



**The Corporation of the City of Temiskaming Shores**  
**Special Meeting of Council**  
**Tuesday, January 13, 2015**  
**6:00 P.M.**  
**City Hall Council Chambers – 325 Farr Drive**

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**Agenda**

**1. Call to Order**

**2. Roll Call**

**3. Approval of Agenda**

**a) Review of Revisions or Deletions to Agenda**

*Draft Motion*

Be it resolved that City Council approves the agenda as amended / printed.

**4. Declaration of Special Council Meeting**

*Draft Motion*

Be it resolved that the Council of the City of Temiskaming Shores declares this meeting a “Special Meeting of Council” in accordance to Section 7 of Procedural By-law No. 2008-160.

**5. Disclosure of Pecuniary Interest and General Nature**

**6. Presentations**

a) Steve Burnett, Technical and Environmental Compliance Coordinator

**Re:** Solid Waste Management program

**7. New Business**

**a) Administrative Report PW-001-2015 – Solid Waste Management**

*Draft Motion*

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-001-2015;

That Council directs staff to undertake a thirty (30) day public consultation process for Appendix 01 – Draft Solid Waste Management By-law;

That Council directs staff to prepare the necessary by-law to repeal By-law No. 2013-195 and consideration of first and second reading of the draft Solid Waste Management By-law at the January 13, 2015 Special meeting of Council; and

That Council directs staff to submit to the Ministry of Attorney General and Regional Senior Justice for approval of the short form wording and set fines prior to third reading.

**b) Administrative Report PW-002-2015 – Consultant for Municipal Energy Plan**

*Draft Motion*

Be it resolved that Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-002-2015;

That as outlined in By-law No. 2009-012, Purchasing Policies and Procedures, Section 3.5 Approval Authority, Council approves the award of the contract to VIP Energy Services for Consulting to assist with the preparation of the Municipal Energy Plan for the City of Temiskaming Shores as detailed in Request for Proposal PW-RFP-010-2014 for a total upset limit of \$63,850.00 plus applicable taxes; and

That Council directs Staff to prepare the necessary by-law and agreement for the said contract for consideration at the January 13<sup>th</sup>, 2015 Special meeting of Council.

**8. By-laws**

*Draft Motion*

Be it resolved that:

By-law No. 2015-021

Being a by-law to establish a system for the collection and disposal of garbage, recyclables and other refuse

By-law No. 2015-022

Being a by-law to enter into an agreement with VIP Energy Services for Consultation services to assist with the preparation of the Municipal Energy Plan for the City of Temiskaming Shores

be hereby introduced and given first and second reading.

*Draft Motion*

Be it resolved that By-law No. 2015-022 be given third and final reading, be signed by the Mayor and Clerk and the corporate seal affixed thereto.

**9. Adjournment**

*Draft Motion*

Be it resolved that City Council adjourns at \_\_\_\_\_ p.m.

\_\_\_\_\_  
Mayor – Carman Kidd

\_\_\_\_\_  
Clerk – David B. Treen

**Subject:** Solid Waste Management By-law

**Report No.:**

PW-001-2015

**Agenda Date:**

January 13, 2015

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## **Attachments**

**Appendix 01 – Draft Solid Waste Management By-law**

## **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-001-2015;
2. That Council directs staff to undertake a thirty (30) day public consultation process for Appendix 01 – Draft Solid Waste Management By-law;
3. That Council directs staff to prepare the necessary by-law to repeal By-law No. 2013-195 and consideration of first and second reading of the draft Solid Waste Management By-law at the January 13, 2015 Special Meeting of Council; and
4. That Council directs staff to submit to the Ministry of Attorney General and Regional Senior Justice for approval of the short form wording and set fines prior to third reading.

## **Background**

In November of 2013, staff prepared Request for Proposal PW-RFP-006-2013 for a Full Solid Waste Management Program. It was prudent that a consolidated Solid Waste By-law be adopted outlining the basis of our Solid Waste Management Program to permit firms to submit proposals that were in line with the City's needs.

At the Regular Council Meeting held on December 3<sup>rd</sup>, 2013, Council provided first and second reading to the draft Solid Waste Management By-law No. 2013-195 allowing the By-law to be added as an appendix to the above noted Request for Proposal. After the evaluation of the submissions of PW-RFP-006-2013, the Full Solid Waste Management Program was awarded to Phippen Waste Management.

Third and final reading of the By-law was not provided to allow staff the opportunity to make any modifications needed after the implementation of the Full Solid Waste Management Program which took place on September 2<sup>nd</sup>, 2014.

## **Analysis**

Since the implementation of the Full Solid Waste Management Program, changes and improvements have been made resulting in many modifications being done to the Solid Waste Management By-law.

At the recent Recycling Committee Meeting held on December 4<sup>th</sup>, 2014, the committee reviewed the modifications which resulted in the following recommendation:

*Action: Recommendation RC-2014-035*

*Moved by: Mayor Carman Kidd*

*Be it recommended that:*

*The Recycling Committee bring the revised Solid Waste Management By-law to Council for review at a Special Meeting in January of 2015.*

Therefore, because of the numerous modifications, it is recommended that Solid Waste Management By-law No. 2013-195 be repealed and first and second reading be provided to the amended draft Solid Waste Management By-law found in **Appendix 01**.

Should first and second reading be provided, the by-law would be circulated for public consultation and comments. A copy will be made available at City Hall, the two local libraries, posted on our website and advertised in our community bulletin for comment for a minimum 30 day review period.

Since the draft Solid Waste Management By-law includes short form wording and set fines for non-compliance, it would also be forwarded to the Ministry of attorney General and Regional Senior Justice for approval of the short form wording and set fines prior to third reading.

**Financial / Staffing Implications**

This item has been approved in the current budget: Yes  No  N/A

This item is within the approved budget amount: Yes  No  N/A

**Alternatives**

No alternatives are being suggested at this time.

**Submission**

Prepared by:

Reviewed and approved by:

Reviewed and submitted for Council's consideration by:

*"original signed by"*

*"original signed by"*

*"original signed by"*

\_\_\_\_\_  
 Steve Burnett  
 Technical & Environmental  
 Compliance Coordinator

\_\_\_\_\_  
 G. Douglas Walsh, CET  
 Director of Public Works

\_\_\_\_\_  
 Christopher W. Oslund  
 City Manager

**The Corporation of the City of Temiskaming Shores**

**By-law No. 2015-000**

**Being a by-law to establish a system for the collection  
and disposal of garbage, recyclables and other refuse**

**Whereas** The Corporation of the City of Temiskaming Shores (the “City”) is the owner and operator of two (2) municipal landfill sites (“Haileybury Landfill” and “New Liskeard Landfill”) located within the boundaries of the City;

**And whereas** the City is authorized to enact by-laws imposing fees or charges for services or activities provided or done by or on behalf of it pursuant to Section 391 of the Municipal Act, 2011 (S.O. 2001, c.25);

**And whereas** Council for the Corporation of The City of Temiskaming Shores deems it desirable to regulate the disposal of garbage by way of landfill bans, recycling and home composting systems;

**And whereas** Council considered Administrative Report No. PW-063-2013 at the December 3, 2013 Regular Council Meeting resulting in first and second reading of By-law No. 2013-195;

**And whereas** Council considered Administrative Report No. PW-001-2015 at the January 13, 2015 Special meeting of Council and directed staff to prepare the necessary by-law to repeal By-law No. 2013-195 and consideration of first and second reading of the draft Solid Waste Management at the January 13, 2015 Special meeting of Council;

**And whereas** Council for the Corporation of The City of Temiskaming Shores directed staff to undertake a public consultation process and submission of the by-law to the Ministry of Attorney General and Regional Senior Justice for approval of the short form wording and set fines prior to third reading;

**Now therefore** the Council of the Corporation of The City of Temiskaming Shores hereby enacts as follows:

1. That municipal Council adopts a “Solid Waste Management” Policy, a copy of which is attached hereto as Schedule “A” and forming part of this by-law; and
2. That this By-law shall become effective on the date of passing thereof; and
3. That By-law No. 94-15, as amended of the former Town of Haileybury, By-law No. 779, as amended of the former Township of Dymond and By-law No. 2807, as amended of the former Town of New Liskeard are hereby repealed;
4. That By-law No. 2013-195 is hereby repealed;
5. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-law and schedule as may be deemed necessary after the passage of this By-law.

Read a **first** and **second time** this 13<sup>th</sup> day of January, 2015.

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Mayor – Carman Kidd

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Clerk – David B. Treen

Read a **third time** and **finally passed** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Mayor – Carman Kidd

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Clerk – David B. Treen



Schedule “A” to  
**By-law No. 2015-000**  
“Draft”  
**Solid Waste Management**

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**Appendix 07 – Prohibited Waste**

**Appendix 08 – Part 1 Provincial Offices Act – Set Fines**

## Section 1- Title, Application and Scope

### 1.1 Short Title

This By-law shall be cited as the "Solid Waste Management" By-law.

### 1.2 Application

The Provisions of this By-law shall apply to all properties within the geographic limits of the City of Temiskaming Shores.

### 1.3 Conflicts

Where a provision of this By-law conflicts with a provision of another By-law in force in the City of Temiskaming Shores; the provisions that establish the higher standard shall prevail in order to protect the health, safety and welfare of the general public.

When any provision of this By-law is declared invalid for any reason by a court of competent jurisdiction, the remainder of this By-law shall continue to be in force. An invalid provision will not operate to void the entire By-law.

### 1.4 Enforcement

This By-law shall be enforced by a *By-law Enforcement Officer* or a *Fire Prevention Officer*, or *Chief Fire Official*, or a *Police Officer*.

## Section 2- Definitions

For the purpose of this By-law, the definitions and interpretations given in this section shall govern.

- 2.1 **Aerosol container** means any empty aerosol container, which falls within the meaning of the definition of "empty container" in the regulations made under the Environmental Protection Act;
- 2.2 **Alternating Weekly Collection** means where the *recycling container* is collected one week, the *garbage container* is collected on the next or alternating week;
- 2.3 **Appendix** means all regulations attached to and forming part of this By-law including any amendments thereto;
- 2.4 **Approved Container** means containers described in Appendix 01;
- 2.5 **Asbestos Waste** means solid or liquid waste that results from the removal of asbestos-containing construction or insulation materials or the manufacture of asbestos-containing products and contains asbestos in more than a trivial amount or proportion;
- 2.6 **Ashes** means the residue from burnt materials;
- 2.7 **Automated Collection** means the collection of waste by means of the mechanical lifting and tipping of *approved containers* into specially designed collection vehicles;

- 2.8 **Books** means all soft and hard covered books;
- 2.9 **Boxboard** means non-corrugated cardboard packaging such as cereal and shoeboxes, and any similar rigid paper packaging with the metal or plastic portion or both removed;
- 2.10 **Building Owner** means the registered *owner* of *multi-unit residential* building or the building *owner's* designate (i.e. property manager) in charge of a *multi-unit residential* building;
- 2.11 **Bulky Items** means large items including, but not limited to, refrigerators, washer/dryer, stove, bicycles, floor lamps, mattresses, furniture, microwaves, sinks, toilet bowls, barrels, pool pumps, pool covers and any other similar discarded material;
- 2.12 **By-law Enforcement Officer** means the *person or persons* duly appointed by *Council* as Municipal Law Enforcement Officers for the purpose of enforcing regulatory by-laws of the *City*;
- 2.13 **Chief Fire Official** means the assistant to the Fire Marshal who is the Municipal Fire Chief or a member or members of the fire department appointed by the Municipal Fire Chief under Article 1.1.1.2 of Division C or a person appointed by the Fire Marshall under Article 1.1.1.1 of Division C;
- 2.14 **Christmas Trees** means trees including but not limited to the pine, spruce, balsam or fir species, which are typically decorated for display during the Christmas season;
- 2.15 **City** means the City of Temiskaming Shores and includes a person the *City* has entered into a contract with to perform all or part of its duties hereunder;
- 2.16 **Clean Fill** means earth or crushed rock fill (less than 100 mm) or waste of a similar nature that contains neither putrescible material nor soluble or decomposable chemical substances;
- 2.17 **Collection – Bi-Weekly** means materials are collected one day every two weeks;
- 2.18 **Collection - Curbside** means the system of collection of *garbage, recyclable material, bulky items, yard waste* and *organic material* placed in *approved containers* at a *collection location*, which is at or near the curb;
- 2.19 **Collection Location** means the location designated by the *Director of Public Works* for placement of *garbage, recyclable materials* for collection and removal as part of the *City's* waste collection services;
- 2.20 **Collection - Weekly** means the collection one day every week;
- 2.21 **Common Pad Collection** means the system of collection of *garbage, recyclable material, yard waste* and *organic material* placed in *approved containers* at a shared common area location;
- 2.22 **Contamination** means the co-mingling of an item(s) in garbage/recycling containers referred to in the list below:
- i. *Recyclable materials*
  - ii. *Garbage*

Generally refers to any item which is not acceptable in either of the garbage and/or *recycling containers*, such as *special waste*, or *prohibited waste* as described in Appendix 07 of this By-law. In the case of *recyclable materials*, *contamination* also refers to recyclable items which may be soiled or dirty, which renders such items non-recyclable.

- 2.23 **Containerized Collection** means the system of collection of *garbage*, *recyclable material* and *organic material* placed in *approved containers* by means of a front-end collection vehicle;
- 2.24 **Contractor** means any person, partnership or corporation and the employees of any such person, partnership or corporation with whom the *City* has entered into a contract or agreement for the collection or processing of waste;
- 2.25 **Council** means the *Council* of the City of Temiskaming Shores;
- 2.26 **City Manager** means the *City Manager* for the City of Temiskaming Shores and where applicable includes a person designated by the *City Manager* to perform task or exercise that power in his or her place and stead;
- 2.27 **Director of Public Works** means the *Director of Public Works* for the City of Temiskaming Shores and where applicable includes a person designated by the *Director of Public Works* to perform that task or exercise that power in his or her place and stead;
- 2.28 **Environmental Protection Act** means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
- 2.29 **E-Waste Items** means electronic items as defined by Phase 1 of the Waste Electrical Electronics Equipment (WEEE) Program and includes: laptop computers, desktop computers, peripherals such as keyboards and mice, monitors, desktop printers, disk drives, printers, fax machines and televisions;
- 2.30 **Farm Waste** means any waste which is the normal by-product of farming operations within the *City* and excludes construction and demolition materials from any building or structure, compostable materials other than what may result from clearing land for farm operation purposes, recyclable material that can be placed in the curbside collection program and other material deemed unacceptable for disposal at a *landfill site* by the Ministry of Environment or under this By-law;
- 2.31 **Fine Paper** means computer paper and all white and coloured ledger, including writing pad paper, letterhead, reports, business forms, copy paper and scratch pads, flyers and envelopes;
- 2.32 **Fire Prevention Officer** means the *person* or *persons* duly appointed by *Council* as *Fire Prevention Officer*;
- 2.33 **Gable Top Cartons** means milk and juice cartons constructed of coated paper and opened by unfolding the top;
- 2.34 **Garbage** means all materials permitted to be discarded, save and except those materials defined by this by-law as *bulky items*, *recyclable material*, *yard waste*, *white goods*, *Christmas trees*, *organic material* and *non-collectable waste*;

- 2.35 **Garbage Container** means an approved plastic wheeled container designated to store and collect *garbage*, which meets the requirements established for collection of *garbage*, as described in Appendix 01 of this By-law.
- 2.36 **Glass Bottles and Jars** means all glass food and beverage bottles and jars;
- 2.37 **Hazardous Waste** means any material, which is so designated or restricted within the meaning of any Federal or Provincial statute or regulation;
- 2.38 **Household Hazardous Waste** means any *household* product, material, or item labeled as "*hazardous*", "*toxic*", "*explosive*", "*ignitable*", "*corrosive*", "*reactive*" or "*flammable*";
- 2.39 **Imported Waste** means any waste transported into the *City* from outside of the *City* by any person;
- 2.40 **ICI** is the abbreviation for Industrial, Commercial and Institutional;
- 2.41 **ICI Establishments** means:
- a) a *Residential Building* – Multi-unit as defined herein;
  - b) an enterprise or activity involving warehousing, storage, industrial manufacturing, commercial processes or operations;
  - c) an enterprise, activity or project involving construction, renovation or demolition;
  - d) research or an experimental enterprise or activity;
  - e) clinics that provide medical diagnosis or treatment;
  - f) laboratories, hospitals or veterinarian or animal hospitals;
  - g) any business establishment including retail stores, offices, restaurants and gas bars;
  - h) any seasonal or temporary business establishment including chip wagons and vegetable stands, Christmas tree sales;
  - i) malls, strip malls, plazas and markets;
  - j) an enterprise, activity or project involving landscaping;
  - k) hotel, motel, apartment hotel, hostel, or bed and breakfast establishment;
  - l) campsites (excluding the permanent residence trailer parks);
  - m) any residence with a centralized eating facility including but not limited to senior's home, boarding/rooming houses, shelters, *special needs housing*, nursing homes;
  - n) child care centres;
  - o) educational institutions including but not limited to schools, colleges, and universities and museums;
  - p) residences of all educational institutions including but not limited to universities, colleges and hospitals;
  - q) places of worship;

- r) any government facility including Provincial Government, Federal Government and National Capital Commission facilities as well as Consulates and Embassies but excluding municipal facilities; or
- s) any other establishment as designated by the *Director of Public Works*;
- 2.42 **ICI Garbage** includes all *garbage*, which would normally accumulate at any *ICI* establishment, enterprise or activity;
- 2.43 **Landfill Site** means an area of land designated by the *City* and by the Ministry of the Environment and Climate Change to be used for the disposal of *waste*, *except for items listed in Appendix 02 and in Appendix 07 of this By-law*;
- 2.44 **Magazines/Catalogues** means all *magazines* and catalogues bound with glue or stapled along the spine;
- 2.45 **Metal Food and Beverage Containers** means all steel and aluminum food and beverage cans and containers;
- 2.46 **Municipality** means The Corporation of the City of Temiskaming Shores;
- 2.47 **Newspapers** means all *newspapers* including the inserts that are delivered therein;
- 2.48 **Non-Collectible Waste** means any item designated by *Council* or the *Director of Public Works* which is not permitted to be collected within the *City's* waste collection system;
- 2.49 **Non-Profit Organization** means a corporation formed as a non share capital corporation under the *Corporations Act*, R.S.O. 1990, c. C.38. Part III, and an unincorporated association, which was formed for the purpose of carrying on without gain for its members and which uses any profits or other accretions to the corporation or unincorporated association in promoting its objects and not for the benefit or gain of its members;
- 2.50 **Old Corrugated Cardboard – OCC** means any paper board product which is composed of a rippled, flute or wave-shaped paper insert with paper liners bonded to the outside of the product and which does not have contaminants;
- 2.51 **Ontario Electronic Stewardship – OES** is a not-for-profit organization formed by retail, information technology and consumer electronic companies to implement the Waste Electrical and Electronic Equipment (WEEE) Program Plan under the Waste Diversion Act;
- 2.52 **Organics Container** means an approved plastic wheeled container designated to store and collect *organic materials*, which meets the requirements established for collection of *organic materials*, *as described in Appendix 01 of this By-law*;
- 2.53 **Organic Material** means those items described in Appendix 03 or as designated by the *Director of Public Works* to be collected separately for the purpose of *organic materials* collection;
- 2.54 **Owner** includes any registered *owner*, occupant, resident, lessee or tenant of a *residential dwelling* and includes any person managing any *low density residential* building or any *high density residential* building on behalf of the registered *owner*;

- 2.55 **Paint Can** means any empty and dry paint can and falls within the meaning of the definition of "empty container" in the regulations made under the *Environmental Protection Act*;
- 2.56 **Paper Cores** means the cardboard paper roll used for toilet paper or paper towels;
- 2.57 **Pathological Waste** means waste that is:
- a) any part of the human body, including tissues and bodily fluids, but excluding extracted teeth, hair, nail clippings and the like;
  - b) any animal carcass or part of;
  - c) non-anatomical waste infected with a communicable disease;
  - d) medicines, drugs or syringes, and
  - e) bandages, dressings or other infected materials;
- 2.58 **Person** means an individual, corporation, association or other business form;
- 2.59 **Plastic Film** refers to all plastic grocery, retail store, milk bags and pouches, frozen food, bulk food, breads, meat and cheese bags and wrap, over wrap from boxed products, stretch wrap, cereal wrap, snack food bags and the like;
- 2.60 **Police Officer** means a member of the Ontario Provincial Police Service;
- 2.61 **Private Property** means property, which is privately owned and is not the *City's* property, or property of a local board, or property of the Crown in Right of Ontario, the Crown in Right of Canada or any emanations thereof;
- 2.62 **Prohibited Wastes** means those items described in Appendix 07 or designated by the *Director of Public Works*;
- 2.63 **Public Property** means property, which is the *City's* property, or property of a local board, or property of the Crown in Right of Ontario, the Crown in Right of Canada or any emanations thereof;
- 2.64 **Recyclable Materials** means those items described in Appendix 02 or as designated by the *Director of Public Works* to be collected separately for the purpose of recycling;
- 2.65 **Recycling Container** means an approved plastic wheeled container designated to store and collect *recyclable materials*, which meets the requirements established for collection of *recyclable materials*, as described in Appendix 01 of this By-law;
- 2.66 **Residential Building – Multi-Unit** means an apartment building containing nine (9) or more dwelling units each of which:
- a) has self-contained living, kitchen and sanitary facilities; and
  - b) is owned or rented on not less than a monthly basis;
- 2.67 **Residential Building – Low Density** means a property on which is situated a duplex, apartment building, townhouse complex, co-operative housing complex or other similar *residential* complex containing eight (8) or fewer *residential dwelling* units and in which no *residential dwelling* unit therein is rented for a term less than a month, or for periodic periods less than one month in length;

