matachewan</b> :	705-565-2274
<b>Township of McGarry</b> ( <i>Viginatown, Kearns</i> ):	705-634-2145
<b>Village of Thornloe</b> :	705-563-2593

# COMPLETING CORPORATION PROCESSES

Provincial Corporation	Federal Corporation
<p><b>The following must be completed:</b></p> <ol style="list-style-type: none"> <li>Articles of incorporation (Form 1) in duplicate. Forms are available online: <a href="http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?openform&amp;ENV=WE&amp;NO=007-07116">www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?openform&amp;ENV=WE&amp;NO=007-07116</a>) or from a lawyer.</li> <li>An original copy of a NUANS Name Search Report. This report reserves the name for a 90-day period. You can complete the NUANS name search either by telephone or electronically. A NUANS is not required if incorporating a numbered company.</li> </ol> <p><b>Complete the <u>provincial</u> Name Search:</b></p> <p style="text-align: center;">By Phone:  <b>ESC Corporate Services Ltd.</b>            1 (800) 668-8208  <a href="http://www.eservicecorp.ca">www.eservicecorp.ca</a></p> <p style="text-align: center;">Or Online:  <b>Carswell Legal Solutions</b>  <a href="http://www.carswelllegalsolutions.com/name-searching/">www.carswelllegalsolutions.com/name-searching/</a></p> <p style="text-align: center;"><b>OnCorp Direct</b>  <a href="http://www.oncorp.com">www.oncorp.com</a></p> <ol style="list-style-type: none"> <li>Covering letter with contact information (Name, Return Address and Telephone Number). If a future date of incorporation (up to 30 days ahead) is required it must be set out in the covering letter.</li> <li>A cheque of \$360 made payable to the Minister of Finance for filing in person, by e-mail, by fax, or by mail. You can file online through a licensed provider where cost will vary.</li> </ol>	<p><b>The following must be completed:</b></p> <ol style="list-style-type: none"> <li>Articles of incorporation (Form 1) in duplicate. Forms are available from a lawyer or online: <a href="http://www.ic.gc.ca/eic/site/cd-dgc.nsf/vwapj/FRM-1-e.pdf/\$file/FRM-1-e.pdf">www.ic.gc.ca/eic/site/cd-dgc.nsf/vwapj/FRM-1-e.pdf/\$file/FRM-1-e.pdf</a></li> <li>Complete Initial Registered Office Address and First Board of Directors (Form 2). Available online at: <a href="http://www.ic.gc.ca/eic/site/cd-dgc.nsf/vwapj/FRM-2-e.pdf/\$file/FRM-2-e.pdf">www.ic.gc.ca/eic/site/cd-dgc.nsf/vwapj/FRM-2-e.pdf/\$file/FRM-2-e.pdf</a></li> <li>An original copy of a NUANS Name Search Report. This report reserves the name for a 90-day period. You can complete the NUANS name search either by telephone or electronically. A NUANS is not required if incorporating a numbered company.</li> </ol> <p><b>Complete the <u>federal</u> NUANS Name search:</b></p> <p style="text-align: center;">Electronically:  <a href="http://www.nuans.com">www.nuans.com</a>            Cost \$20.</p> <ol style="list-style-type: none"> <li>Include information about the proposed name.  You can complete a "Corporate Name Information" Form. Available online at: <a href="http://www.ic.gc.ca/eic/site/cd-dgc.nsf/vwapj/CNIF-e.pdf/\$file/CNIF-e.pdf">www.ic.gc.ca/eic/site/cd-dgc.nsf/vwapj/CNIF-e.pdf/\$file/CNIF-e.pdf</a></li> </ol> <p><b>*For a complete list of corporation forms and instructions please visit:</b>  <a href="http://www.ic.gc.ca/eic/site/cd-dgc.nsf/eng/cs05260.html">www.ic.gc.ca/eic/site/cd-dgc.nsf/eng/cs05260.html</a></p>