- 2.68 **Residential Unit** means one or more rooms connected together as a self-contained, separate unit in the same building comprising all or part of the building and constituting an independent housekeeping unit for *residential* occupancy by *persons* with facilities for *persons* to sleep, cook and eat and including its own sanitary facilities;
- 2.69 **Residential Garbage** includes all *garbage* which would normally accumulate at a *residential dwelling*, a *low density residential building*, or a *multi-unit residential building*, but shall not include *non-collectable waste*;
- 2.70 **Residential Waste Collection System** means the *City's* municipal waste collection system for *residential garbage*, *recyclable material*, *yard waste material* and/or *organic material*;
- 2.71 **Scavenge** means the unauthorized removal of *garbage*, *recyclable material*, *yard waste* and *organic material* that have either been placed out for collection or in the case of some *containerized waste*, the location where the container is stored and filled before being moved to the *collection location*;
- 2.72 **Semi-automated collection** means manually assisted *automated collection* of waste from *collection locations* in *approved containers*;
- 2.73 **Sharp Items** includes windows, drinking glasses, dishes, ceramics, mirrors, light bulbs, sheet metal and other objects capable of cutting or puncturing but does not include *sharps*;
- 2.74 **Sharps** includes used and unused hypodermic needles, insulin pen tips, lancets and glass pipe stems;
- 2.75 **Single Family Dwelling** means a residence housing one family or household or one that is designed for one family only;
- 2.76 **Solid Waste** means discarded materials which:
- a) Includes, but is not limited to *garbage*, *bulky items*, *yard trimmings*, *household hazardous waste* and *non-collectable waste*; and
  - b) Are in a solid physical state, as determined by the "slump test" prescribed by the regulations passed under the provisions of the *Environmental Protection Act*; and
  - c) Do not contain any of the unacceptable substances or materials set forth in Appendix 02 to this By-law and such other materials as may from time-to-time be designated by the *Director of Public Works* as waste;
- 2.77 **Special Needs Housing** means a residential complex that contains a centralized kitchen, shared sanitary facilities and common living areas for residents, like shelters, rehabilitation homes, housing for the physically or mentally challenged, group homes and half-way houses;
- 2.78 **Special Waste** means solid *non-hazardous* waste otherwise acceptable for disposal at the *landfill site* but requires additional handling for proper disposal, e.g. asbestos;
- 2.79 **Spoke Transfer Station** means any area of land in the *City* designated as a *transfer station* by the *City* for the temporary storage of *recyclable materials* intended to be transferred to a recycling processing facility;

- 2.80 **Street** shall include a common and public highway, road, avenue, street, lane, square, place, thoroughfare, bridge, viaduct or trestle designated and intended for, or used by the general public for the passage of vehicles;
- 2.81 **Transient Waste** shall mean any refuse, *garbage* or waste including *recyclable materials* carried into the City of Temiskaming Shores from outside its boundaries by any person;
- 2.82 **White Goods** includes, but may not be limited to refrigerators, ovens/stoves, washers, dryers, dishwasher, freezer, air conditioning units, microwave ovens and hot water tanks;
- 2.83 **Yard Waste Materials** means those items described in Appendix 04 or as designated by the *Director of Public Works* to be collected separately for the purposes of *yard waste* collection;

### Section 3 – Administration

#### 3.1 *Municipal Waste Collection Removal and Disposal*

The *City* or its agent shall operate a system for the collection, removal and disposal of *garbage*, recyclable materials, *bulky items* and non-residential *garbage* from *ICI establishments*, multi-unit residential buildings, *low density residential buildings* and *single family dwellings* in accordance with the provisions of this By-law;

#### 3.2 *Performance of Work described in By-law*

The *City* may contract with any person or company for the performance of the whole or any part of the work described in this by-law.

#### 3.3 *Duties - Director of Public Works – Collection Program*

The *Director of Public Works* shall supervise and administer a collection system for *garbage*, bulky items, recyclable material, organic materials and *yard waste* and shall be responsible for its operation in accordance to this By-law.

The *Director of Public Works* shall establish waste reduction, recycling and recovery programs as deemed appropriate.

The *Director of Public Works* shall administer the By-law with the power to determine:

- a) the level and type of collection service provided to *single family dwellings*, low density residential buildings, *multi-unit residential buildings* and *ICI establishments*;
- b) the location where *garbage*, *bulky items*, *recyclable materials*, *yard waste* and *organic materials* are placed out for collection at *single family dwellings*, low density residential buildings, *multi-unit residential buildings* and *ICI establishments*;
- c) the scheduling of collection services, including collection day or the changes to collection schedules or services;

- d) whether a building, *collection location*, or property is safe for entry by any employees of the *City* or its *contractor* having regard to the physical condition and layout, loading facilities, method of handling collectible waste at the building, *collection location* or property;
- e) designate *new types of non-collectable waste* and new types of *recyclable materials* and *organic materials*; and
- f) any other matter necessary for the administration of this By-law.

Should emergency conditions arise that, in the opinion of the *Director of Public Works*, imperil municipal *landfill site*, recycling, *yard waste* or organic facilities, the *Director of Public Works* shall:

- a) take all remedial measures as may be necessary to protect public health, which may include limiting or stopping the collection of *garbage*, recycling, *yard waste* or *organic materials* in any area and restricting collection for any specific purpose;
- b) expend money and employ workers as needed to restore the *City's solid waste* system; and
- c) report to *Council* as soon as practical after such measures have been taken.

#### 3.4 *Duties - Director of Public Works – Acceptance of Waste at Disposal Site*

The *Director of Public Works* is authorized, subject to any limitations contained in this By-law or applicable legislation, to do each of the following with respect to accepting *solid waste* at a *landfill site*:

- a) negotiate the terms and conditions of an agreement accepting waste, other than recyclable materials, into a *landfill site* where not otherwise authorized under this By-law, and recommend such agreement to *Council*; and
- b) negotiate the terms and conditions of an agreement accepting recyclable materials at a *transfer station* where not otherwise authorized under this By-law, and to sign such an agreement;

#### 3.5 *Duties - Director of Public Works – Guidelines*

The *Director of Public Works* is authorized, subject to any limitations contained in this By-law or applicable legislation, to establish from time-to-time, guidelines:

- a) for the disposition of various forms of waste in accordance with federal or provincial statutes and regulations and municipal by-laws;
- b) as to what constitutes *non-collectible waste* and other forms of waste for which no waste collection services are available; and
- c) for the packing of various forms of waste;

### 3.6 *Duties - Director of Public Works – Residential Densities*

The *Director of Public Works* is authorized, subject to any limitations contained in this By-law, to determine whether a property is a *residential* building – multi-unit, or a *residential* building - low density, by reference to the number of *residential* dwellings recorded for that property in the data base maintained, and operated by the Municipal Property Assessment Corporation (MPAC) and used by the *City*;

### 3.7 *Duties - Director of Public Works – Amnesty Program*

The *Director of Public Works* is authorized, subject to any limitations contained in this By-law, to establish for the purposes of Appendix 05 to this By-law, the associated dates for the annual amnesty program.

### 3.8 *Duties - Director of Public Works – General Provision*

The *Director of Public Works* is authorized, subject to any limitations contained in this By-law or applicable legislation to deal with any other matter assigned to the *Director of Public Works* by this By-law or necessary for the administration of this By-law.

### 3.9 *Duties - Finance Department*

The Finance Department shall invoice and collect the *solid waste* fees or charges related to waste diversion, collection and disposal and implement enforcement provisions for outstanding fees or charges.

### 3.10 *Exception – Non-Taxable Properties*

Despite anything contained in this By-law, the *City* shall not provide *garbage* or *recycling collection* services, except by agreement, to any land or building owned or leased by the Crown in right of Canada, the Crown in right of Ontario, a school board, a university, a community college, a hospital, or to any property for which no taxes are paid and for which no grants in lieu are received.

### 3.11 *Refusal to Collect*

The *City* or its *contractor* will not collect material from a property otherwise entitled to collection services for various materials if:

- a) the material is not packed appropriately;
- b) the material is not in the *approved container*;
- c) the container is not placed properly at the *collection location*;
- d) the material is frozen or stuck to, or in the container; or
- e) the material is not generated in a *residential dwelling* unit in that property, as determined by the *Director of Public Works* in his/her sole discretion.

### 3.12 *Collection of Bulky Items*

The *City* does not collect bulky items of any nature. Individual property owners and *ICI*

*establishments* are responsible for the proper disposal of bulky items. *Bulky items* can be disposed of at a *landfill site* in accordance to the applicable tipping fee, outlined in Appendix 06 attached hereto.

### 3.13 *Collection of Organic Materials*

The *City* does not separately collect *organic materials* of any nature, using an *organics container*. *Organic materials* can be disposed of in the *garbage container* or at the *landfill site* in accordance to the applicable tipping fee, outlined in Appendix 06 attached hereto.

### 3.14 *Municipal Hazardous or Special Waste*

The *City* does not collect on a regular basis *Municipal Hazardous or Special Waste* (MHSW). The *City* does endeavour to provide at least annually, a MHSW collection event (Orange Drop) arranged and organized by the *Director of Public Works*.

### 3.15 *Waste Diversion Plan*

The *City* requires waste diversion plans from construction, renovation and demolition (CRD) projects, in accordance with the *City's* construction and demolition application process, to maximize the amount of CRD waste diverted from disposal through salvage, reuse and recycling.

### 3.16 *Approved Container – Responsibility*

3.16.1 The *approved container(s)* shall be the container(s) provided by the *City* designed for *automated collection*. The container(s) is/are assigned to the designated property, and not to the property owner.

3.16.2 Any owner, or building owner shall only utilize the container(s) provided by the *City* for the *automated collection* of waste.

3.16.3 *Owners*, or *building owners* shall maintain the approved container(s) at the *owner* or *building owner's* expense, and shall secure and store the approved containers at all times at the assigned property.

3.16.4 If either a *garbage container* or a *recycling container* is damaged by the collector or by snow removal equipment, the *owner* to whom the bin is issued may make a request to the *City* to repair the bin at no cost to the *owner*. If either a *garbage container* or a *recycling container* is damaged through non-compliance with any part of this by-law, neglect and/or wilful damage, the *owner* shall be responsible for the full cost of replacement of the container or parts for the containers, along with any other applicable fees or charges.

3.16.5 If either a *garbage container* or a *recycling container* is stolen, the *owner* shall contact the local police detachment to file a police report. The *owner* shall provide the *City* with a copy of the police report prior to issuing a new *garbage container* or *recycling container* at no cost to the *owner*.

- 3.16.6 Under no circumstances shall any *owner* or *building owner* alter or modify the *garbage containers* and/or *recycling containers* without the written consent of the *Director of Public Works*, for the purpose of changing the intended use of said containers.
- 3.16.7 *Garbage containers* and *recycling containers* are identified by serial numbers designated to a specific property address. Any person who violates, contravenes, or fails to observe and carry out any provisions of this By-law are subject to penalty according to Section 10 of this By-law.
- 3.16.8 It is the responsibility of an *owner* or *building owner* to ensure that *recycling containers* are free of *contamination* and that *garbage containers* are free of *recyclable materials*. Containers that are contaminated will not be collected and could lead to suspended or discontinued collection services due to non-compliance. Containers contaminated shall be charged a fee in accordance with Section 10 of this By-law. Any person caught contaminating another *owners'* garbage and/or recycling containers, will face penalty under Section 10 of this By-law.
- 3.16.9 No *owner* or *building owner*, shall set out a container for collection that:
- Is not an *approved container*;
  - Has not been assigned to the property;
  - Is damaged to the extent that it is unsafe to manoeuvre;
  - Has graffiti;
  - Is not placed properly placed at the *collection location*;
  - Has not been cleared of snow and/or ice
  - Is secured with bungee cords, ties, or other lid securing device(s); and/or
  - Is unclean or unsanitary.

### 3.17 *Storage Area for Approved Container*

No person shall store any type of materials for collection except in an *approved container* placed in a location on their property which is not a nuisance to any neighbour.

Under no circumstances shall an *approved container* be stored at the current pick-up location unless authorized by the *City*.

The *Director of Public Works* may determine where approved containers shall be located and his/her determination shall be final.

Every registered *owner* of a property, who has established a container storage area, shall keep the storage area in a clean, sanitary condition and in a good state of repair.

### 3.18 *Temporary Collection Location – Construction/Development*

When *curbside collection* is disrupted due to development construction or when access to the *collection location* is blocked, it is the responsibility of the developer at the developer's sole expense to move *approved containers* for collection where collection equipment can safely collect the material.

The developer at is his sole expense shall return all empty containers to the appropriate location at the end of the collection day.

Where material cannot be moved to a temporary *collection location*, the developer or the developer's *contractor* is responsible for an alternative collection of the material to the satisfaction of the *Director of Public Works*.

## Section 4- Collection Program – Residential

### 4.1 *Limits on Residential Collection Services*

The *City* will not provide waste collection services to any *residential* property in the *City* for any form of waste, except as provided for in this Section.

### 4.2 *Places of Worship*

Places of Worship are included in the definition of Industrial-Commercial-Institutional (*ICI*). Despite being so defined, if a place of worship can meet the *residential* collection limits, the *City* shall provide collection services to the place of worship.

### 4.3 *Collection of Yard Trimmings*

The *City* does not collect yard trimmings of any nature, unless authorized by the *Director of Public Works*. Individual property *owners* are responsible for the proper disposal of yard trimmings. Yard trimmings can be disposed of at a *landfill site* in accordance to the applicable tipping fee, described in Appendix 06 of this By-law.

### 4.4 *Single Family Dwelling*

The *City* will provide *garbage* and recycling collection services to each *single family dwelling* by supplying one (1) 65 – gallon *garbage container* and one (1) 95 – gallon *recycling container* each designed for *automated collection*.

### 4.5 *Residential Building – Low Density*

The *City* will provide *garbage* and recycling collection services to *low density residential buildings* eight (8) units and under. The service will be provided in the form of:

- i. *Containerized Collection* - one (1), two (2) yard dumpster for *garbage* and one (1), two (2) yard dumpster for *recyclable materials*; or
- ii. *Automated Collection* - 65 gallon containers for *garbage* and 95 gallon containers for *recyclable materials*.

The quantities of containers will be based on the maximum number of residential units within a *residential building*. An *owner* of a *low density residential building* may choose the quantity of the *garbage* and *recycling containers*, but if no choice is made, the *Director of Public Works* will select the default quantity of containers, i.e. one set per residential unit.

*Low-density residential buildings* containing four (4) units and under, shall not be eligible for *containerized collection services* for *garbage* or *recyclable materials*.

#### 4.6 *Residential Building – Multi-unit*

Waste services for *multi-unit residential buildings* of nine (9) or more units, will be the responsibility of the *building owner*, except by agreement with the *City*.

#### 4.7 *Waste Diversion Levy*

Each residential unit receiving waste collection services through the *City* will be subject to a waste diversion levy outlined through *By-law*.

#### 4.8 *Placement of Containers for Collection - Location*

Containers placed for roadside collection at ground level shall be placed in accordance to the following:

- a) *Street* with concrete/asphalt curb – placed directly behind the curb;
- b) *Street* with sidewalk adjacent to concrete curb – placed directly behind the curb;
- c) *Street* with gravel road shoulders – placed directly on road shoulder;
- d) *Street* designated public lane – placed as close as possible to the edge of the public lane;
- e) Shall not place containers to knowingly obstruct pedestrian and vehicular traffic or maintenance operations, and not in a location which the *Director of Public Works* deems unreasonable, inefficient or dangerous;
- f) Of sufficient dimensions to enable the *City* or its *contractor* to collect waste pursuant to this *By-law* within the collection vehicle; i.e. no closer than three (3) feet from any obstacle such as mailboxes, hydro poles, telephone poles, parked vehicles, snow banks, etc.;
- g) Shall keep the *collection location* clear of snow and litter;
- h) Shall keep the *collection location* in such as manner suitable for *automated collection* without the operators being required to make manual adjustments to allow for pick-up of containers. Seasonal changes may require change of location for collection to be determined by the *Director of Public Works*;
  - i. The *City* or its *contractors* will not be responsible for emptying containers that are inaccessible to the collection vehicle.
  - ii. The operator is not required to exit the collection vehicle to facilitate *automated collection*; and

- i) Where for any reason, collection of containers cannot be made from the location specified in this By-law, containers shall be placed at locations designated by the *Director of Public Works* and his/her decision shall be final.

#### 4.9 *Semi-Automated Collection*

Where collection cannot be made under subsection 4.8a, 4.8b, 4.8c, 4.8f and/or 4.8h, and where a *residential dwelling* or a *low density residential building* served by a maintained street whereby, in the opinion of the *Director of Public Works*, the *City* or its *contractor* can safely drive to a *common pad location*, located adjacent to the street, will collect *garbage* and/or *recyclable materials* from *approved containers* by using *semi-automated collection*, and return the containers to the *common pad location*. The *collection location* for the *approved containers* must be large enough to place all containers on the collection day to allow easy movement for the operator.

#### 4.10 *Placing of Containers for Collection – Timing*

4.10.1 *Approved containers* placed for roadside collection at ground level shall not be set out earlier than 8:00 p.m. on the evening before collection, but no later than 6:30 a.m. on the designated day for collection. An *owner* or a *building owner* shall remove or return any empty container, and/or non-compliant and uncollected waste to the owner's private property prior to 10:00 p.m. on the day of collection.

4.10.2 The *City* or its *contractor* will not be responsible for missed collections; *approved containers* placed at the *collection location* outside of the times described in section 4.10.1 of this By-law may not be collected.

#### 4.11 *Frequency of Collection Services/ Limitations*

4.11.1 The *collection* program is one day per week alternating weekly between *garbage* and *recyclable materials*.

4.11.2 A *building owner* of a *low-density residential building* shall be responsible for the cost of any additional services and waste collections above the limits prescribed in this By-law. The *building owner* must provide permission to the *contractor* for additional services.

4.11.3 For *residential dwellings* or *low density residential buildings* receiving *containerized collection*, the bi-weekly limits per residential unit shall be:

- i. *Garbage* – four (4) regular sized garbage bags (26" x 32.5"), or capacity not to exceed a 65 gallons; and
- ii. *Recyclable Materials* – the equivalent of six (6) regular sized garbage bags (26" x 32.5"), or capacity not to exceed a 95 gallons; and
- iii. *Non-collectable Waste* – not permitted.

#### 4.12 Collection - Statutory Holidays

No curbside collection shall be made on the following holidays which fall on normal collection days: New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Christmas Day, Boxing Day, or any other day designated as a holiday, unless an emergency or exceptional situation, as deemed by the *City*, arises and collection must occur on a holiday.

When a normal curbside collection day falls on a holiday, the collection shall be made one (1) day later, or as advertised by the *City* or its *contractor*.

#### 4.13 Packing Materials – General Guidelines

4.13.1 Every *owner* or *building owner* entitled to receive collection services shall:

- a) Ensure that any wet waste such as food waste, food contaminated paper, kitty litter and any other compostable material is wrapped in absorbent material and placed in a leak-proof container or bag prior to placement in the *approved container*;
- b) place all *garbage* in the approved *garbage container* and all *recyclable materials* in the approved *recycling container*;
- c) forthwith clean up any mess or debris created if all or any waste spills from, or for any reason is no longer contained in the appropriate approved container; and
- d) place all materials into the appropriate container allowing the lid to close completely, while ensuring materials are not packed too tightly that waste cannot be readily emptied;
- e) place the approved container with the arrows on the lid pointing towards the *street*, and not placed at a *collection location* that knowingly obstructs pedestrian and vehicular traffic or maintenance operations; and
- f) keep *approved container* clear of snow and/or ice for the lid to open easily when emptied using *automated collection*.

4.13.2 No *owner* of a *residential dwelling* or *low density residential building* on a property entitled to receive collection services from the *City* shall:

- a) mingle any *prohibited waste* with permitted collectable materials;
- b) place more than the *approved containers* at a *collection location* for that property; or
- c) store, place or leave waste in a location which is a nuisance to a neighbour or to the public, whether or not in an *approved container*.

#### 4.14 Assisted Waste Collection Program

The *City* shall provide an assisted waste collection program to an *owner* of a *residential dwelling* who receives residential curbside collection, provided that the *owner* meets eligibility requirements and completes the Assisted Waste Collection Service Application

Form. Acceptance is at the discretion of the *Director of Public Works*, and is subject to an annual review.

As a condition of service under this section, the *owner* shall ensure that the *approved containers* are at all times freely accessible and not enclosed within any building or restricted area, and shall comply with the Packing Materials – General Guidelines as described in section 4.13.1 and 4.13.2. At no time shall the safety of *City* employees or its *contractors* be jeopardized. The *City* and its *contractor* are not responsible for any property damage as a result of executing this service.

## **Section 5 - Collection Program – Industrial Commercial and Institutional**

### *5.1 ICI Collection Services*

The *City* will not provide waste collection services to any Industrial, Commercial and Institutional (ICI) establishment for any form of waste, except as provided for in this Section.

### *5.2 Frequency of Collection Services / Limitations*

5.2.1 The *City* may provide each *ICI establishment* with one (1) 65 – gallon *garbage container* and up to three (3) 95 – gallon *recycling containers*, each designed for *automated collection*.

5.2.2 Where access is restricted or limited for automated collection or for semi-automated collection, alternative collection methods may be approved by the *Director of Public Works*.

5.2.3 The collection program is one day per week alternating weekly between *garbage* and *recyclable materials*. The bi-weekly limits per commercial unit shall be:

- i. *Garbage* – four (4) regular sized garbage bags (26" x 32.5"), or capacity not to exceed a 65 gallons; and
- ii. *Recyclable Materials* – the equivalent of eighteen (18) regular sized garbage bags (26" x 32.5"), or capacity not to exceed a 285 gallons;
- iii. *Non-collectable Waste* – not permitted.

### *5.3 Waste Diversion Levy*

Each *ICI establishment* receiving waste collection services through the *City* will be subject to a waste diversion levy outlined through By-law.

### *5.4 Placing of Materials for Collection – Location*

Materials placed for roadside collection at ground level shall be placed in accordance to the following:

- a) *Street* with concrete/asphalt curb – placed directly behind the curb;
- b) *Street* with sidewalk adjacent to concrete curb – placed directly behind the curb.;
- c) *Street* with gravel road shoulders – placed directly on road shoulder;
- d) *Street* designated public lane – placed as close as possible to the edge of the public lane;
- e) Shall not place containers to knowingly obstruct pedestrian and vehicular traffic or maintenance operations, and not in a location which the *Director of Public Works* deems unreasonable, inefficient or dangerous;
- f) Of sufficient dimensions to enable the City or its Contractor to collect waste pursuant to this By-law within the collection vehicle; i.e. no closer than three (3) feet from any obstacle such as mailboxes, hydro poles, telephone poles, parked vehicles, snow banks, etc.;
- g) Shall keep the *collection location* clear of snow and litter;
- h) Shall keep the *collection location* in such a manner suitable for *automated collection* without the operators being required to make manual adjustments to allow for pick-up of containers. Seasonal changes may require change of location for collection to be determined by the *Director of Public Works*;
  - i. The *City* or its *contractors* will not be responsible for emptying containers that are inaccessible to the collection vehicle;
  - ii. The operator is not required to exit the collection vehicle to facilitate automated collection; and
- i) Where for any reason, collection of containers cannot be made from the location specified in this by-law, shall be placed at locations designated by the *Director of Public Works* and his/her decision shall be final.

### 5.5 *Semi-Automated Collection*

Where collection cannot be made under subsection 5.4a, 5.4b, 5.4c and/or 5.4f, and where an *ICI establishment* served by a maintained street whereby, in the opinion of the *Director of Public Works*, the *City* or its *contractor* can safely drive to a *common pad location*, located adjacent to the street, will collect *garbage* and/or *recyclable materials* from *approved containers* by using *semi automated collection*, and return the containers to the *common pad location*. The *collection location* for the *approved containers* must be large enough to place all containers to allow for easy movement for the operator on the day of collection.

### 5.6 *Placing of Materials for Collection – Timing*

- 5.6.1 *Approved containers* placed for roadside collection at ground level shall not be set out earlier than 5:00 p.m. the evening before collection, but no later than 6:30 a.m. on the designated day for collection. An owner or a building owner shall remove or return any empty container, and/or non-compliant and uncollected waste to private property no later than 5:00 p.m. the day of collection.

5.6.2 The *City* or its *contractor* will not be responsible for missed collections; *approved containers* placed at the *collection location* outside of the times described in section 5.6.1 of this By-law may not be collected.

### 5.7 *Packing Materials – General Guidelines*

5.7.1 Every *ICI establishment* entitled to receive collection services shall:

- a) Ensure that any wet waste such as food waste, food contaminated paper, and any other compostable material is wrapped in absorbent material and placed in a leak-proof container or bag prior to placement in the appropriate container;
- b) place all *garbage* in the approved *garbage container* and all recyclable materials in the approved *recycling container*;
- c) forthwith clean up any mess or debris created if all or any waste spills from, or for any reason is no longer contained in the appropriate approved container; and
- d) place all materials into the appropriate container allowing the lid to close completely, while ensuring materials are not packed too tightly that waste cannot be readily emptied; and
- e) place the *approved container* with the arrow on the lid pointing towards the street, and not placed at the *collection location* to knowingly obstruct pedestrian and vehicular traffic or maintenance operations.
- f) keep *approved container* clear of snow and/or ice for the lid to open easily when emptied using *automated collection*.

5.7.2 No *owner* of an *ICI establishment* entitled to receive collection services from the *City* shall:

- a) mingle any *prohibited waste* with permitted collectable materials;
- b) place more than the *approved containers* at a *collection location* for that property; or
- c) store, place or leave waste in a location which is a nuisance to a neighbour or to the public, whether or not in an approved container.

## Section 6 - Private Waste Collection Operations

### 6.1 *Collection Services*

The *City* does not operate any type of collection service for *ICI establishments* or *multi-unit residential buildings*, within the boundaries of the *City* that cannot meet the residential limitations or the *ICI* limitations established in Section 4 and in Section 5 of this By-law respectively.

## 6.2 Arrangements for Private Collection

The registered *owner* of a property shall arrange for private collection services if:

- a) the registered owner of a property is not entitled to receive collection services from the *City*;
- b) collection services have been suspended, revoked or discontinued for any type of waste;
- c) limitations established in Section 4 or in Section 5 of this By-law are exceeded; or
- d) waste is of a type for which collection services are not provided by the *City*.

## 6.3 Private Collection – Provisions

The registered *owner* of a building or property who is required to arrange for private collection services shall ensure:

- a) that all waste material is stored in properly constructed and maintained waste storage containers;
- b) every storage container is emptied as necessary to prevent development of odours or other nuisances;
- c) ensure material does not overflow the storage container and lids or doors of storage containers are kept closed;
- d) a container storage enclosure is provided which is adequate to contain all of the storage containers used or provided for use by the *owners*;
- e) that every storage container and any enclosure or other structure or building provided for the housing of storage containers are at all times maintained in a secure, clean, dry and sanitary condition, to prevent entry of or occupation by rodents, insects or other vermin;
- f) that the waste material is conveyed to the point of disposal at the expense of the consignee or *owner* of such waste;
- g) provide proof if requested by the *Director of Public Works* that the waste has been transported to an appropriate *landfill site* in accordance with this By-law or legislative requirements;
- h) that material is not placed out for collection unless otherwise permitted by this By-law; and
- i) *prohibited waste(s)* and *recyclable materials* is/are kept separate from all other waste including other forms of *prohibited waste* and such *prohibited waste* is stored in a storage container adequate for the safe storage and disposal of the *prohibited waste(s)*.

## 6.4 Responsibility of Landlords and Condominium Corporations

It shall be the duty of the landlord of an of a *residential building – multi-unit*, and the duty of a condominium corporation to supply and maintain a sufficient number of approved receptacles for each dwelling and such other equipment as may be necessary for the orderly disposal of *garbage* and *recyclable materials*. The landlord or condominium

corporation shall provide a common place where the approved receptacles shall be properly stored and available for the occupants' use in order to facilitate collection.

## Section 7 - Municipal Landfill Site/Spoke Transfer Station

### 7.1 Landfill Site/ Spoke Transfer Station – General Restrictions

- 7.1.1 No person shall deposit waste at any *landfill site* or at the *spoke transfer station* outside the hours of operation as determined by the *Director of Public Works* and posted at the site, unless where approved waste disposal containers have been provided for that purpose.
- 7.1.2 No person shall, except as provided herein, deposit any *prohibited waste* at any *landfill site* or at the *spoke transfer station*.
- 7.1.3 No person shall deposit at a *landfill site* any *recyclable materials*, any *electronic waste* or any other form of waste determined by the *Director of Public Works* collectable under another type of diversionary program.
- 7.1.4 No person shall deposit at a *landfill site* or at the *spoke transfer station* any *bulky item*, tires, or any other form of waste determined by the *Director of Public Works* to require segregation or special handling, except at the designated location as directed by the site attendant.
- 7.1.5 No person shall deposit septic tank effluent at any location in a *landfill site*, or at the *spoke transfer site*.
- 7.1.6 No person shall deposit any burning material or set any fire at any *landfill site* or at the *spoke transfer station*.
- 7.1.7 No person shall deposit waste at the gate or entrance to a *landfill site* or to the *spoke transfer station*, or at any place other than the place designated for its receipt thereat.
- 7.1.8 No person shall neglect or refuse to provide proof of the origin of waste tendered for disposal at a *landfill site* or at the *spoke transfer station* when such is demanded, provided that in lieu of providing such proof the person tendering the waste may remove it without unloading it.
- 7.1.9 No person shall deposit waste at any *landfill site* or at the *spoke transfer station* when the attendant at the site refuses deposit of the waste on the grounds that the origin of the waste has not been satisfactorily proven.
- 7.1.10 No person shall deposit waste at any *landfill site* or at the *spoke transfer station* when such deposit has been forbidden by the *Director of Public Works*.

- 7.1.11 No person shall operate a motor vehicle at a *landfill site* or at the *spoke transfer station* other than on a designated route, without due care and attention and at a greater than the posted rate of speed.
- 7.1.12 No person shall salvage at any *landfill site*, *spoke transfer station* or *collection location* without the prior written approval of the *Director of Public Works*.
- 7.1.13 No person shall transport waste to or at any *landfill site* or the *spoke transfer station* except in properly covered containers or in carts, wagons, or vehicles, totally enclosed or covered in canvas, tarpaulins or nets, so fastened down around the edges to prevent any of the contents from falling upon the ground during transport.
- 7.1.14 No person shall deposit waste at any *landfill site* or at the *spoke transfer station* while barred from doing so pursuant to this By-law.
- 7.1.15 No person shall deliver any tires to any *landfill site* co-mingled with any other waste.
- 7.1.16 No person shall deposit tires with attached rims at any *landfill site* or *spoke transfer station*.
- 7.1.17 No person shall mix *white goods* with other waste delivered to the *landfill site* or the *spoke transfer station*, including waste delivered by municipal crews or municipal *contractors*.
- 7.1.18 No person shall deposit any freon containing appliance at a *landfill site* or the *spoke transfer station* in any location other than the location designated by the *Director of Public Works* for that purpose.
- 7.1.19 No person shall deposit any freon containing appliance at a *landfill site* unless in an upright position.
- 7.1.20 No person shall attend at any *landfill site* or at the *spoke transfer station* except for the purposes of depositing waste, or for other lawful business, without the written approval of the *Director of Public Works*.
- 7.1.21 No person shall trespass on any *landfill site* or the *spoke transfer station*.
- 7.1.22 No person shall deliver or deposit at any *landfill site* any *transient waste* or waste which does not comply with this By-law or unload such waste. Whether unloaded or not, all such waste shall be removed by or at the expense of the person seeking to dispose of it.
- 7.1.23 No person shall deliver or deposit at the *spoke transfer station* any *transient waste* unless they have entered into an agreement with the *City*.

## 7.2 *Asbestos Disposal*

No person shall unload or dispose of *asbestos*, unless such unloading or disposal is in accordance with the following conditions:

- a) All *asbestos* must be contained in a rigid, impermeable, sealed container of sufficient strength to accommodate the weight and nature of the waste. If the container is a cardboard box, the waste must be placed in a polyethylene bag placed within the box. The container must be free from punctures, tears or leaks. The external surface of the container and the vehicle used for the transport of the *asbestos waste* must be free from *asbestos waste*;
- b) During unloading, the packaged *asbestos waste* materials shall be handled individually and care taken to place the package in the designated area to avoid spillage. This unloading shall be the responsibility of the *contractor* and shall not be done by a landfill facility operator;
- c) The unloading shall only be done in the presence of a landfill facility operator to ensure that no loose *asbestos* or broken containers are unloaded and that no airborne particulate is generated;
- d) In the event that loose *asbestos* or broken containers are found, the haulage vehicle operator shall repackage the material with additional containers or bags;
- e) The containers shall be placed directly in the designated area which has been prepared by the landfill facility operator and immediately after unloading, the containers shall be covered by the operator; and
- f) The *City* shall be contacted twenty-four (24) hours prior to delivery to allow for preparation of the location.
- g) *Asbestos* is only accepted by appointment booked in advance. The *Director of Public Works* reserves the right to limit or refuse the acceptance of *asbestos*.

### 7.3 Refusal Rights

The *City* reserves the right to refuse the disposal of any material of a questionable nature or origin. Despite such under special or emergency conditions, the *Director of Public Works* may accept wastes which have been approved by the Ministry of the Environment and Climate Change.

### 7.4 Order to Leave Disposal Site/Spoke Transfer Station

The *Director of Public Works*, or an employee or agent of the *City* who is designated as being in charge of a site may at any time order any person to forthwith leave the *landfill site* or *spoke transfer site* if such person:

- a) is scavenging;
- b) is depositing waste contrary to this By-law;
- c) is conducting any illegal activity; or
- d) has no lawful reason to be at the *landfill site* or at the *spoke transfer station*.

### 7.5 Trespassing – Police Assistance

If any such person fails or refuses to leave in response to an order under Subsection 7.4, the *Director of Public Works* or an employee or agent being in charge of a *landfill site* or the *spoke transfer station* may call for police assistance and cause trespass charges to be laid.

#### 7.6 *Landfill Site Operation – Scales*

Where available no person shall enter a *landfill site* for the purpose of unloading or disposing of any materials without first having the vehicle weighed on the weigh scales as directed by the scale attendant, and paying the required fee as established in Appendix 06 of this By-law.

#### 7.7 *Landfill Site/ Spoke Transfer Station Operation – Disposal Fees and Surcharges*

- 7.7.1 The *City* may from time-to-time establish rates or fees for the use of the *landfill site* or the *spoke transfer sites* by amendment to Appendix 06, and may inform users of the facilities of any changes to the disposal fees by posting notice at the disposal facilities and/or sites.
- 7.7.2 Every person shall pay the applicable disposal fees and surcharges in full by cash or certified cheque to the attendant before leaving the facility and/or site unless a charge account has been approved in accordance with *City* policy.
- 7.7.3 Any person applying the disposal fees or surcharges to a charge account in good standing will be required to provide the vehicle license plate to the attendant for proper processing of said account.
- 7.7.4 Every person, group or municipality located outside the boundaries of the *City* who disposes of *recyclable materials* at the *spoke transfer station* must have approval from the *Director of Public Works*, and have entered into a formal agreement with the *City*. Fee associated with the disposal agreement shall be in accordance with Appendix 06 of this By-law.

#### 7.8 *Landfill/Spoke Transfer Station Operation – Hours of Operation*

The *landfill site* and/or *spoke transfer station* shall be open to the public at times determined by the *Director of Public Works*.

## **Section 8 -Private Landfill Sites**

#### 8.1 *Authorization to Operate Private Landfill Site*

No person shall operate a privately-owned *waste disposal site* or other operation for the disposal of waste, either for his or her own use or the use of others, without having first applied for and received authorization therefore from the Ministry of the Environment and Climate Change.

#### 8.2 *Right to impose conditions for Operation of Private Landfill Site*

The *City* may impose such facilities as it may deem fit when dealing with any such applications, and the applicant shall thereafter maintain his or her operation in conformity with any Municipal By-law or conditions included in the ECA as issued by the Ministry of the Environment and Climate Change.

### 8.3 *Other Approvals required to Operate Private Landfill Site*

All privately-owned *waste disposal* operations shall also comply with and be operated in accordance with all relevant *City*, Provincial and Federal approvals and standards and with the approval, when required, of the Medical Officer of Health.

## Section 9 - General Provisions and Prohibitions

### 9.1 *General Waste Provisions*

- 9.1.1 All waste contained within the *approved containers* when placed at the *collection location* are the responsibility of the *owner* or *building owner*. No person in the *City* shall, unless authorized by the *Director of Public Works*, *scavenge*, pick over, interfere with, remove or scatter any waste or cause or permit the scavenging, picking over, interference with, removal or scattering of any waste, placed at a *collection location* for collection, whether or not in an *approved container*. This shall also apply to all *recyclables materials* at *City* facilities. Once waste enters the collection vehicle, it becomes the property of the *City*.
- 9.1.2 No person shall place any form of waste at the *collection location* for a property unless waste collection services are provided for that type of waste at that property;
- 9.1.3 No person shall place any form of waste at the *collection location* for a property entitled to receive waste collection services unless the waste was generated in that property;
- 9.1.4 No person shall, unless authorized by the *Director of Public Works* in writing, throw, cast or otherwise deposit or cause to be deposited or permit any *contractor*, agent or employee of such person to throw, cast or otherwise deposit any waste whatsoever on or in any *street*, *public property*, *private property*, vacant lot, yard or watercourse;
- 9.1.5 No person, unless authorized by the *Director of Public Works*, in writing, place waste on *public property* for collection by a private collection agency, municipal forces or an agent of the *municipality*;
- 9.1.6 No person shall permit any animal owned by him or her or under his or her control to pick over, interfere with, remove or scatter any waste placed out for collection;
- 9.1.7 No person shall deposit waste generated on *private property* into or beside public waste receptacles located on public streets/properties;
- 9.1.8 No person shall deposit or cause to be deposited any waste within the *City* limits other than in authorized *landfill sites*; provided however this shall not prohibit the use of natural soil, earth, sand, clay, gravel, loam, stones or any similar excavated material to fill low lots within the *City*;

- 9.1.9 No person shall allow any liquid matter from any cesspool, septic field or vehicle or allow any other objectionable liquid from any source whatsoever, to flow or drain upon *streets* roadsides, ditches, gutters, public lands or private lands;

## 9.2 *Pet Excrement*

An *owner* of a *residential dwelling* unit may dispose of pet excrement from any household pet, such as from dogs or cats with *garbage* provided the *owner* first wraps in absorbent paper, any feces which cannot be flushed in a sanitary manner, places same in a sealed leak-proof bag, which is mixed in with *garbage* which contains by volume, not more than 10% pet excrement.

An *owner* of a *residential dwelling* unit may deliver pet excrement to a *landfill site* provided the *owner* wraps the *pet excrement* in absorbent paper and places same in a sealed leak-proof bag, inside a further sealed leak-proof bag; and at the time of delivery notifies the operator at the *landfill site* of the contents of the bag.

## 9.3 *Animal Carcasses*

The carcasses of dead animals are not permitted to be disposed of at the *spoke transfer station*, or through *curbside collection*.

## 9.4 *Order to Remove Waste*

The *Director of Public Works* may give written notice to the person who places waste on *public property* advising that if such person fails to remove the waste or cause the waste to be removed, within the time specified in the notice, the *City* may remove the waste at the expense of the person who generated the waste.

## 9.5 *Failure to adhere to Written Notice to Remove Waste*

If any person or *persons* given written notice by the *Director of Public Works* to remove waste neglects or fails to remove such waste within 24 hours, or such longer time as may be specified in the notice for doing so, the *Director of Public Works* is hereby authorized to have the waste removed at the expense of the person or *persons* to whom notice was given.

## 9.6 *Costs incurred for Removal of Waste Applied to Property*

The *City* shall charge all costs incurred for the removal of the waste, including the expenses of the *City*, to the person or *persons* to whom notice was given and if notice was given to more than one person, each person shall be jointly and severally liable for payment of the total expense.

## 9.7 *Costs Recoverable in like manner as Municipal Taxes*

If payment is not made within thirty (30) days of the date on the written notice, the *City* may recover the outstanding amount by action or in the case of a registered *owner*, the same may be recovered in like manner as municipal taxes, in the sole discretion of the *Director of Public Works*, and the Treasurer is hereby authorized to take all necessary

action to do so.

#### 9.8 *Suspension of Waste Collection Services – Notice*

Where a registered *owner* and/or occupant contravene any of the provisions of this By-law, the *Director of Public Works* may in his or her sole discretion give notice in writing to the registered *owner* mailed by registered mail advising of the particulars of the default or defaults under this By-law and that the *Director of Public Works* may suspend, revoke or discontinue waste collection services unless the registered *owner* ensures that the specified default or defaults under the By-law is (are) remedied within the time specified in the notice and the Registered *Owner* and all *owners* therein, thereafter comply with the By-law.

#### 9.9 *Suspension of Waste Collection Services – Order to Suspend*

Where, in the opinion of the *Director of Public Works*, there has been a failure to comply with the Notice or on a subsequent contravention of the By-law, and it is deemed appropriate to do so, the *Director of Public Works* may issue an Order to suspend, discontinue or revoke collection services to that property.

#### 9.10 *Suspension of Waste Collection Services – Notice of Order*

Notice of the Order of the *Director of Public Works* shall be given in writing, delivered by registered mail to the registered *owner* at the address noted in the *City's* tax rolls as the address for the registered *owner* of that property.

#### 9.11 *Suspension of Waste Collection Services – Termination of Order*

Any registered *owner* may apply to the *Director of Public Works* in writing for termination of the Order, and upon the registered *owner* satisfying the *Director of Public Works* that he or she and all *owners* within the property are then in compliance with this By-law and that further contravention of this By-law is unlikely to occur, the *Director of Public Works* in his or her sole discretion may:

- a) terminate the Order, in whole or in part;
- b) reinstate full or partial waste collection services subject to such conditions or terms as he or she considers appropriate; or
- c) make a new Order, on different terms.