FILING PROVINCIAL ARTICLES	FILING FEDERAL ARTICLES
ONLINE (costs vary)	ONLINE (fee: \$200)
<p><b>OnCorp Direct Inc.</b>  <a href="http://www.oncorp.com">www.oncorp.com</a>  Telephone: (416) 964-2677  Toll free: 1 (800) 461-7772</p> <p><b>Carswell Legal Solutions, a division of Thomson Reuters Canada Limited</b>  <a href="http://www.carswelllegalsolutions.com/">www.carswelllegalsolutions.com/</a>  Telephone: (416) 306-3070  Toll free: 1 (800) 267-0183</p> <p><b>ESC Corporate Services Ltd</b>  <a href="http://www.eservicecorp.ca">www.eservicecorp.ca</a>  Telephone: (416) 595-7177  Toll free: 1 (800) 668-8208</p>	<p><b>Corporations Canada</b>  <a href="http://www.corporations.ic.gc.ca">www.corporations.ic.gc.ca</a></p>
MAIL (fee: \$360)	MAIL OR IN PERSON (fee: \$250)
<p><b>Companies and Personal Property Security Branch</b>  Ministry of Government Services  393 University Ave., Suite 200,  Toronto ON M5G 2M2  Articles (in duplicate, original Ontario based NUANS name search report (if applicable), covering letter</p>	<p><b>The Director, Canada Business Corporations Act</b>  Jean Edmonds Tower, South  9<sup>th</sup> Floor, 365 Laurier Ave. West  Ottawa Ontario K1A 0C8</p>
IN PERSON (fee: \$360)	BY FAX (fee: \$250)
<p><b>Service Ontario (closest location “in person”)</b>  199 Larch Street, Suite 300  Sudbury, ON P3E 5P9  (Cash, Cheque, Debit, Credit Card)</p>	<p>1 (877) 568-9922</p>
<p>Online purchases: can be made using a Credit Card.</p> <p>Mail: Certified cheque, money order or personal cheque payable to the Minister of Finance.</p> <p>In person: Cash, Debit, Credit Card or Cheques (payable to Minister of Finance)</p>	<p>Fees can be paid by cheque, MasterCard, and Visa. Cheques are payable to the Receiver General for Canada and can be sent to:</p> <p>The Director, Canada Business Corporations Act  Jean Edmonds Tower, South  9<sup>th</sup> Floor, 365 Laurier Ave. West  Ottawa Ontario K1A 0C8</p>



# SOLE PROPRIETORSHIP OR PARTNERSHIP CHECKLIST

- Choosing your Legal Structure**
- Choosing a Sole Proprietorship or a Partnership as your legal structure**
- Developing a Partnership Agreement** (in the case of a Partnership)
- Choosing a Business Name**
- Registering your business name with Service Ontario**  
(Master Business License \$60 renewable every 5 years)
- Contacting your local Municipal Office for possible licenses and permits**
- Contacting your local Municipal Office Planning Department for zoning regulations depending on location selected.**
- Registering with industry specific agencies; *if applicable***  
(See page 21 for some contact information)
- Registering for HST with Canada Revenue Industry; *if applicable***
- Obtaining Business Insurance**
- Complying with the Accessibility Standards for Customer Service;**  
*if applicable*
- Registering for WSIB coverage; *if applicable*. It is *mandatory* in the construction industry.**
- Hiring employees**
- Useful Internet Sites** (See page 25 for some internet sites)

# CORPORATION CHECKLIST

- Choosing your Legal Structure**
- Choosing a Corporation as your legal structure**
- Choosing your legal structure: Provincial Corporation or Federal Corporation**
- Completing the registration process of Articles of Incorporation**  
(See page 44)
- Choosing a Business Name** (i.e.: Microsoft Inc.) **or Registered Number Company**  
(i.e.: 123456 Ontario Ltd.)
- Registering your business name with Service Ontario if you require an “operating as” Trade Name**  
(Master Business License \$60 renewable every 5 years)
- Contacting your local Municipal Office for possible licenses and permits**
- Contacting your local Municipal Office Planning Department for zoning regulations depending on location selected.**
- Registering with industry specific agencies; *if applicable***  
(See page 21 for some contact information)
- Registering for HST with Canada Revenue Industry; *if applicable***
- Obtaining Business Insurance**
- Complying with the Accessibility Standards for Customer Service;**  
*if applicable*
- Registering for WSIB coverage; *if applicable*. It is *mandatory* in the construction industry.**
- Hiring employees**
- Useful Internet Sites** (See page 25 for some internet sites)



# Thank you to our partners and sponsors

## Merci à nos partenaires et commanditaires