## **Section 10 - Prohibitions, Enforcement and Penalties**

### 10.1 *Penalties – Individuals*

Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable:

- i. on a first conviction, to a fine of not more than \$10,000; and

- ii. on a subsequent conviction, to a fine of not more than \$25,000 as authorized by the Municipal Act S.O. 2001 Chapter 25 Section 77(1).

### 10.2 Penalties – Corporation

Despite subsection 10.1, where the person convicted is a corporation, the maximum fines in Subsections 10.1 a) and 10.1 b) are \$50,000 and \$100,000 respectively as authorized by the Municipal Act S.O. 2001 Chapter 25 Section 77(2).

### 10.3 Liability for Breach of a Provision of this By-law

When a person has been convicted of an offence under this by-law:

- a) The Provincial Offences Court of the Judicial District of Temiskaming, or
- b) Any court of competent jurisdiction thereafter may in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repletion of the offence.

### 10.4 Subsequent Conviction

In this By-law, a subsequent conviction means a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this By-law.

### 10.5 Set Fines

- 10.5.1 Alternatively, at the discretion of the Corporation, pursuant to Part 1 of the *Provincial Offences Act, R.S.O. 1990, Chapter P.33*, every *person* who contravenes Subsections 10.1 or 10.2 of this By-Law is liable to a set fine for each offence committed, as established under **Appendix – 08 Set Fines** annexed hereto, as amended by by-law adopted by *Council* from time-to-time.
- 10.5.2 Any *person* found to be in contravention of any applicable provision of this By-Law, may be issued a notice of such violation. Every such *person* may, within seventy-two (72) hours of the time when such notice was issued, pay at the Corporation Municipal Offices the set fine or fines for, and in full satisfaction of, such violation as set out in **Appendix – 08 Set Fines** annexed hereto.
- 10.5.3 Unpaid set fines may, following a thirty (30) calendar day period, at the sole discretion of the Corporation, be added to the *person's* next tax billing, and shall be collected in like manner.
- 10.5.4 The set fines described herein shall come into force and effect upon receipt of the Judge's Order, under the *Provincial Offences Act, R.S.O. 1990*, from the Ministry of the Attorney General.
- 10.5.5 As appointed by *Council*, this By-law shall be enforced by the following Officials of the Corporation as appropriate:

- a) the Municipal *By-Law Enforcement Officers*; or
  - b) the *Director of Public Works*.
- 10.5.6 The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the *person* convicted, and such order shall be in addition to any other penalty imposed on the *person* convicted, in accordance with the provisions of the *Municipal Act, 2001* and the *Provincial Offences Act, R.S.O. 1990*, both as amended.
- 10.5.7 Every person who, by act, offence, default, neglect or omission; occasions any loss, cost, damage or injury to the *landfill site* or *spoke transfer station* or any part or appurtenance thereof, is liable to the Corporation for any and all financial losses and costs incurred as a result.
- 10.5.8 Unpaid charges for financial losses and costs invoiced under subsection 10.5.7 shall, following a ninety (90) calendar day period, at the sole discretion of the Corporation, be added to the municipal tax roll of the property upon which or from which the financial losses and costs occurred, and collected in like manner as municipal taxes.
- 10.5.9 No action or proceeding under the provisions of this By-Law shall preclude the Corporation from the right and power to exercise any other right or remedy available to the Corporation.

#### 10.6 *Prohibits and Offences*

Every person who:

- 10.6.1 sets out for collection by the *City* any type of *Bulky Waste* as defined herein; or
- 10.6.2 sets out for collection by the *City* any type of *Prohibited Waste* as defined herein; or
- 10.6.3 fails to maintain an *approved container* as defined herein; or
- 10.6.4 fails to store the *approved containers* at all times at the assigned property; or
- 10.6.5 fails to store any type of materials for collection except in an *approved container* placed in a location on their property which is not a nuisance to any neighbour; or
- 10.6.6 fails to properly place *approved containers* at the *collection location* as defined herein; or
- 10.6.7 fails to properly dispose of yard trimmings as defined herein; or
- 10.6.8 fails to set out *approved containers* to knowingly obstruct pedestrian and vehicular traffic or maintenance operations; or

- 10.6.9 sets out *approved containers* for collection earlier than 8:00 p.m. for residential and *low density residential buildings*, or 5:00 p.m. for *ICI establishments*, and/or or fails to remove *approved containers* and/or uncollected waste after 10:00 p.m. the day of collection for residential and *low density residential buildings*, or 5:00 p.m. the day of collection for *ICI establishments*; or
- 10.6.10 fails to properly ensure wet waste is wrapped in absorbent material and placed in a leak-proof container or bag prior to placement in *approved container*; or
- 10.6.11 places *recyclable materials* in an unapproved container for collection; or
- 10.6.12 places *garbage materials* in an unapproved container for collection; or
- 10.6.13 fails to ensure all garbage and recyclable materials are placed within the appropriate *approved container with the lid completely closed*; or
- 10.6.14 mingles any *prohibited waste* with permitted collectable materials; or
- 10.6.15 fails to arrange for private collection services when not entitled to receive collection services from the *City* or exceeds collection limitations; or
- 10.6.16 fails to arrange for private collection services when collection services from the *City* have been suspended, revoked or discontinued for any type of waste; or
- 10.6.17 fails to arrange for private collection services for waste of a type for which collection services from the *City* are not provided; or
- 10.6.18 fails to store waste material in a properly constructed and maintained waste storage container; or
- 10.6.19 fails to empty a storage container to prevent development of odours or other nuisances; or
- 10.6.20 fails to ensure storage container lids and/or doors are kept close to prevent overflow; or
- 10.6.21 fails to separate *prohibited waste(s)* from all other waste including other forms of *prohibited waste*; or
- 10.6.22 fails to store prohibitive waste in a storage container adequate for the safe storage and disposal of the *prohibited waste(s)*; or
- 10.6.23 deposits waste at any *landfill site* or at the *spoke transfer station* outside of the hours of operation posted at the site; or
- 10.6.24 deposits any *prohibited waste* at any *landfill site* or at the *spoke transfer station*; or

- 10.6.25 deposits at a *landfill site* any recyclable materials, any *electronic waste* or any other form of *waste* determined collectable under another type of diversionary program; or
- 10.6.26 deposits at a *landfill site* or at the *spoke transfer station* any *bulky item*, tires, or any other form of waste requiring segregation or special handling except at the designated location as directed by the landfill site operator; or
- 10.6.27 deposits septic tank effluent at any location in a *landfill site*; or
- 10.6.28 deposits any burning material or set any fire at any *landfill site* or at the *spoke transfer station*; or
- 10.6.29 deposits waste at the gate or entrance to a *landfill site* or the at *spoke transfer station* or at any place other than the place designated for its receipt; or
- 10.6.30 deposits waste at any *landfill site* or at the *spoke transfer station* when the operator/attendant at the site refuses deposit of the waste; or
- 10.6.31 salvages at any *landfill site*, the *spoke transfer station* or *collection location* without the prior written approval of the *Director of Public Works*; or
- 10.6.32 transports waste in containers not properly covered or in carts, wagons, or vehicles not totally enclosed or covered in canvas, tarpaulins or nets, so fastened down as to prevent contents from falling to the ground during transport; or
- 10.6.33 deposits tires at any *landfill site* or at the *spoke transfer station* co-mingled with any other waste; or
- 10.6.34 deposits tires with attached rims at a *landfill site* or at the *spoke transfer station*; or
- 10.6.35 mixes *white goods* with other waste delivered to the *landfill site* or at the *spoke transfer station*; or
- 10.6.36 deposits any freon containing appliance at a location other than the location designated for such; or
- 10.6.37 trespasses on any *landfill site* or *spoke transfer station*; or
- 10.6.38 deposits or unloads at any *landfill site* or *spoke transfer station* any *transient waste* without approval; or
- 10.6.39 fails to remove any *transient waste* deposited at a *landfill site* or *spoke transfer station*; or
- 10.6.40 fails to unload or dispose of *asbestos waste* in accordance with this By-law; or

- 10.6.41 fails to pay the applicable disposal fees; or
- 10.6.42 places any form of waste at a *collection location* for property entitled to receive waste collection services that was not generated at that property; or
- 10.6.43 throws, casts or otherwise deposits or causes to be deposited any waste whatsoever on or in any *street, public property, private property, vacant lot, yard or watercourse*; or
- 10.6.44 places waste on *public property* for collection by municipal forces or an agent of the *City*; or
- 10.6.45 permits any animal owned by him or her or under his or her control to pick over, interfere with, remove or scatter any waste placed out for collection; or
- 10.6.46 deposits waste generated on *private property* into or beside public waste receptacles located on public *streets/properties*; or
- 10.6.47 deposits or causes to be deposited any waste within the *City* limits other than in an authorized *landfill site* or *spoke transfer site*; or
- 10.6.48 allows any liquid matter from any cesspool, septic field or vehicle or allows any other objectionable liquid from any source whatever, to flow or drain upon *streets roadsides, ditches, gutters, public lands or private lands*; or
- 10.6.49 fails to wrap in absorbent paper and place in a sealed leak-proof bag any household pet feces, such as from dogs or cats; or
- 10.6.50 mixes more than 10% by volume with *garbage* pet excrement, such as from dogs or cats; or
- 10.6.51 fails to inform the *landfill site* operator of the contents of a bag containing pet excrement when depositing same at the *landfill site*; or
- 10.6.52 is guilty of an offence pursuant to the provisions of the *Municipal Act, 2001* and/or the *Provincial Offences Act, R.S.O. 1990, Chapter P. 33*, as applicable.

## Section 11 - Validity and Adoption

### 11.1 Validity

If any section, clause, or provision of this By-Law, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all remaining sections, clauses or provisions of this By-Law shall remain in full force and effect until repealed,

notwithstanding that one or more provisions thereof shall have been declared to be invalid.

*11.2 Effective Date*

This By-Law shall become effective on the date of passing thereof.

## **Approved Containers**

For the purposes of this By-law an approved container includes a garbage container, a recycling container and an organics container as provided in this Appendix.

### **Garbage Container**

For the purposes of this By-law, "garbage container" means a 65 – gallon container, provided by the City, designed for *automated collection* services.

### **Recycling Container**

For the purposes of this By-law, "recycling container" means a 95 – gallon container, provided by the City, designed for *automated collection* services.

### **Organics Container**

For the purposes of this By-law, "organic container" means a plastic wheeled container, provided by the City, designed for *automated collection* services.

## Recyclable Materials

In this By-law "recyclable materials" includes;

recyclable containers includes the following forms of containers:

- a) food and beverage glass bottles and jars, including metal lids;
- b) metal food and beverage cans;
- c) cardboard cans such as from frozen juice, refrigerated dough, chips, and nuts;
- d) aluminum cans, foil, foil plates and foil trays;
- e) empty plastic containers (1 through 7);
- f) aseptic packaging, such as drink boxes;
- g) empty aerosol containers
- h) foam polystyrene (Styrofoam) such as from takeout, egg cartons, drinking cups and meat trays;
- i) polycoat containers such as milk and juice cartons; and
- j) any other container designated by the Director of Public Works to be a recyclable container.

recyclable papers includes the following:

- a) household paper, including junk mail, writing paper, computer paper, non-foil gift wrap, non-foil greeting cards and envelopes;
- b) paper egg cartons;
- c) paper rolls;
- d) paper bags, other than treated bags, such as flour, sugar, potato and pet food bags;
- e) newspapers and inserts;
- f) magazines, catalogues and glossies;
- g) telephone directories;
- h) soft covered books and hard covered books (hardcover removed and recycled separately); and
- i) any other paper or paper products designated by the Director of Public Works to be recyclable papers.

recyclable cardboard includes clean, unwaxed corrugated cardboard and box board;

recyclable plastic film, includes grocery, shopping, dry cleaning, bread bags, vegetable/fruit bags, milk bags (outer and rinsed inner bag), outer wrap from packaging and bubbled plastic packaging.

### **Organic Materials**

In this By-law "organic materials" includes materials that will breakdown naturally and turn into compost such as:

- a) food scraps;
- b) diapers;
- c) animal waste
- d) soiled paper food containers; and
- e) any other materials or products designated by the Director of Public Works to be organic materials.

### **Yard Waste Materials**

In this By-law, "yard trimmings" means:

- a) leaves;
- b) grass clippings;
- c) trees (excluding root balls);
- d) garden roots and cuttings;
- e) hedge and shrub trimmings;
- f) brush cuttings;
- g) twigs and branches;
- h) natural *Christmas Trees*, decorations removed;
- i) any other item determined by the *Director of Public Works* from time-to-time to be *yard waste*.

### **Amnesty Program**

In this By-law "amnesty program" means a program that permits residents to drop off refuse/garbage at the *landfill site* without the application of a tipping fee.

The amnesty program shall have the following restrictions/conditions applied:

- a) Applicable to residents of Temiskaming Shores and is **not** applicable to Industrial, Commercial or Institutional (ICI) establishments;
- b) Amnesty shall include not applicable Tipping Fee for brush;
- c) Tipping Fees remain applicable for Contaminated Waste items;
- d) Surcharge fee remains applicable for Metals/*Bulky Waste* containing freon gas.

The *Director of Public Works* shall establish two Amnesty weeks annually, once in the spring and once in the fall.

**Tipping Fees**

**Landfill Site**

Category	Description	Applicable Fee/ yard <sup>3</sup> (Prices come into effect July 1st of each year)	
		Resident	Non Resident
1	Flat Rate - \$1.00 per bag up to a maximum of \$3.00 (under one cubic yard)	\$3.00	\$6.00
2	Residential/Commercial Garbage: <i>includes abandoned residential or commercial waste, either animal or vegetable, organic waste, wearing apparel, broken crockery and refuse of a similar nature, but shall not include metal, weighty or bulky articles such as large appliances, furniture, barrels, bed springs, furnaces or anything of a similar nature.</i>	2015: \$4.00 2016: \$5.00 2017: \$6.00	2015: \$8.00 2016: \$10.00 2017: \$12.00
3	Metals/Bulky Waste: <i>Items whose large size precludes or complicates handling by normal collection, processing or disposal methods such as furniture and appliances. Also ferrous metal, aluminum, mixed metal, white goods and old vehicles.</i>	2015: \$5.00 2016: \$6.00 2017: \$7.00	2015: \$10.00 2016: \$12.00 2017: \$14.00
4	Yard Waste: <i>Includes clean wood, brush, yard and plant materials, suitable for composting purposes.</i>	No Fee	\$4.00
5	Non-Hazardous Waste: <i>includes clean fill</i>	2015: \$5.00 2016: \$6.00 2017: \$7.00	2015: \$10.00 2016: \$12.00 2017: \$14.00
6	Inorganic Earth Like Material: <i>includes reclaimed asphalt products, aggregate, and soils free of chemical contaminants.</i>	2015: \$6.00 2016: \$7.00 2017: \$8.00	2015: \$12.00 2016: \$14.00 2017: \$16.00
7	<i>Sorted Construction and Demolition Waste: Recyclable materials sorted from non – recyclable materials</i>	2015: \$5.00 2016: \$10.00 2017: \$15.00	2015: \$5.00 2016: \$10.00 2017: \$15.00
8	<i>Unsorted Construction and Demolition Waste</i>	2015: \$15.00 2016: \$20.00 2017: \$25.00	2015: \$30.00 2016: \$40.00 2017: \$50.00
9	Contaminated Waste: <i>includes excavated soils containing organic or hydrocarbon contaminants at a level that is acceptable to the Ministry of the Environment for disposal at the Municipality's Landfill Site. Asbestos includes \$100.00 flat rate, plus tipping fee.</i>	\$50.00	\$100.00
10	Freon Containing Items	\$75 each	\$150 each
11	Rubber Tires: Passenger Vehicle and Light Truck Tires Medium Truck Tires Small and Medium Off-the-Road Tires	No Fee	
	<b>Notes:</b> 1. All other tire sizes will not be accepted at the Landfill Site; 2. Landfill attendant shall accept up to a total of four (4) tires per drop off; 3. Tires still on a rim <b>will not</b> be accepted.		

**Note:**

The landfill site will only accept waste that is within the conditions of the Certificate of Approval.

**Prohibited Waste**

For the purposes of this By-law **dangerous hazardous or toxic waste** means:

acute hazardous waste	chemical hazardous waste	chemical corrosive waste
hazardous industrial waste	ignitable waste	PCB waste
radioactive waste	reactive waste	severely toxic waste
leachate toxic waste		

or any other waste determined by the *Director of Public Works* to be a hazardous or toxic waste.

**Pathological waste** includes biomedical waste, whether solid or liquid, including but not limited to:

animal or human organ	animal or human bone, muscle or tissue	used bandages, poultices, or dressings
medicines, vitamins, drugs or vaccines	needles, syringes or lancets	vials

or any other waste determined by the *Director of Public Works* to be pathological waste.

**Household Hazardous waste** includes any household product material or item, other than an empty container labelled as:

corrosive or toxic	reactive	explosive
oxidizing	poisonous	infectious
flammable		

or any other label or labels as may be established by the *Director of Public Works* from time to time as being prohibited.

**Part 1 Provincial Offences Act**

**Set Fines**

<u>Item No.</u>	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
	<u>Short Form Wording</u>	<u>Provision Creating or Defining Offence</u>	<u>Set Fine</u>
1	Set out Bulky Waste for collection	10.6.1	\$ 125.00
2.	Set out Prohibited Waste for collection	10.6.2	\$125.00
3.	Fail to maintain approved container	10.6.3	\$125.00
4.	Fail to store approved containers at assigned property	10.6.4	\$125.00
5.	Fail to store material in approved container	10.6.5	\$125.00
6.	Fail to properly place approved containers at the collection location	10.6.6	\$125.00
7.	Fails to properly dispose of yard trimmings	10.6.7	\$125.00
8.	Set out containers impeding traffic	10.6.8	\$125.00
9.	Set out containers prior times designated herein.	10.6.9	\$125.00
10.	Fail to wrap wet waste in absorbent material	10.6.10	\$125.00
11.	Place recyclables in unapproved container	10.6.11	\$125.00
12.	Place garbage in unapproved container	10.6.12	\$125.00
13.	Fail to ensure material is within container with the lid completely closed	10.6.13	\$125.00
14.	Mix prohibited waste with permitted material	10.6.14	\$125.00
15.	Unentitled fail to arrange private collection	10.6.15	\$125.00
16.	Fail to arrange pick-up of revoked waste	10.6.16	\$125.00
17.	Fail to arrange pick-up of unauthorized waste	10.6.17	\$125.00
18.	Fail to store waste in proper container	10.6.18	\$125.00
19.	Fail to empty storage container promptly	10.6.19	\$125.00
20.	Fail to close lids/doors of storage container	10.6.20	\$125.00
21.	Fail to separate prohibited waste from other	10.6.21	\$125.00
22.	Fail to safely store prohibitive waste	10.6.22	\$125.00
23.	Deposit waste outside of site hours	10.6.23	\$125.00
24.	Deposit any prohibited waste at waste site	10.6.24	\$125.00
25.	Deposit any waste of a like to recyclable items	10.6.25	\$125.00

26.	Deposit bulky waste anywhere but directed	10.6.26	\$125.00
27.	Deposit septic tank effluent at waste site	10.6.27	\$125.00
28.	Deposit burning material or set fire at dump	10.6.28	\$125.00
29.	Deposit waste anywhere else but designated	10.6.29	\$125.00
30.	Deposit waste despite refusal by attendant	10.6.30	\$125.00
31.	Salvage at any waste site without permission	10.6.31	\$125.00
32.	Transport waste in insecure containers	10.6.32	\$125.00
33.	Deposit tires with any other waste	10.6.33	\$125.00
34.	Deposit tires with attached rims	10.6.34	\$125.00
35.	Mix white goods with other deposited waste	10.6.35	\$125.00
36.	Deposit Freon appliance at undesignated area	10.6.36	\$125.00
37.	Trespass on any landfill site/ Spoke Transfer Station	10.6.37	\$125.00
38.	Deposit any transient waste at disposal site/ Spoke Transfer Station	10.6.38	\$125.00
39.	Fail to remove any transient waste deposited	10.6.39	\$125.00
40.	Fail to dispose of asbestos following By-law	10.6.40	\$125.00
41.	Fail to pay applicable disposal fee	10.6.41	\$125.00
42.	Place waste at a site or in a container where it was not created	10.6.42	\$125.00
43.	Deposit waste on private/public property	10.6.43	\$125.00
44.	Place waste on public property for collection	10.6.44	\$125.00
45.	Permit owned animal to interfere with waste	10.6.45	\$125.00
46.	Deposit private waste by public receptacles	10.6.46	\$125.00
47.	Deposit waste within City at unauthorized site	10.6.47	\$125.00
48.	Allow liquid to contact public or private land	10.6.48	\$125.00
49.	Fail to wrap animal feces in absorbent paper	10.6.49	\$125.00
50.	Mix more than 10% animal feces with waste	10.6.50	\$125.00
51.	Fail to inform operator of animal excrement	10.6.51	\$125.00

The general penalty provision for the offences listed above is section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33

---

**Subject:** Consultant for Municipal Energy Plan      **Report No.:** PW-002-2015  
**Agenda Date:** January 13, 2015

---

### **Attachments**

**Appendix 01:** RFP Results

**Appendix 02:** Draft Agreement

### **Recommendations**

It is recommended:

1. That Council for the City of Temiskaming Shores acknowledges receipt of Administrative Report No. PW-002-2015;
2. That as outlined in By-law No. 2009-012, Purchasing Policies and Procedures, Section 3.5 Approval Authority, Council approves the award of the contract to VIP Energy Services for Consulting to assist with the preparation of the Municipal Energy Plan for the City of Temiskaming Shores as detailed in Request for Proposal PW-RFP-010-2014 for a total upset limit of \$63,850.00 plus applicable taxes; and
3. That Council directs Staff to prepare the necessary by-law and agreement for the said contract for consideration at the January 13<sup>th</sup>, 2015 Special meeting of Council.

### **Background**

In order for the City to be more energy efficient, and as per a mandate from the Ministry of Energy, city staff are preparing a five year Municipal Energy Plan. As part of this plan the city was successful in receiving funding to assist with the project. As part of this funding, city staff drafted a Request for Proposal to hire a consultant to assist with the multiple aspects of the plan.

### **Analysis**

Six (6) submissions were received in response to PW-RFP-010-2014. The quotations were reviewed and evaluated in accordance to the requirements of the RFP and the deliverables to be provided by the successful service provider. **Appendix 01 – RFP Results** summarizes the results of the responses received in response the request as follows:



Document Title: **PW-RFP-010-2014**

Opening Date: **November 13, 2014**

Opening Time: **2:00 pm**

Description: **Consultant Assistance with Municipal Energy Plan**

Inquiry Contact: **Mitch Lafreniere, Manager of Physical Assets**

Form of Proposal

This is a Request for Proposal with no formal proposal form to be completed; each bidder submits a price along with specific information based on their proposal. Proposals are evaluated based on a pre-determined set of evaluation criteria with price representing 45% of the evaluation.

Bidder: VIP ENERGY SERVICES INC

Total Project Price (incl. HST):	<u>63,850.<sup>00</sup> +HST</u>
Total:	

Non-collusion  Conflict of Interest  
Notes:

Bidder: AET

Total Project Price (incl. HST):	<u>74,500.<sup>00</sup></u>
Total:	

Non-collusion  Conflict of Interest  
Notes:

Bidder: LURA CONSULTING

Total Project Price (incl. HST):	<u>99,846.<sup>00</sup></u>
Total:	

Non-collusion  Conflict of Interest  
Notes:

Bidder: MMM GROUP

Total Project Price (incl. HST):	<u>98,875.<sup>00</sup></u>
Total:	

Non-collusion  Conflict of Interest  
Notes:

Bidder: INDECO

Total Project Price (incl. HST):	<u>100,480.<sup>00</sup></u>
Total:	

Non-collusion  Conflict of Interest  
Notes:

Bidder: STANTEC

Total Project Price (incl. HST):	<u>89,317.46</u>
Total:	

Non-collusion  Conflict of Interest  
Notes:

Comment: Since this is a Request for Proposal all submissions are required to be evaluated based on the pre-determined evaluation criteria. Therefore submissions will be reviewed for errors, omissions, accuracy and other criteria by municipal staff prior to any awarding. Subsequently bidders will be informed of the results.

In Attendance:

Print Name	Representing	Signature
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Document Title: **PW-RFP-010-2014**

Opening Date: **November 13, 2014**

Opening Time: **2:00 pm**

Description: **Consultant Assistance with Municipal Energy Plan**

Inquiry Contact: **Mitch Lafreniere, Manager of Physical Assets**

Form of Proposal

This is a Request for Proposal with no formal proposal form to be completed; each bidder submits a price along with specific information based on their proposal. Proposals are evaluated based on a pre-determined set of evaluation criteria with price representing 45% of the evaluation.

Bidder: PROPOSTERITY GROUP

Total Project Price (incl. HST):	<u>69,813.00 HST</u>
Total:	

Non-collusion  Conflict of Interest  
Notes:

Bidder:

Total Project Price (incl. HST):	
Total:	

Non-collusion  Conflict of Interest  
Notes:

Bidder:

Total Project Price (incl. HST):	
Total:	

Non-collusion  Conflict of Interest  
Notes:

Bidder:

Total Project Price (incl. HST):	
Total:	

Non-collusion  Conflict of Interest  
Notes:

Bidder:

Total Project Price (incl. HST):	
Total:	

Non-collusion  Conflict of Interest  
Notes:

Bidder:

Total Project Price (incl. HST):	
Total:	

Non-collusion  Conflict of Interest  
Notes:

Comment: Since this is a Request for Proposal all submissions are required to be evaluated based on the pre-determined evaluation criteria. Therefore submissions will be reviewed for errors, omissions, accuracy and other criteria by municipal staff prior to any awarding. Subsequently bidders will be informed of the results.

In Attendance:

Print Name	Representing
<u>Logan Belanger</u>	<u>City of Temiskaming Shores</u>
<u>Mitch Lafreniere</u>	<u>"</u>
<u>DAVE TREEN</u>	<u>"</u>
<u>Linda McKnight</u>	<u>"</u>

Signature

[Signature]

[Signature]

[Signature]

**The Corporation of the City of Temiskaming Shores**

**By-law No. 2015-000**

**Being a by-law to enter into an agreement with  
VIP Energy Services for Consulting services to assist  
with the preparation of the Municipal Energy Plan for the  
City of Temiskaming Shores**

**Whereas** under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to responds to municipal issues;

**And whereas** under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**And whereas** under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

**And whereas** Council considered Administrative Report No. PW-002-2015 at the January 13, 2015 Special meeting of Council and directed staff to prepare the necessary by-law to enter into an agreement with VIP Energy Services for consulting services to assist with the preparation of the Municipal Energy Plan for the City of Temiskaming Shores as detailed in PW-RFP-010-2014 for consideration at the January 13, 2015 Special meeting of Council;

**And whereas** the Council of The Corporation of the City of Temiskaming Shores deems it necessary to enter into an agreement with VIP Energy Services for consulting services;

**Now therefore** the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That Council authorizes the entering into an agreement with VIP Energy Services for consulting services to assist in the preparation of the Municipal Energy Plan for the City of Temiskaming Shores at an upset limit of \$63,850.00 plus taxes, a copy of which is attached hereto as Schedule "A" and forms part of this by-law;
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where

such modifications or corrections do not alter the intent of the by-law or its associated schedule.

**Read a first, second and third time and finally passed** this 13<sup>th</sup> day of January, 2015.

---

Mayor – Carman Kidd

---

Clerk - David B. Treen



Schedule "A" to

**By-law 2015-000**

Agreement between

**The Corporation of the City of Temiskaming Shores**

and

**VIP Energy Services**

for assistance with the preparation of the  
Municipal Energy Plan for the  
City of Temiskaming Shores

**This agreement** made in duplicate this 13<sup>th</sup> day of January, 2015.

Between:

**The Corporation of the City of Temiskaming Shores**

(hereinafter called “the Owner”)

and

**VIP Energy Services**

(hereinafter called “the Consultant”)

Witnesseth:

That the Owner and the Consultant shall undertake and agree as follows:

**Article I:**

The Consultant will:

- a) Provide all material and perform all work described in the Contract Documents entitled:

**Corporation of the City of Temiskaming Shores  
Consultant Assistance with Municipal Energy Plan  
Request for Proposal No. PW-RFP-010-2014**

- b) Do and fulfill everything indicated by this Agreement and in the Contract Documents, attached hereto as Appendix 01 – Form of Agreement, forming part of this agreement;  
c) Complete, as certified by the Engineer, all the work by **May 1, 2016.**

**Article II:**

The Owner will:

- a) Pay the Consultant in lawful money of Canada for the material and services aforesaid **Sixty-Three Thousand Eight Hundred and Fifty Dollars and Zero Cents (\$63,850.00) plus applicable taxes** subject to additions and deductions as provided in the Contract Documents.  
b) Make payment on account thereof upon delivery and completion of the said work and receipt of invoice, in accordance with the City of Temiskaming Shores Purchasing Policy, and with terms of Net 30 days after receiving such invoice.

**Article III:**

A copy of each of the Form of Tender, Special Provisions, Item Special Provisions, General Conditions, Specifications, Addenda/Addendum No. 0 to 0 are hereto annexed to this Form of Agreement and together with the plans relating thereto, and listed in the Specifications, are made a part of this Contract, herein called the Contract Documents, as fully to all intents and purposes as though recited in full herein.

**Article IV:**

All communications in writing between the parties, or between them and the Director shall be deemed to have been received by the addressee if delivered to the individual or to a member of the firm or to an officer of the Owner for whom they are intended or if sent by post or telegram addressed as follows:

The Contractor: **VIP Energy Services, Inc.**  
410 Conestogo Road, Suite 101  
Waterloo, Ontario  
N2L 4E2

The Owner: **Corporation of the City of  
Temiskaming Shores**  
P.O. Box 2050  
325 Farr Drive  
Haileybury, Ontario  
P0J 1K0

The Director: **The Director of Public Works  
City of Temiskaming Shores**  
P.O. Box 2050  
325 Farr Drive  
Haileybury, Ontario  
P0J 1K0

In witness whereof the parties have executed this Agreement the day and year first above written.

Signed and Sealed in	)	<b>VIP Energy Services, Inc.</b>
the presence of	)	
	)	
Contractor’s Seal	)	_____
	)	President – Paul Van Brunt
	)	
	)	_____
	)	Witness
	)	Name: _____
	)	
	)	<b>Corporation of the City of Temiskaming Shores</b>
	)	
	)	_____
Municipal Seal	)	Mayor – Carman Kidd
	)	
	)	_____
	)	Clerk – David B. Treen



Appendix 01 to  
Schedule "A" to

**By-law No. 2015-000**

Form of Agreement

Value In Providing Complete Energy Solutions

## Energy Consulting Services



VIP Energy Services, Inc. is a full-service energy management consulting firm. We Create solutions for our clients by drawing upon our intimate knowledge of the markets.

Our mission is to make a major impact on the management of energy by adding long-term value to our business partners and clients.

Our services are targeted at the needs of small, medium and large Industrial, Commercial, and Institutional (ICI) clients as well as partnering with utilities to help service their clients.

Paul Van Brunt  
President



## Consultant Assistance with Municipal Energy Plan

COPY

Prepared for:

The City of Temiskaming Shores  
325 Farr Drive,  
Haileybury, ON P0J 1K0

PW-RFP-010-2014

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Appendix A: RFP Required Forms

Appendix B: Curriculum Vitae

Appendix C: FCM Milestones

Appendix D: Project Profiles

Appendix E: CEP Sustainability Plans

Prepared by:

**VIP Energy Services, Inc.**

410 Conestogo Road, Suite 101  
Waterloo, ON N2L 4E2

November-12-14

.....

# 1 EXECUTIVE SUMMARY

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With solid strategic and CDM plans already in place, the completion of a MEP will place the City of Temiskaming Shores in a leadership position in Ontario's municipal-energy sector. Our goal is to provide insight, ideas, and services to help the City stand out as the premier municipal-energy leader. To achieve this goal, we will need to design and successfully implement a leading-edge MEP.

In order to create a leading-edge MEP we need to:

- Adhere to the principles embedded in the Ministry of Energy's MEP Program & Guidelines
- Communicate the key aspects of the City's Official Plan, particularly the Vision statements and the 3 key characteristics that make the City special: 'healthy community, 'economic development', and 'social capital optimization'
- Seek out stakeholder help...and listen well
- Ensure our united effort influences the various stakeholders to buy into positive changes
- Be innovative

We understand the 3 major stages the Ministry has designed to ensure energy leadership: stakeholder engagement comes first, then the engineered baseline study and the energy map, and finally the development of a MEP that will be embraced. We know the Ministry expectations embedded in these major stages and we have clear ideas on how we can fully satisfy these expectations. Your progressive actions – your strategic planning, your conservation work, your stakeholder communications, and your commitment to sustainability – place you in a leadership position. Together, we can expand on your achievements.

Of utmost importance during the stakeholder engagement stage, we must continue to focus on successful communication as you did during your strategic planning processes. You have established a very solid foundation for communication and stakeholder buy-in. We can combine our expertise and build upon your existing communication successes.

We know we must give cost factors thorough consideration. We have presented project pricing of \$63,850. At this pricing, you will be able to achieve the goal of becoming Ontario's premier municipal-energy leader. We have also shown enhanced services that would increase the pricing to \$92,250. Enhanced services would, for example, expand "awareness communication" with your personnel and elevate the sophistication of energy mapping.

In the following pages, we will provide more details about our proposed services, our people, our qualifications, and our ability to deliver a leading-edge MEP.

To introduce the leaders on our team:

- Alan Sutton, CEM, MBA, LEED AP – chemical engineering, project management, team leadership
- Jack Baker, P.Eng., M.E.Sc. – software engineering, database expertise, cloud computing savvy
- Paul Van Brunt, P.Eng. – 30 years electrical & energy engineering & energy service innovation
- Rick Baker, P.Eng. – 7 years of leadership consulting, entrepreneurship, 25-yr energy career
- Stephen Dixon, M.A.Sc. – systems design engineering, energy & environment, motivational speaker

We are honoured to have the opportunity to present this proposal for your consideration. RFP Requested forms are presented in *Appendix A: RFP Required Forms*.

## 2 PROPOSED METHODOLOGY

---

### 2.1 Introduction

VIP's overall goal is to provide insight, ideas, and services to help the City stand out as the premier municipal-energy leader in Ontario...by creating a top-caliber MEP.

MEP success requires 3 successful activities:

1. Performance of quality engineering work,
2. Communication that influences stakeholders to embrace positive change, and
3. Efficient and effective use of resources, particularly human resources and money.

#### 2.1.1 Performance of Quality Engineering Work

A team of 5 engineers will be working on this project, representing 5 engineering disciplines: Chemical, Electrical, Mechanical, Systems Design, and Software. A multi-disciplined approach will ensure all engineering bases are covered. In addition to covering the required engineering disciplines, the team of 5 engineers possess well over 100 years of energy-sector experience. That 100 years of experience includes more than 10 years of software experience, 20 years of utility employment, 10 years of manufacturing-sector employment, and 60 years of providing end-user services ranging from procurement and utilization to conservation and sustainability. Please refer to **Appendix B: Team Member Curriculum Vitae**.

#### 2.1.2 Communication that Influences Stakeholders to Embrace Positive Change

The City of Temiskaming Shores ("City") completed a comprehensive strategic planning process, which produced the City's **City of Temiskaming Shores Official Plan, March 2014**. This plan is laced with well-conceived communication processes, including:

- Key Informant Interviews
- Community-based dialogue
- Community Survey
- Distribution of Draft Strategic Plan
- Community Open House

This list of the City's communication actions is impressive. These communication processes have created a solid foundation for the next major step for the City and its stakeholders – the creation of the MEP. After an initial exchange of ideas with the City aimed at determining "*what worked best during the strategic planning process*", the VIP team will incorporate the most successful communication actions into the MEP. New communication actions are also envisioned and included in this proposal.

Examples of communications, proven to engage people bring about positive change:

- Awareness and idea-generation workshops that feature the VIP team’s Stephen Dixon (a magnetic energy & environment speaker with a natural ability to engage the people in audiences) and Rick Baker (a 20-year serial entrepreneur who now directs his efforts toward helping leadership teams reach consensus and achieve their potential),
- Focused mail-outs, awareness communications designed to keep the City’s community-leadership initiative on everyone’s radar screen, and
- Website communications, celebrating stakeholder successes (tied to the MEP) and injecting a fun factor.

This proposal contains introductions to the above and other communication actions and processes.

### 2.1.3 Efficient and Effective Use of Resources, particularly human resources and money

With the completion of a comprehensive strategic plan, which included a number of well-planned communication processes, the City has the ability to create a very cost-effective MEP. The communication planning and testing work, already performed by the City, will reduce the costs in Stage 1 (Stakeholder Engagement) of the MEP project. This is an important consideration because it not only reduces costs, it also allows timely completion of Stage 1. And, Stage 1 is critical to success. ‘Communication with influence’ increases the likelihood that engineering work will result in end-users’ actions that reduce energy use, increase sustainability of the environment, and enhance the attractiveness of their community.

VIP can adjust its service package to fit the City’s needs. Throughout this proposal, there is reference to “Base” services and “Enhanced” services. To be clear: the City can choose the Base-service offerings/pricing and receive a top-caliber MEP.

Or, the City can choose to add the Enhanced-service offerings/pricing, which have been designed to:

- intensify awareness and education with City personnel,
- cover the costs of ‘scrubbing utility data’ in the event that is required during the energy-mapping process,
- elevate the sophistication of energy mapping, illustrating more-complex urban planning scenarios, and
- expand communication activity with stakeholders (i.e., more-comprehensive marketing action).

Also, please note: energy audits with an average cost of 0.035 \$/square foot are included as enhanced services.

## 2.2 Project Overview

Given the current economic climate, rising energy costs, challenging budgets, and our current dependence on energy it is critical that the City have appropriate plans to not only reduce the cost and environmental impact of energy on today's residents of Temiskaming Shores, but to also protect future generations. The objective of the MEP is to build an actionable roadmap for the City and its residents to help fulfill the vision and goals of the City. Specifically, the MEP shall:

- Assess the community's energy use and greenhouse gas (GHG) emissions;
- Identify opportunities to conserve, improve energy efficiency and reduce GHG emissions;
- Consider impact of future growth and options for local clean energy generation; and,
- Support local economic development.

The framework for this initiative will be the requirements from the Green Energy Act Regulation 397/11 and the FCM Partners in Climate Protection program, however, it will also need to integrate and capitalize upon existing sustainability and conservation initiatives, as outlined in the *City of Temiskaming Shores Official Plan, March 2014*. This MEP, when implemented, must clearly drive measurable financial improvements by improving energy efficiency throughout the City's operations.

The following sections discuss in detail our approach as well as our work plan.

## 2.3 Our Approach

In the development of the *City of Temiskaming Shores Official Plan, March 2014*, the City gained valuable experience by applying methodology, including an environmental scan and a series of community engagement practices, which aided in the development of the Plan.

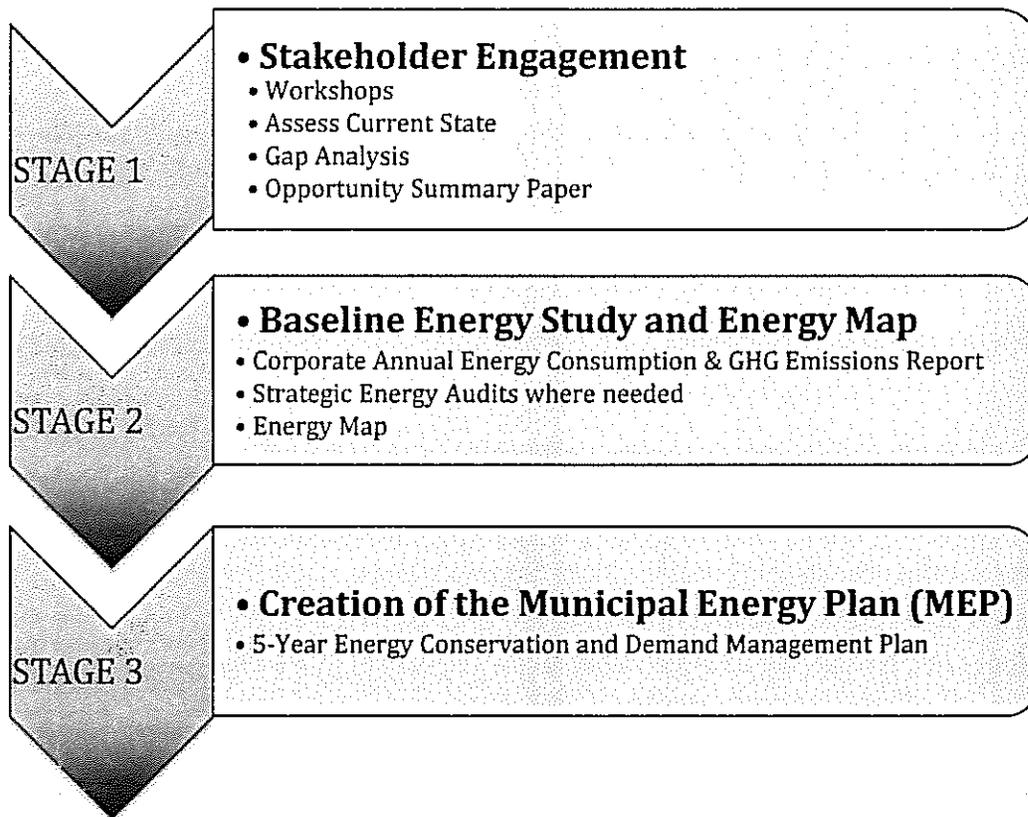
The result was a clear Vision for the City and its future; expressed as sixteen (16) Plan Objectives. VIP's Team will use the success of this effort to springboard the development of the MEP. Our approach is sensitive to the City's need to secure value for investment. As such, our proposed methodology has two components: a base and an enhanced set of activities.

The most successful policies must be driven from within the organization, even if outside expertise is employed. Our job, as idea-generators, facilitators, and coaches is as important as our role as engineers and policy developers. In addition to drafting the plan, our role will also be to support, challenge, and inspire the designated City staff participants to develop an industry leading, actionable, living plan.

In our development of the MEP, several important factors will be taken into consideration beyond the written scope of work as follows:

- All actions will meet the PAREE principle (practical, affordable, reasonable, educational and enforceable).

- Focus on building helping City personal grow energy-leadership will promote a culture of conservation and sustainability, supporting the successful delivery of this initiative.
- Effective involvement of required stakeholders in building the MEP will ensure it appropriately reflects the values and focus of the residents of Temiskaming Shores.
- The VIP team will ensure City personnel are engaged in the process throughout the project, with ongoing communication and participation in decision-making.
- The VIP team will use creative ways to be efficient in the delivery of this project and ensure the highest level of performance.
- Sustainable work methods will be employed wherever possible to reduce the energy and environmental impact of completing this initiative.



A key part of an effective energy management plan rests on the development of organizational capacity for energy management in terms of policy and planning, human resources development, appropriate identification of energy management accountability, communications, and investment practices.

The first component of the stakeholder engagement process will focus on City personnel – putting internal resources to work on this important initiative and building internal buy-in. This will involve the development and delivery of one day Program Launch workshop for City personnel. It will focus on the City's MEP vision and MEP goal (linkage to the City's strategic plan....'inclusive', 'vibrant', and 'sustainable'), generating 'buzz', and engaging the City's people.

The second component of the stakeholder engagement process will focus on external stakeholders and resources. This will involve:

1. agreement on the lists of stakeholders, including the list of must-have people (as identified by the Ministry) and nice-to-have people (the City's list and VIP's recommendations),
2. creation of a "Communication Plan" (getting started is key...and then making adjustments as feedback is received from stakeholders), and
3. the development and delivery of one day stakeholder-input workshop.

The stakeholder-input workshop will focus on obtaining communication plan input, finding energy savings, and establishing sources of energy information. It will cater to a broader audience including participants from local energy supply chain (OPA, LDC, equipment Vendors), municipal officials, local market sector (commercial, industrial, residential), and local public sector (school board and hospital) representatives.

Details of the workshop are as follows:

- The one-day workshop will be delivered to a focused audience with the objective of providing a principal based methodology to (1) enable City staff to spot energy savings opportunities and (2) enable stakeholder participants to identify energy savings opportunities, sources of energy data, and determining the means to secure the data. All training material will be provided.
- This workshop is a hands-on and highly interactive charette-style experience. Facilitators will utilize a variety of physical demonstrations, calculation worksheets, graphic slides, role plays, case studies, and discussion to create a highly effective learning environment. The workshop experience is designed to provide many perspectives on saving energy dollars, whether operational, technological or a combination of both.
- A key aspect of the internally focused workshop is the development of an understanding of "how energy behaves and is used in your facilities". This understanding is fundamental to being able to identify and act upon savings opportunities.

- A key aspect of the externally focused workshop is the development of an understanding of *"how energy behaves and is used in the Municipality"*.
- The workshops will review the energy retrofit activity carried out by the City as a leading example of environmental sustainability, with a focus on some of the higher profile energy retrofit projects.
- The workshops will explore -- with physical demonstration and case studies -- a framework for technical awareness and an in-house methodology for opportunities identification. The Seven Steps<sup>®</sup> framework and methodology examines energy use starting at the point of purchase (generation), and ending with an inventory of end-use. The methodology for the identification of savings opportunities starts with elimination of waste at the point of end-use and ends with optimization of supply.
- The workshops will address the key issue of getting to the implementation of measures identified through the conceptual development of a process for project identification, evaluation, prioritization and development.
- The workshops will encourage buy-in.

One of the expected outcomes from the Stage 1 workshops is a clear understanding of the extent of data scrubbing that will be required and the metrics to be utilized throughout the project including, in particular, the need for 'clean' information for energy mapping.

At a Stage 1 Close-Out Meeting, VIP will provide the City with a status update including, but not limited to:

- A communication document issued to the engaged Stakeholders highlighting their contribution;
- A list of the stakeholders engaged, including the names of the participants and the dates the workshops took place, copies of consultation agendas, and minutes or summaries of meetings;
- A list of conservation objectives and any opportunities identified through engagement with stakeholders; and
- A strategy for continued stakeholder engagements and communications through Stages 2 and 3, as set out below.

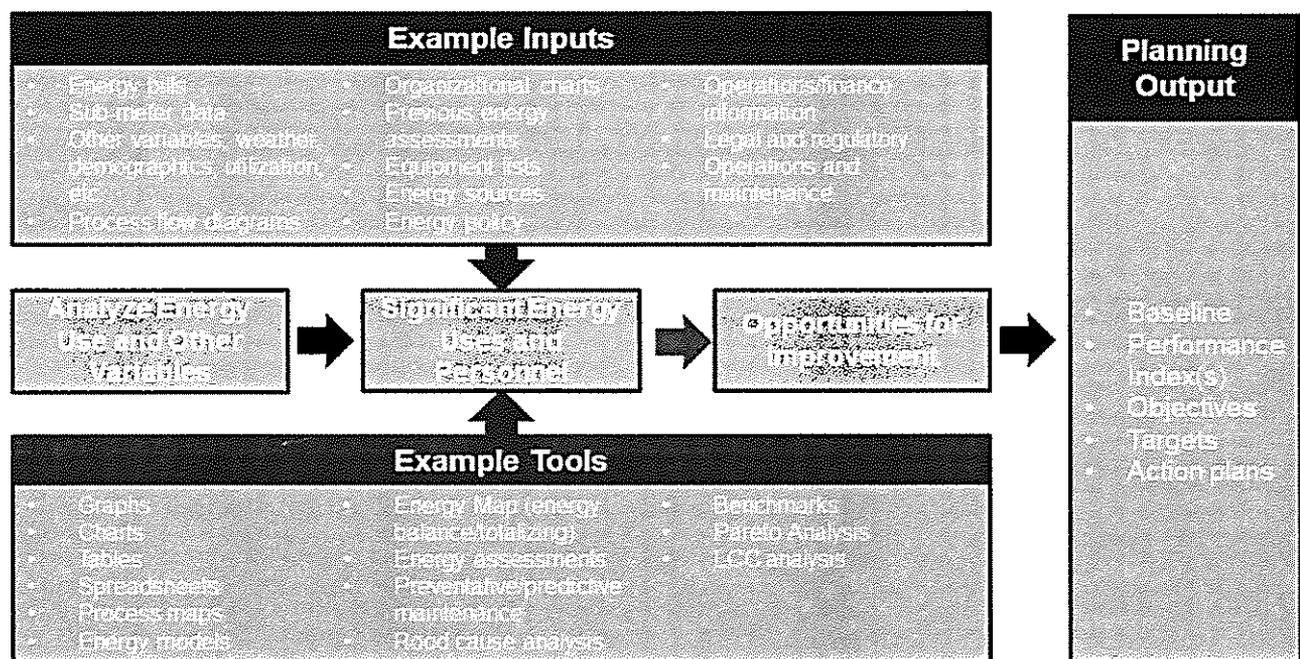
### **Enhanced Services**

As an enhancement to the Stage 1 activities previously outlined, VIP recommends that an Open House be arranged to invite public review and comment. This would be an event launch, or kick-off, effort promoting the City's commitment to the project. VIP will present the goals and objectives of the MEP development, the integration of the effort with previous City plans and initiatives, summarize the success of the City's conservation efforts, and outline the approach to be taken in the development of the MEP.

## Stage 2

### Baseline Energy Studies and Energy Map(s)

The Baseline Energy Studies will measure how and where energy is used within the City and, coupled with the information gained in Stage 1, provide the foundation for analyzing identified opportunities for reduction of energy use. The VIP team will work with a number of stakeholders, including the local gas and electric utilities, to provide energy consumption data at an aggregate level. Under the recently announced OPA Conservation First Framework, the LDCs will have greater autonomy in the assistance they can provide to complete this work. Further, a culture of collaboration is being encouraged between the different utility providers.



VIP's ongoing communications with the engaged Stakeholders will take the form of a multi-media campaign. VIP will work with the City to provide (publicly accessible) quarterly website updates outlining the progress achieved, celebrating who's participating in the City's energy initiative, and sharing local MEP-inspired success stories. A monthly email communication will be issued to all participating Stakeholders, to share this information and expand awareness. During Stage 2, VIP will meet one-on-one with key stakeholders including policy makers, end users, and all the utilities. These information-exchange sessions will cover at least:

- A profile of how energy is supplied and distributed in the City, including renewable and distributed energy facilities;
- A profile of existing transformer/customer installation with existing solar penetration and extrapolate performance assuming 50% upward to 100% of customer installing some form of renewable generation;

- Energy consumption data, including electricity, natural gas, heating oil, propane, diesel and transportation fuels by sector including municipal, residential, commercial, industrial and transportation (including water treatment and sewage infrastructure);
- Wherever possible, include metrics based on customer class (for example kwh/tonne of product) to ensure that commercial and industrial stakeholders are in unit measures that they can relate to;
- Spatial analysis of energy consumption statistics in each sector to identify opportunities for energy conservation within each sector;
- Greenhouse gas emissions resulting from energy consumption (utilizing a calculation methodology to estimate the greenhouse gas emissions that aligns with best practices);
- Buy-in of City and Provincial Stakeholders, including the local politicians and the Ontario Power Authority (OPA); and
- Identification of energy conservation opportunities that support and align with the *City of Temiskaming Shores Official Plan, March 2014* and the *City of Temiskaming Shores' 2015-2019 Conservation and Demand Management Plan*.

Per the Ministry of Energy Guidelines, March 2014, VIP will provide an energy data collection and analysis at a minimum of postal code granularity. Subject to agreed upon budget, the energy mapping granularity may be raised (for example, as included in the recent energy mapping for the City of Guelph and City of London). For most metrics, the utilities will be providing data associated with the numerators (energy units) and VIP will work with the City to establish the most-meaningful denominators (for example, geographic area).

At a Stage 2 Close-Out Meeting, VIP will provide the City with a status update including, but not limited to:

- A summary of the results of the Baseline Energy Study data research including:
  - A description of the data collection process, or processes, including roles of relevant stakeholders;
  - Methodologies used for data analysis; and
  - The “Energy Map”.
- A description of how the results of Stage 1 and the data collection and analysis in Stage 2 will inform the development of the MEP, including:
  - An outline of next steps/timelines;
  - The ongoing role of key stakeholders; and
  - Any preliminary findings/opportunities that may be integrated into the MEP.

### Enhanced Services

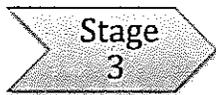
As an enhancement to the Stage 2 activities previously outlined, VIP recommends that detailed energy audits (ASHRAE<sup>1</sup> Level II) be conducted at the City’s facilities where there is a gap in past practice and

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<sup>1</sup> American Society of Heating, Refrigerating and Air-conditioning Engineers, Inc.

current needs. Here we will identify energy conservation measures that will align with the Council's vision and environmental goals.

As identified in our previous discussion of data quality, the extent to which the collected data will need "cleaning" will drive the costs of analysis higher.



Stage  
3

## Creation of the Municipal Energy Plan (MEP)

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The MEP will be reviewed by City staff and must be approved by Council. The objective will be to produce a 'living' and actionable document to ensure The City meets its short and long term energy reduction and sustainability goals.

By this stage of the project, VIP will have compiled the data collected from the previous stages. In meetings with the City's staff, VIP will review the merits and drawbacks of each energy conservation measure identified. Utilizing a selection criteria established by the City, VIP will prioritize and organize the measures into Design, Construction and Retrofit Strategies, Operations and Maintenance Strategies and Occupant Behavioural Strategies.

The final report and project will focus on delivering the following objectives outlined in the RFP:

- A commitment and proposed timelines on integrating energy efficiency and conservation recommendations including action items detailed in the Plan;
- Timelines and budgetary considerations;
- Identification of any supply or generation constraints and/or growth pressures within the City;
- An outline of the City's strategy within the context of regional energy planning;
- Identification of costs and impact of specific conservation measures that could be undertaken for specific facilities, operations, areas or sectors and timelines for implementation;
- Conservation and efficiency should have a place of their own and the two should be noted within the context of a transition to renewable energy;
- The MEP should highlight a carbon emission reduction strategy and include emission reduction metrics alongside kwh, btu and other units of energy consumption;
- Identification of internal or external resources that will assist in plan implementation;
- description of how the key objectives and initiatives of the Plan will be incorporated/coordinated with other municipal and key stakeholder planning processes;
- An implementation strategy, outlining what actions are intended to achieve the goals, objectives and targets, including setting immediate goals (1-2 years out), short terms goals (3-7 years out) and long term goals (8-20 years out);
- Identify Provincial, Federal and OPA incentive opportunities to assist with implementation and financial support;
- A summary of stakeholder engagement undertaken and how stakeholders will continue to be engaged in the future;
- An outline of how the Plan will be communicated to the stakeholders;
- Ensure that the MEP's recommended actions meet the PAREE Principle (Practical, Affordable, Reasonable, Educational and Enforceable);

- Maximize financial savings through energy savings;
- Assess the City's energy use, and associated costs and greenhouse gas emissions;
- Reduce the environmental impact of City operations, and provide corporate leadership in adopting a culture of conservation and sustainability;
- Make provisions for community focused input into the MEP, especially as it relates to the Milestones of the FCM Partners for Climate Protection program;
- Create the MEP so that it complements existing and planned sustainability initiatives undertaken by the City, as outlined in the *City of Temiskaming Shores Official Plan, March 2014 and the City of Temiskaming Shores' 2015-2019 Conservation and Demand Management Plan*;
- Consider key energy drivers, including community design/planning, demographics and transportation (e.g. active transportation, carpooling);
- Generate internal capacity within the City to undertake energy management, monitoring, analysis and reporting functions;
- Make recommendations for sufficient staff resources to implement and maintain the MEP; and,
- Ensure that the City meets its commitments under the Federation of Canadian Municipalities Partners for Climate Protection Program, as they relate to the completion of Milestones 1, 2 and 3; as outlined in *Appendix C: FCM Milestones*.

VIP will prepare the final draft to be brought to Council for their approval.

#### Enhanced Services

As an enhancement to the Stage 3 activities previously outlined, VIP recommends preparation of a presentation to the Municipal and Provincial Stakeholders such as the Member of Provincial Parliament (MPP), the Ontario Power Authority (OPA), Association of Municipalities Ontario (AMO) and the Ministry of Energy.

#### 2.4 Quality Control

VIP has a formal quality management system which follows the ISO 9000:2008 Quality Management standard. The quality management system promotes quality practices across VIP's organization with the goal of:

- Reducing the risk and consequences of design errors;
- Helping us grow by promoting reliable processes;
- Improving productivity and efficiency;
- Promoting the quality and reliability of our services;
- Improving the financial performance of our operations;
- Increasing client confidence and loyalty; and,
- Supporting regulatory compliance.

The Quality Management System (QMS) helps communicate VIP's practices for planning, managing people, client satisfaction, practice management, managing sub consultants, and for continual improvement. The specific elements of the QMS are:

- Strategic Planning—aligning our focus, planning our work;
- People Focus—key processes to help our most valuable resource;
- Customer Focus—understanding client requirements;
- Service Delivery—focus on project management & delivery;
- Supplier Focus—promoting mutually beneficial supplier relationships; and,
- Measurement and Improvement—measurement of client satisfaction, business results, and progress on improvement objectives.

Other critical aspects of our QMS include:

- Client Feedback Interview process — the client feedback process is generally viewed positively by our clients and it is a valuable way to develop client relationships. Client feedback is used to improve our performance on a specific project as well as to continually improve our organizational practices and processes.
- Practice Audit Process — we conduct internal audits to assess compliance with our company policies and procedures and with the various elements of the QMS. The other significant objective of this process is to evaluate the effectiveness of the QMS and to look for opportunities to improve our processes and leverage best practices.
- Improvement Process — promoting a culture of continual improvement is a fundamental aspect of successful organizations with effective quality management systems. To this end, we have a formal Improvement Process to encourage suggestions for improvement and to document follow-up actions.

## 2.5 Scope Control

The service delivery requirements of the MEP development are addressed through a focus on our project management and project delivery processes. Our Project Management practices confirm and clarify, in a concise format, the expectations VIP has of their Project Managers and provides centrally located reference documents ("one stop shopping") with easily accessible online references to relevant resource information.

The Project Management practices encompass the critical tasks which affect both the management of risks and achievement of quality on typical projects, and are organized based on the four key stages of project management: Initiate, Plan, Control, and Close-out.

VIP's scope of work will be clearly defined and understood by both parties. A detailed scope of work helps avoid misunderstandings, disputes and claims. Every scope of work should include a detailed list of services to be performed, the fee for the services, and a schedule for performance. The scope will include a detailed list of other services available upon request for an additional fee, as well as a detailed list of services that are specifically excluded.

Projects are broken down into manageable elements that reflect the way the work will be carried out, managed and controlled, with each descending level representing an increasingly detailed description of the project elements. The major project elements are further divided into smaller more manageable components until the deliverables are defined in sufficient detail to support planning, executing, controlling and closing activities.

The scope of work will be reviewed by our project leaders and presented during an “Internal Kick Off Meeting”. This kick off meeting will clearly establish to the team:

- Quality work to project scope and standards;
- Project Objectives and Deliverables;
- Project budget and schedule;
- Work Breakdown Structure; and,
- Existing documentation, Governmental regulations and Municipality policies and procedures.

The key to maintaining a project scope, schedule and budget is through well-defined structured tracking of progress and budget. When all involved understand what is expected of them, scope control becomes an easily maintainable task with our Deliverables Tracking Sheet.

## 2.6 PROJECT SCHEDULE AND WORK PLAN

Effective Schedule Control results from effective and ongoing project management. Some of the key elements which will be implemented to achieve the desired schedule control are:

- Use of highly qualified experienced local resources;
- A well-developed and proven QA/QC procedure;
- Key project team members working together on an ongoing basis and interacting effectively to meet project deadlines;
- A clearly defined communication protocol adhered to by all team members;
- A thorough understanding of the City’s project requirements and expectations;
- A clearly presented and realistic schedule;
- An efficient and reliable means of collecting progress information;
- Establishment of individual responsibility for each activity; and,
- Ongoing review and communication of schedule progress.

The VIP Project Manager, in collaboration with the City Project Manager, is responsible for developing the master schedule from the Work Breakdown Structure. We will identify the anticipated level of effort for all key staff members to successfully complete this project. The identified resources will commit the necessary time over the duration of their project tasks. There will be an effective process for collecting information regarding progress on each project activity. This requires that the work breakdown structure be rigidly adhered to by all team members and that timely, financial information is available when required. VIP’s

accounting system is fully capable of handling these requirements. With information on project progress, our Project Manager will correct any situation that is causing, or is projected to cause, schedule delays. The means available are: reallocation of resources; extending work hours; adding more resources; and increasing subcontractor performance.

VIP recognizes the design process is already be ongoing, as indicated in *The City of Temiskaming Shores' 2015-2019 Conservation and Demand Management Plan*, and foresees no difficulties in maintaining the proposed schedule. VIP has an abundance of experience in the type of work to be conducted under this RFP and consequently, we have the knowledge and experience to develop a realistic schedule for the work.

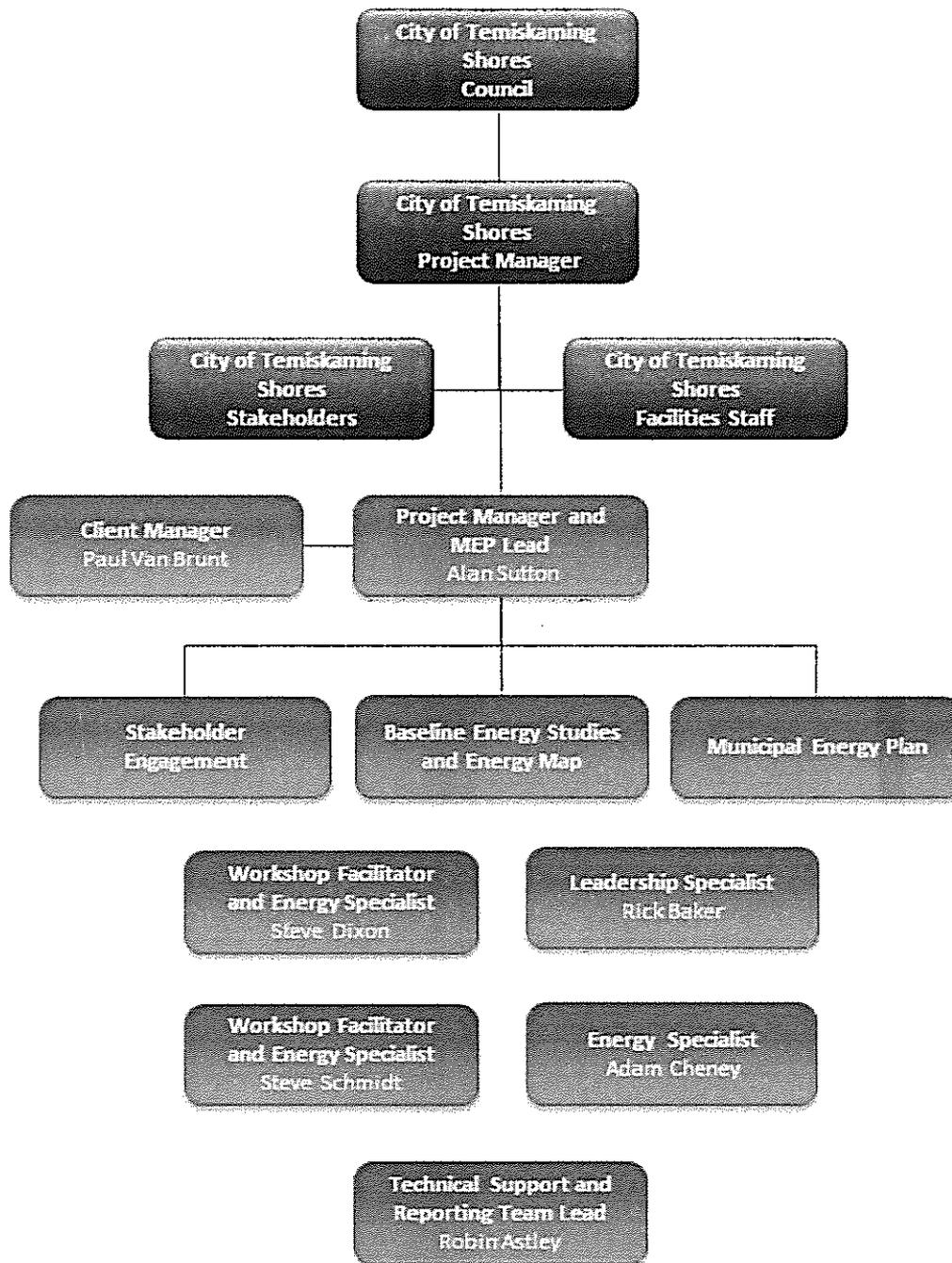
## 2.7 Task/Time Matrix

At this, the pre-project award stage, a high-level overview of the project is presented. Upon the completion of the project General Project Requirements/Needs Analysis phase, a detailed task time matrix will be developed.

City of Temiskaming Shores  Municipal Energy Plan	Level of Effort Estimates					
	BASE PROJECT A stand-alone offering			ENHANCED PROJECT Expanding the service		
	City Personnel	VIP	Union Gas Hydro	City Personnel	VIP	Union Gas Hydro
<b>Stage 1: Stakeholder Engagement</b>						
Project Management and Communications	95	138		124	174	
Workshops	144	99	16	216	117	40
<b>Stage 2: Energy Baseline and Energy Map</b>						
Data Collection	24	94	40	34	182	80
Data Analysis and Mapping	-	248	48	-	376	96
Communications and Reporting	58	60		82	84	
<b>Stage 3: Municipal Energy Plan</b>						
Municipal Energy Plan	18	46		18	46	
Communications and Reporting	48	48		72	96	12
Council Presentation	10	24		10	24	
<b>Total Hours</b>	<b>397</b>	<b>757</b>	<b>104</b>	<b>556</b>	<b>1,099</b>	<b>228</b>

### 3 PROPOSED STAFF

VIP Energy Services, Inc. has extensive experience in overall project management with a staff consisting of 8 professionals. Allow us to introduce key members of our project team. Example project work has been provided in *Appendix B: Team Member Curriculum Vitae* with the relevant project profile summaries. VIP authorizes the disclosure of the relevant CV personal information for these Team Members.



**Paul Van Brunt, P.Eng., President**

**Role: *Client Manager and Technical Oversight***

Paul Van Brunt graduated from the University of Western Ontario with a Bachelor of Electrical Engineering. Paul's career began at Ontario Hydro in 1982 where he held various positions. He has 27 years of experience in energy procurement and business development with analysis and energy-problem solving. Paul has been instrumental in providing energy risk management plans for clients in many different sectors, providing avenues for savings and budget stability in times of volatile energy markets. He has also been a primary resource in providing technical oversight of many of VIP's clients' Energy Audit and Conservation Programs.

#### **Experience Highlights**

- Entrepreneur
- P. Eng., PEO Member
- Technical expertise, procurement

**Alan Sutton, B.A.Sc., M.B.A., CEM, LEED AP®, Director, Energy Management, VIP**

**Role: *Project Manager***

Alan Sutton currently serves as VIP's Director – Energy Management. With strong technical and leadership skills, and a diverse background, Alan is a valuable addition to any project team. His passion for energy conservation and team building has supported the organization's philosophy of being a strategic Energy Management partner with the knowledge and expertise to help Clients save time and money.

A Chemical Engineer (University of Waterloo), with an MBA (Wilfrid Laurier University), Alan has a 30-year career that has encompassed Research and Development, Manufacturing, and Energy Conservation, primarily in the Existing Building Market Segment. Alan brings more than ten years' experience with performing: Building Condition Assessments, Energy Audits (identifying strategic Energy Management Strategies, analyzing their fiscal opportunity, and applying client-based criteria to develop potential implementation plans); Designing Retrofits (design and construction project management); and, Commissioning (making sure that the installed equipment is performing as designed). Alan has led Energy Management and Commissioning Leadership Teams, has been responsible for development of consistent practices and development of templates and tools to facilitate the efficient execution of projects.

#### **Experience Highlights**

- "Cradle to Grave" experience: assessment, analysis, strategic planning, implementation and commissioning
- Client and Project Management: sustainability triple bottom-line focus
- Technical expertise

**Rick Baker, P.Eng., Chief Executive Officer, Spirited Leaders Corporation**

**Role: *Leadership Specialist***

Rick is a P.Eng., enjoying a 32-year career. During the first 25 years, Rick had 3 roles: utility employee (Union Gas), energy entrepreneur (founder of several Canadian energy businesses, with a focus on Ontario), and senior executive at one of Canada's major energy marketing companies (Rick and partners sold a business to Coral Energy, now known as Shell Trading).

During the last 7 years, Rick has served as a consultant to Ontario business leaders and their leadership teams. Rick is a prolific reader and writer, with much teaching experience ranging from 1-on-1 sessions to audiences of 500 people. Rick has been honoured to serve in numerous community-leadership roles including leadership roles at Chambers of Commerce (Brantford and Kitchener-Waterloo), the Centre For Family Business (present Chairman), and Conestoga College (Vice-Chair Advisory Council for their Centre For Entrepreneurship and instructor for the post-grad course, "Business Growth & Succession Planning").

#### **Experience Highlights**

- Unique understanding of Municipal organizations and operations
- Entrepreneur
- Leadership mentor and coach

**Steve Schmidt, Hons BA., Vice-President, VIP**

**Role: *Back-up Project Manager and Workshop Specialist***

Steve has been actively involved in Industrial and Energy Management for over 16 years. Since graduating on the Dean's Honour List from the University of Waterloo, he has been engaged in the areas of industrial automation and process management as well as energy procurement, risk management, conservation and demand management. Most recently, Steve has taken an active role in managing our clients' conservation and demand management programs including Energy Conservation and Demand Management Plan creation and implementation.

#### **Experience Highlights**

- Responsible for the successful creation of numerous Energy Conservation and Demand Management Programs
- 16 Years Industrial and Energy Management
- Senior Technical Analysis and Project Management

**Jack Baker, P.Eng., M.E.Sc., Chief Technology Officer, Spirited Leaders Corporation**

**Role: *Back-up Project Manager and Workshop Specialist***

Senior technology specialist Jack Baker has more than 15 years' experience designing, implementing, installing, and maintaining custom hardware and software. A graduate of the University of Western Ontario with a Masters in Software Engineering. Jack is one of very few software engineers to obtain P.Eng. Designation.

Jack develops and implements automated, user-friendly solutions to replace manual, time-consuming, and obsolete processes. A brilliant problem solver, Jack helps businesses improve efficiency with custom software design, software and database architecture, custom-built solutions, server and networking hardware, and more.

While working with VIP's predecessor, The BEST Co., Jack spearheaded a software development project for an electricity-service-based client analysis and management tool. Working closely with Hydro One personnel, he developed a back-end database and front-end data entry system to handle Ontario Hydro Energy's residential contracts.

#### **Experience Highlights**

- Responsible for the successful creation of numerous Energy Conservation and Demand Management Programs
- 16 Years Industrial and Energy Management
- Senior Technical Analysis and Project Management

**Stephen Dixon, B.Sc., M.A.Sc., Principal, TdS Dixon Inc.**

**Role: *Workshop Specialist***

Stephen Dixon is a freelance energy consultant and Principal of TdS Dixon Inc., of St Jacobs, Ontario. He brings a practical, hands-on approach to the challenge of developing the energy management capacities of a broad range of institutional, commercial and industrial organizations. Stephen has accumulated over thirty two years of energy management experience, including more than 600 energy audits and the facilitation of over 1,000 energy management workshops. Stephen holds an M.A.Sc. in Systems Design Engineering from the University of Waterloo and a B.Sc. in Physics from UPEI.

#### **Experience Highlights**

- Training Charrettes with captivating speaker skills
- Community engagements and energy expertise
- Municipal relationships

**Adam Cheney, ACP, LEED GA®, Energy Conservation and Commissioning Manager, VIP**

**Role: *Energy Specialist***

Mr. Cheney, Energy Conservation and Commissioning Manager of VIP Energy Services, Inc., has experience on both the client and service provider sides of the building optimization, preventative maintenance and quality control services. This allows him to provide a unique and essential perspective on the energy conservation and commissioning field. He has over seven years of experience in building operations, commissioning, building system controls, and performance assessment on a variety of facility types including municipal, commercial and institutional. Adam's experience prior to joining VIP Energy includes the operations and maintenance of a municipal facility, completing preventative maintenance, and the monitoring and adjusting of Building Automation Systems. He has expertise in the design, programming, and commissioning of lighting control systems, and the training of equipment operations and facility professionals.

#### **Experience Highlights**

- Unique understanding of building operations from control to maintenance
- Electrical Commissioning including low voltage equipment such as; Lighting Control, Security Cameras and Electronic Door Access
- LEED and BCA certified

## 4 PREVIOUS EXPERIENCE

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VIP Energy Services, Inc. (VIP) has a long-standing history in the energy market. The firm traces its foundation back to 1991 with the creation of IEEG (Industrial Energy Engineering Group), a firm specializing in Canada-wide energy consulting. In 2000, The BEST Co. Inc. was formed from the former IEEG. In 2003, The BEST Co. Inc. acquired the interests of The Power Connection (TPC) joint-venture from the consortium of Barrie Hydro Holdings Inc., Markham Energy Corporation, Niagara Falls Hydro, Cambridge and North Dumfries Energy Plus Inc. and Guelph Hydro Inc. The BEST Co. was re-branded as VIP Energy Services, Inc. in 2004.

VIP is a privately held corporation, originally incorporated in Ontario. The firm's principles are Paul Van Brunt P.Eng., Alan Sutton B.A.Sc., M.B.A., CEM, LEED AP® and Steven Schmidt B.A. Hons. VIP provides energy management services including Energy Audits, Energy Project Management, Regulatory Analysis and Reporting, Energy Cost/Consumption Data Management and Reporting, Online Energy Meter Data Presentment and Management Tools, Energy Risk Management and Procurement Plans, and Commissioning (new and existing buildings).

VIP currently has a skilled staff of 8 employees providing truly independent, non-biased advice focused on the needs of our clients. Although the firm does have extensive experience with many leading energy management technologies, we do not have any formal or informal affiliations with any equipment manufacturer, provider or resellers. VIP strives to partner with its clients by developing an understanding of:

- The unique nature (and culture) of our customers' businesses and organizations
- Our customers' goals related to their energy targets
- In the case of public sector clients, our experience has given us a unique perspective into the constraints and opportunities presented in terms of public accountability and the budget management process

4.1 List of Comparable Projects:

In **Appendix D: Project Profiles** this Proposal, three project profiles have been provided to reflect the experience of the Team.

In **Appendix E: CEP Sustainability Plans**, VIP has provided two examples of previous Corporate Energy Management Plans, or detailed Sustainability Plans. The extent of data analysis and granularity closely matches that of this assignment. The examples include a copy of the Table of Contents to provide a flavour of the report content.

In addition to these experiences, VIP has the following additional project information to offer:

Five Year Energy Conservation and Demand Management Plans:

Market Sector			
Municipal	University/College	School Board	Hospital
City of Belleville	Canadore College	Brant Haldimand and Norfolk Catholic District School Board	Alexandra Hospital
City of Timmins	Cambrian College		Deep River and District Hospital
County of Essex	Collège Boréal	Conseil scolaire de district catholique des Aurores boréales	Kemptville District Hospital
Regional Municipality of Niagara	Lambton College		Kirkland and District Hospital
Town of Kingsville	Nipissing University	Hamilton Wentworth Catholic District School Board	Montfort Hospital
		Huron-Perth Catholic District School Board	Pembroke Regional Hospital
		Kenora Catholic District School Board	Renfrew Victoria Hospital
		London District Catholic District School Board	Southlake Regional Health Centre
		Northwest Catholic District School Board	St. Francis Hospital
		Peterborough Victoria Northumberland and Clarington Catholic District School Board	Tillsonburg District Memorial Hospital
		Superior North Catholic District School Board	Toronto East General Hospital
			Winchester District Memorial Hospital

**Energy Audits:**

<b>Market Sector</b>			
<b>Municipal</b>	<b>University/College</b>	<b>School Board</b>	<b>Hospital</b>
City of Owen Sound	McGill University	Conseil scolaire de district du Centre Sud-Ouest	St. Francis Memorial Hospital
City of Pickering		Greater Essex County District School Board	Renfrew Victoria Hospital
City of Timmins		Huron-Perth Catholic District School Board	Winchester District Memorial Hospital
County of Essex		Waterloo Catholic District School Board	Alexandra Hospital
Municipality of Clarington			West Haldimand General Hospital
Region of Waterloo			Haldimand War Memorial Hospital
			Montfort Hospital
			Kirkland and District Hospital
			Tillsonburg District Memorial Hospital

**Commissioning:**

<b>Market Sector</b>			
<b>Municipal</b>	<b>University/College</b>	<b>School Board</b>	<b>Hospital</b>
Bradford West Gwillimbury	McMaster University	Conseil scolaire de district catholique Centre-Sud	Sick Kids Hospital
City of London	University of Western	Kenora Catholic District School Board	
Region of Waterloo		Northwest Catholic District School Board	
		Thames Valley District School Board	
		Waterloo Region District School Board	

## 5 PROPOSED COSTS

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### Base Proposal

We are pleased to provide professional engineering services related to the execution of the Municipal Energy Plan (MEP) Consultant project as outlined in this proposal for the City. Professional fees, including disbursements, exclusive of applicable taxes, have been calculated and are presented in the table below.

<b>Professional Engineering Fees (CAN\$, HST Extra)</b>		
<b>PHASE</b>	<b>Base Fee</b>	<b>Enhanced Fee</b>
Stage 01 - Stakeholder Engagement	\$19,570	\$23,290
Stage 02 - Baseline Energy Study and Energy Map	\$25,885	\$42,100
Stage 03 - Creation of Municipal Energy Plan	\$9,815	\$11,500
Anticipated Disbursements	\$8,580	\$15,360
<b>TOTAL</b>	<b>\$63,850</b>	<b>\$92,250</b>

Payment on account for services rendered and for reimbursable expenses incurred, shall be made monthly on presentation of a VIP invoice. Invoices for fees and reimbursable expenses are due and payable by the client upon receipt without holdback. VIP reserves the right to discontinue services in the event of non-payment.

## 6 VALUE-ADDED SERVICES

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Consistent with our guidance provided to clients, we endeavour to reduce our resource requirements as much as possible, and to meet our remaining needs as efficiently as possible. In this context, we:

- Use car-pooling to limit our transportation requirements and associated use of fossil fuels
- Use teleconferencing, where face-to-face meetings can be substituted, to limit our transportation requirements and associated use of fossil fuels
- Use Webinars, where teleconferencing is insufficient but face-to-face meetings can be substituted, to limit our transportation requirements and associated use of fossil fuels
- Support employees who wish to work from their home offices, further reducing fossil fuel use
- Choose low-carbon forms of transportation where possible, including choosing public transit when possible
- Offset GHG emissions which cannot be practically avoided using third-party verified carbon offset credits

Our group supports the principle of sustainable action. As such, we print on recycled paper (including this RFP response). We employ sustainable practices throughout our offices including the use of efficient office equipment, the reuse of office supplies (binders, etc.), reusable coffee cups, motion sensors for lighting, etc.

A cost saving opportunity for this work would be for the City to submit an application to the Natural Resources Canada (NRCAN) available funding to supplement the cost of the workshops. VIP would manage the application process.

A time saving opportunity for this work would be to revise the planned timelines for the project. We propose that Stage 1 Stakeholder Engagement could be accomplished within three months of the project initiation. We believe that the proposed timeline for Stage 2: Baseline Energy Study and Energy Map is reasonable. Stage 3 Creation of the Municipal Energy Plan, we propose, could be completed within a six month time frame. These revisions would see the entire project completed within a fifteen month timeframe.

As part of our company's core business, we continue to work closely with our clients to assist them in making sustainable choices.

## 7 CLOSING

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We thank you for the opportunity to submit this proposal and look forward to assisting you with this project. We trust this proposal meets, or exceeds, your current needs. However, if you have any questions or require clarification with respect to the described work, please do not hesitate to contact the undersigned (below).

It is expected that upon award that VIP Energy Services, Inc. and the City of Temiskaming Shores will be able to come to agreement on a mutually acceptable set of terms and conditions.

This proposal expires thirty (30) days from the Date of Submission (November 13, 2014). VIP retains the intellectual property contained in this proposal. It is to be treated confidentially and not disclosed to third parties. The project team is available to begin work on this project immediately and looks forward to working with your team. Thank you for considering the VIP Team. We look forward to demonstrating our commitment to you.

Respectfully Submitted,

**VIP ENERGY SERVICES, INC.**



Alan Sutton  
B.A.Sc., M.B.A., CEM, LEED AP®  
Director, Energy Management  
Tel: (519) 886-1097 x 233  
Fax: (519) 886-7015  
asutton@vipenergy.ca

AS/RB

# APPENDIX A

RFP Required Forms





**City of Temiskaming Shores**  
**PW-RFP-010-2014**  
Consultant Assistance with Municipal Energy Plan

**NON COLLUSION AFFIDAVIT**

I/ We VIP ENERGY SERVICES, INC. the undersigned am fully informed respecting the preparation and contents of the attached quotation and of all pertinent circumstances respecting such bid.

Such bid is genuine and is not a collusive or sham bid.

Neither the bidder nor any of its officers, partners, owners, agents, representatives, employees or parties of interest, including this affiant, has in any way colluded, conspired, connived or agreed directly or indirectly with any other Bidder, firm or person to submit a collective or sham bid in connection with the work for which the attached bid has been submitted nor has it in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other bidder, firm or person to fix the price or prices in the attached bid or of any other Bidder, or to fix any overhead, profit or cost element of the bid price or the price of any bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Temiskaming Shores or any person interested in the proposed bid.

The price or prices quoted in the attached bid are fair and proper and not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

The bid, quotation or proposal of any person, company, corporation or organization that does attempt to influence the outcome of any City purchasing or disposal process will be disqualified, and the person, company, corporation or organization may be subject to exclusion or suspension.

Signed



Company Name

VIP ENERGY SERVICES, INC.

Title

DIRECTOR - ENERGY MANAGEMENT





**City of Temiskaming Shores**  
**PW-RFP-010-2014**  
Consultant Assistance with Municipal Energy Plan

**Conflict of Interest Declaration**

Please check appropriate response:

- I/we hereby confirm that there is not nor was there any actual or perceived conflict of interest in our quotation submission or performing/providing the Goods/Services required by the Agreement.
- The following is a list of situations, each of which may be a conflict of interest, or appears as potentially a conflict of interest in our Company's quotation submission or the contractual obligations under the Agreement.

List Situations:

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In making this quotation submission, our Company has / has no (*strike out inapplicable portion*) knowledge of or the ability to avail ourselves of confidential information of the City (other than confidential information which may have been disclosed by the City in the normal course of the quotation process) and the confidential information was relevant to the Work/Services, their pricing or quotation evaluation process.

Dated at WATERLOO this 11<sup>TH</sup> day of NOVEMBER, 2014.

FIRM NAME: VIP ENERGY SERVICES, INC.

BIDDER'S AUTHORIZED OFFICIAL: ALAN SUTTON

TITLE: DIRECTOR - ENERGY MANAGEMENT

SIGNATURE: Alan Sutton





**City of Temiskaming Shores**  
**PW-RFP-010-2014**  
Consultant Assistance with Municipal Energy Plan

PW-RFP-010-2014

Contractor's submission of bid to:

The Corporation of the City of Temiskaming Shores

Stipulated Bid Price

We/I, TE ENERGY SERVICES INC  
(Registered Company Name/Individuals Name)

Of, 210 CAWSTOWN RD WATERLOO ON N2L 4E2  
(Registered Address and Postal Code)

Business:

Phone Number (519) - 886 - 1097

Fax Number (519) - 886 - 7015

We/I hereby offer to enter into an agreement to supply and install, as required in accordance to the proposal for a price of:

Lump sum price (incl. HST)

\$ 72,150.50 CAN

SEVENTY TWO THOUSAND ONE HUNDRED AND FIFTY <sup>50</sup>/<sub>100</sub> DOLLARS



# APPENDIX B

## Team Member Curriculum Vitae



**Alan Sutton** B.A.Sc., M.B.A., CEM, LEED AP®

Director, Energy Management



Alan Sutton currently serves as Director – Energy Management of VIP Energy Services Inc. With strong technical and leadership skills, and a diverse background, Alan is a valuable addition to any project team. His passion for energy conservation and team building has supported the organization's philosophy of being a strategic Energy Management partner with the knowledge and expertise to help Clients save time and money.

A Chemical Engineer (University of Waterloo), with an MBA (Wilfrid Laurier University), Alan has a 30-year career that has encompassed Research and Development, Manufacturing, and Energy Conservation, primarily in the Existing Building Market Segment. Alan brings more than ten years' experience with performing: Energy Audits (identifying strategic Energy Management Strategies, analyzing their fiscal opportunity, and applying client-based criteria to develop potential implementation plans); Designing Retrofits (design and construction project management); and, Commissioning (making sure that the installed equipment is performing as designed). Alan has led Energy Management and Commissioning Leadership Teams, has been responsible for the development of consistent practices and the development of templates and tools to facilitate the efficient execution of projects.

### Experience Highlights

- "Cradle to Grave" experience: assessment, analysis, strategic planning, implementation and commissioning
- Client and Project Management: sustainability triple bottom-line focus
- Technical expertise

### EDUCATION

Master of Business and Administration, Wilfrid Laurier University, Waterloo, Ontario, 1989

B.A.Sc. Chemical Engineering with a Management Science Option, University of Waterloo, Waterloo, Ontario, 1984

### MEMBERSHIPS

Member, Canada Green Building Council

Member, Association of Energy Engineers

Member: Institute of Energy Managers

## PROJECT EXPERIENCE

### Energy Conservation and Demand Management Plans

**Winchester District Memorial Hospital** (*Winchester, Ontario*)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Tillsonburg District Memorial Hospital** (*Tillsonburg, Ontario*)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Alexandra Hospital** (*Ingersoll, Ontario*)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Kirkland and District Hospital** (*Kirkland Lake, Ontario*)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Montfort Hospital** (*Ottawa, Ontario*)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Toronto East General Hospital** (*Ottawa, Ontario*)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Alan Sutton** B.A.Sc., M.B.A., LEED AP®

Director, Energy Management

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**Southlake Regional Health Centre** (Newmarket, Ontario)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**St. Francis Hospital** (Barry's Bay, Ontario)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Renfrew Victoria Hospital** (Renfrew, Ontario)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Deep River and District Hospital** (Renfrew, Ontario)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Pembroke Regional Hospital** (Pembroke, Ontario)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Kemptville District Hospital** (Kemptville, Ontario)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**College Boreal** (Various Locations, Ontario)

Project Manager (2014)

University and College (Three Facilities, Five Year CDM Plan and Consumption Template Submission).

**Cambrian College** (Various Locations, Ontario)

Project Manager (2014)

University and College (Thirteen Facilities, Five Year CDM Plan and Consumption Template Submission).

**Lambton College** (Various Locations, Ontario)

Project Manager (2014)

University and College (Thirteen Facilities, Five Year CDM Plan and Consumption Template Submission).

**Canadore College** (Various Locations, Ontario)

Project Manager (2014)

University and College (Eighteen Facilities, Five Year CDM Plan and Consumption Template Submission).

**Nipissing University** (Various Locations, Ontario)

Project Manager (2014)

University and College (Twenty-One Facilities, Five Year CDM Plan and Consumption Template Submission).

**Northwest Catholic District School Board** (Various, Ontario)

Project Manager (2014)

Educational (Six Facilities, Five Year CDM Plan and Consumption Template Submission).

**Huron-Perth Catholic District School Board** (Various, Ontario)

Project Manager (2014)

Educational (Nineteen Facilities, Five Year CDM Plan and Consumption Template Submission).

**London District Catholic School Board** (Various, Ontario)

Project Manager (2014)

Educational (Sixty-Two Facilities, Five Year CDM Plan and Consumption Template Submission).

**Kenora Catholic District School Board** (Various, Ontario)

Project Manager (2014)

Educational (Six Facilities, Five Year CDM Plan and Consumption Template Submission).

**Peterborough Victoria Northumberland and Clarington District Catholic School Board** (Various, Ontario)

Project Manager (2014)

Educational (Thirty-Nine Facilities, Five Year CDM Plan and Consumption Template Submission).

**District School Board of Niagara** (Various, Ontario)

Project Manager (2014)

Educational (127 Facilities, Five Year CDM Plan and Consumption Template Submission).

**Brant Haldimand and Norfolk Catholic District School Board** (Various, Ontario)

Project Manager (2014)

Educational (Thirty-Seven Facilities, Five Year CDM Plan and Consumption Template Submission).

**Hamilton-Wentworth Catholic District School Board** (Various, Ontario)

Project Manager (2014)

Educational (Seventy Facilities, Five Year CDM Plan and Consumption Template Submission).

**Conseil Scolaire de District Catholique des Aurores boréales** (Various, Ontario)

Project Manager (2014)

Educational (Five Facilities, Five Year CDM Plan and Consumption Template Submission).

**Alan Sutton** B.A.Sc., M.B.A., LEED AP®

Director, Energy Management

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**Superior North Catholic District School Board**

*(Various, Ontario)*

Project Manager (2014)

Educational (Ten Facilities, Five Year CDM Plan and Consumption Template Submission).

**City of Belleville** *(Belleville, Ontario)*

Project Manager (2014)

Municipal (Thirty-Six Facilities, Five Year CDM Plan and Consumption Template Submission).

**County of Essex** *(Essex, Ontario)*

Project Manager (2014)

Municipal (Twenty-Six Facilities, Five Year CDM Plan and Consumption Template Submission).

**Town of Kingsville** *(Kingsville, Ontario)*

Project Manager (2014)

Municipal (Thirty-One Facilities, Five Year CDM Plan and Consumption Template Submission).

**Regional Municipality of Niagara** *(Niagara, Ontario)*

Project Manager (2014)

Municipal (Fifty-Six Facilities, Five Year CDM Plan and Consumption Template Submission).

**Lake Huron Primary Water Supply System** *(Various, Ontario)*

Project Manager (2014)

Municipal (Four Facilities, Five Year CDM Plan and Consumption Template Submission).

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## Building Condition Assessments

**Ontario Education Portfolio BCA\*** *(Various Locations, Ontario)*

Report Reviewer (2011-2013)

Ontario Ministry of Education

Educational (Multi-year project to perform Building Condition Assessments of all Ontario facilities).

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## Building Energy Audits

**Northwest Catholic District School Board** *(Various, Ontario)*

Senior Reviewer (2014)

Educational (Five Facilities, Energy Audit).

**Kenora Catholic District School Board** *(Various, Ontario)*

Senior Reviewer (2014)

Educational (Six Facilities, Energy Audit).

**Town of Kingsville** *(Kingsville, Ontario)*

Senior Reviewer (2014)

Municipal (Four Facilities, Energy Audit).

**Renfrew Victoria Hospital** *(Renfrew, Ontario)*

Senior Reviewer (2014)

Health Care (Energy Audit).

**St. Francis Hospital** *(Barry's Bay, Ontario)*

Senior Reviewer (2014)

Health Care (Three Facilities, Energy Audit).

**Winchester District Memorial Hospital Energy Assessments** *(Winchester, Ontario)*

Senior Reviewer (2013)

Health Care (Single Building Level II Energy Assessment)

**College Boreal Energy Assessments** *(Various, Ontario)*

Senior Reviewer (2013)

Educational (Three Building Level II Energy Assessment)

**County of Essex Sun Parlor Home Energy Assessment** *(Leamington, Ontario)*

Project Manager (2013)

Healthcare (Single Building Level II Energy Assessment)

**City of London Lake Huron and Elgin Area Water Supply Systems Energy Assessments** *(Various, Ontario)*

Senior Reviewer (2013)

Municipal (Six Building Level II Energy Assessment)

**Alan Sutton** B.A.Sc., M.B.A., LEED AP®

Director, Energy Management

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**City of Edmonton Energy Assessment\*** (Edmonton, Alberta)  
Project Manager (2013)  
Municipal (5 Building Level II Energy Assessments)

**CIBC Energy Assessments and Options Analysis\*** (Various Locations, Canada)  
Project Manager and Client Manager, (2011-2013)  
Commercial (over 30 bank branches Level II Assessments and Implementation Plan)

**Morguard Energy Assessment\*** (Mississauga and Oakville, Ontario)  
Project Manager (2011-2013)  
Commercial (BOMA BEST Level I Energy Assessment)

**George Brown College M&V Plan\*** (Toronto, Ontario)  
Technical Advisor (2012)  
Education Measurement and Verification Plan development as a component of a LEED Certification)

**Region of PEEL Energy Assessments\*** (Various, Ontario)  
Technical Advisor (2012)  
Municipal (over 200 facilities Level II Energy Assessments)

**Barbados Smart Energy Framework\*** (Various Locations, Barbados)  
Project Manager (2012)  
International Government (researching and proposing energy efficiency standards and specifications 15 facilities, Traffic Control signals and solar photovoltaic)

**Manulife Financial Energy Assessment\*** (Toronto, Ontario)  
Technical Advisor (2012)  
Commercial (BOMA BEST Level 1 Assessment)

**Former Telus World of Science Energy Assessment\*** (Calgary, Alberta)  
Project Manager (2012)  
Institutional (Level II Energy Assessment)

**Westbridge Energy Assessment\*** (Calgary, Alberta)  
Technical Advisor (2012)  
Industrial (Level II Energy Assessment)

**Maxxam Energy Audit\*** (Various Locations, Canada)  
Project Manager (2011)  
Industrial (13 facilities, over 250,000 ft<sup>2</sup>)  
**Weetabix M&V Plan\*** (Cobourg, Ontario)

Project Manager (2011)  
Industrial (Measurement and Verification Plan – design and implementation)

**Richardson Oilseed Water Audit and ECM Implementation\*** (Lethbridge, Alberta)  
Project Manager (2011)  
Industrial (Water audit and ECM implementation)

**City of Windsor Justice Facility** (Windsor, Ontario)  
Project Manager (2011)  
Municipal (BOMA BEST Level I Energy Assessment)

**Arnprior and District Memorial Hospital Energy Audits\*** (Toronto, Ontario)  
Report Reviewer (2011)  
Healthcare (3 facilities, 155,000 ft<sup>2</sup>)

**Polaris Energy Audit\*** (Mississauga, Ontario)  
Energy Auditor (2011)  
Commercial Office (Single facility, 135,000 ft<sup>2</sup>)

**Apple Energy Audit\*** (Markham, Ontario)  
Energy Auditor (2011)  
Commercial Office (Single facility, 45,000 ft<sup>2</sup>)

**PWGSC, SNC Lavalin O&M Energy Audits\*** (Various Locations, Ontario)  
Report Reviewer (2011)  
Federal Government (3 PWGSC facilities, 1,120,000ft<sup>2</sup>)

**Legislative Assembly of Ontario Energy Audit\*** (Toronto, Ontario)  
Project Manager (2010)  
Provincial Government (single facility, heritage building, over 100,000ft<sup>2</sup>)

**Hamilton Wentworth Catholic District School Board Energy Audit\*** (Hamilton, Ontario)  
Project Manager (2010)  
Educational (15 facilities, over 800,000 ft<sup>2</sup>)

**Kawartha Pine Ridge District School Board Energy Audits\*** (Various, Ontario)  
Project Manager (2010)  
Educational (17 facilities, over 1,100,000 ft<sup>2</sup>)  
**Atomic Energy of Canada Limited Energy Audit\*** (Mississauga, Ontario)  
Project Manager (2010)  
Federal Government (single facility, over 140,000 ft<sup>2</sup>)

**City of Brantford Energy Audits\*** Brantford, Ontario  
(Project Manager), 2010  
Municipal (11 facilities, over 450,000 ft<sup>2</sup>)

**Alan Sutton** B.A.Sc., M.B.A., LEED AP®

Director, Energy Management

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**Catholic District School Board of Eastern Ontario  
Energy Audits\*** (Various, Ontario)  
Project Manager (2009)  
Educational (47 facilities, over 1,400,000 ft<sup>2</sup>)

**Regional Municipality of Waterloo Water Treatment  
Plant Energy Model Verification\*** (Cambridge,  
Ontario)

Project Manager (2009)  
Municipal (Trace 700 Energy Model)

**Revera Energy Audit\*** (St. Catharines, Ontario)  
Project Manager (2008)  
Healthcare (two facilities, long term care, 85,000 ft<sup>2</sup>)

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## Commissioning

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**Northwestern Catholic District School Board  
Commissioning\*** (Various, Ontario)  
Project Manager (2014)  
Educational (Five Facilities, Functional Performance  
Testing))

**Kenora Catholic District School Board  
Commissioning\*** (Various, Ontario)  
Project Manager (2014)  
Educational (Six Facilities, Functional Performance  
Testing))

**Thames Valley District School Board  
Commissioning\*** (Various, Ontario)  
Project Manager (2014)  
Educational (Five Facilities, Functional Performance  
Testing))

**Conseil scolaire de district catholique Centre-Sud  
New Construction Commissioning\*** (Various,  
Ontario)  
Project Manager (2013)  
Educational (New Construction Commissioning for four  
Elementary Schools and two Secondary Schools)

**BLJC/CIBC Bank Branch NCx and RCx\*** (Various  
Locations, Canada)  
Project Manager and Client Manager (2013)  
Commercial (Commissioning and Re-Commissioning of  
over 30 Bank Branches in Alberta, Ontario and Quebec)

**SickKids Research Tower New Building  
Commissioning\*** (Toronto, Ontario)  
Technical Advisor (2013)  
Healthcare (21 storey, 750,000 ft<sup>2</sup> New Construction  
Commissioning)

**MEC NCx\*** (Ottawa, Ontario)  
Project Manager (2012)  
Retail (New Construction Commissioning)

**Regional Municipality of Waterloo LEED NC  
Commissioning\*** (Kitchener, Ontario)  
Project Manager (2011)  
Municipal (13,500 ft<sup>2</sup> new construction biosolids waste  
management facility, LEED EA p1 fundamental  
commissioning)

**Thames Valley District School Board  
Commissioning\***, (London, Ontario)  
Project Manager (2010)  
Educational (Six facilities, fundamental commissioning)

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## Design Review of Facilities & Processes

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**CIBC Bloor and Ossington\*** (Toronto, Ontario)  
Technical Advisor (2013)  
Commercial (HVAC and Building Envelope Retrofit  
Design and Tender).

**CIBC Heating Plant Assessment\*** (Toronto, Ontario)  
Project Manager (2012)  
Commercial (Assessment and Retrofit Design)

**CIBC Retrofit Design\*** (Various, Ontario)  
Technical Advisor and Client Manager (2012)  
Commercial (21 facilities, design and tender for HVAC  
and building envelope retrofit)

**Alan Sutton** B.A.Sc., M.B.A., LEED AP®

Director, Energy Management

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**JCI/Bell Canada HVAC Retrofit Design\*** (Various, Ontario)  
Project Manager (2012)  
Commercial (5 facilities, design and tender for 45 Energy Conservation Measures)

**Algonquin and Lakeshore Catholic District School Board Retrofit Design\*** (Various, Ontario)  
Project Manager (2011)  
Educational (23 facilities, design and tender for 50 Energy Conservation Measures)

**Kitchener Waterloo Community Housing Solar PV Design\*** (Kitchener, Waterloo, Ontario)  
Project Manager (2010)  
Multi-Residential (six facilities, design and tender for 10kW Solar PV Panels)

**Cornwall Armoury Design\*** (Cornwall, Ontario)  
Project Manager (2010)  
Client: PWGSC  
Federal Government (Steam to Hydronic Heating conversion design)

**Realstar Management Heating Plant Retrofit Design\***, (Sarnia, Ontario)  
Project Manager (2007)  
Multi-Residential (six facilities, design and tender for heating plant retrofits, 200-600 unit facilities)

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## LEED Facilitation

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**CIBC 750 Lawrence LEED Gap Analysis\*** (Toronto, Ontario)  
Project Manager (2012)  
Commercial (LEED EBOM Gap Analysis)

**Regional Municipality of Waterloo Biosolids Dewatering Facility\*** (Kitchener, Ontario)  
Project Manager (2011)  
Municipal (13,500 ft<sup>2</sup> new construction biosolids waste management facility, LEED Silver facilitation)

**Cara Headquarters Relocation\*** (Vaughan, Ontario)  
Project Manager (2011)  
Commercial (100,000 ft<sup>2</sup> corporate headquarters, LEED Gold facilitation)

**Skyline International LEED Feasibility\*** (Toronto, Ontario)  
Project Manager (2008)  
Multi-Residential (650,000 ft<sup>2</sup> new construction project, LEED Gold Core & Shell Facilitation)

**A.P.S. Metal LEED Feasibility\*** (Pickering, Ontario)  
Project Manager (2007)  
Industrial (Feasibility Study for LEED Silver)

## NON-PROJECT EXPERIENCE

**Stantec Consulting Ltd., Mississauga, ON**  
Senior Associate  
2011-2103

**Efficiency Engineering Inc. Cambridge, ON**  
General Manager, Commissioning Services  
2006-2011

**GMA Cover Corporation, Guelph, ON**  
Plant Manager  
2004-2006

**Collins & Aikman Plastics, Mississauga, ON**  
Plant Manager  
2003-2004

**Nartech Metal Products, Guelph, ON**  
Plant Manager  
1998-2003

**Alan Sutton** B.A.Sc., M.B.A., LEED AP®

Director, Energy Management

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**Cambridge Industries, Woodstock, ON**  
**Plant Manager**  
1996-1998

**Standard Products (Canada) Ltd., Stratford, ON**  
**Research & Development Manager**  
1986-1995

**Mitten Vinyl Inc., Paris, ON**  
**Research & Development Manager**  
1995-1996

## **PUBLICATIONS**

Hot Water Heating Series, Article#7: Condensing Boilers. *Energy Management Magazine*, 2009.

"Hot Water Heating Series, Article #4: Building Code and Safety Issues". *Energy Management Magazine*, 2009.

"The Future Is Looking Green". *Featured in Rex Magazine*, 2007.

## **PRESENTATIONS**

"Identifying & Acting on Low-Cost/No-Cost Energy Conservation Measures", Energy Management Congress, Las Vegas, Nevada, Jun 2013

"Energy Auditing – The Basics", Mechanical Service Contractors of Canada Annual General Meeting, Maui, Hawaii, Dec 2012

"How to Build a Green Team", Sustainable Waterloo Workshop, Waterloo, Ontario, Sep 2012



Paul H. Van Brunt P.Eng.

President



A highly motivated individual with direct supervisory experience who is very performance driven. Over thirty years of experience working with utilities and municipalities throughout Ontario, project sales and management experience, development and delivery of successful proposals, district energy, distributed generation, rate analysis, problem solving and management of large key accounts. An energetic team player with considerable experience working with all sizes of municipal utilities and customers across Ontario.

Paul Van Brunt graduated from The University of Western Ontario with a Bachelor of Electrical Engineering degree. Mr. Van Brunt's career began at Ontario Hydro in 1982 where he held various positions. He has 27 years of experience in business development with energy service contract strategies, key account management, sales, marketing, rate analysis, and energy-problem solving.

### Experience Highlights

- Entrepreneur
- Project Management
- Technical expertise

### EDUCATION

B.E.Sc. (Electrical), University Of Western Ontario,  
1982

Marketing Management Program (Ontario Hydro),  
Wilfrid Laurier University

### MEMBERSHIPS

P. Eng., PEO Member

### WORK EXPERIENCE

**VIP Energy Services Inc.**

**President**

2004 - Present

- Manage business development, research, business associates and operations. Managed sales staff, operations, large contracts, VIP board objectives. I.e. Sales targets, customer retention expectation etc.
- Hiring, budget management, department staff, targets and CDM reporting
  - Projected Budget of \$2M
  - Up to 15 Staff at times
  - 11 revenue generating business plans
  - Sales with a personal sales target of \$1.0M
  - Large Customer relationship management for Sodexo, Petro Canada, Athena Energy, Atlantic Packaging, Lake Huron Water (City of London), Lakeridge Health

Paul H. Van Brunt P.Eng.

President

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**The Best Co. Vice President 2002 - 2004**

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- Energy consulting sales with a personal sales target of \$400K
- Manage Contract for Hydro One building their contract selling natural Gas and Power aggregator program
- Manage business development, research, business associates
- Assigned as Vice President for Business Development to ECNG Inc.
- Responsible for the development of creative, cutting-edge ideas to sustain Best Co as a leader in the deregulated energy industry.

---

**Coral Energy Canada Inc. Director, Power Sales 1999 - 2001**

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- Commodity sales Gas & Power with a personal sales target of \$1.0M which was exceeded by 2.5 times every year.
- Directed electricity sales and marketing team for Coral Energy Canada Inc.
  - Set Business plan for \$25M margin
    - staff and processes
    - electricity in Ontario & Alberta
    - Profit Margin expanded to \$60M
- Set up and developed sales and marketing programs for utilities and end-use customers.
  - Responsible for developing marketing and sales strategies for electricity and natural gas with Ontario Municipal Electrical Utilities interested in expanding energy service offerings in areas other than electricity

---

**AE Sharp Ltd. Associate Consultant 1998 - 1999**

---

- Developed marketing and sales strategies for electricity sales with the Municipal Electrical Utilities.
- Consulted with Municipal Electrical Utilities, providing services that included studies for metering services, electrical deregulation and rates.
- Trained staff on deregulated electricity Market

Paul H. Van Brunt P.Eng.

President

---

**Personal Computers  
Made Easy**

**Associate Consultant**

1992 - 1999

- 
- Marketing and sales of web pages and computer hardware.
  - Designed, built and repaired computers while also providing computer support.
  - Design of web pages.
  - Offered consulting services to Municipal Electrical Utilities. Services included studies in the area of assessment of physical assets, metering services, electrical deregulation and rates.
  - Internet sales for fiber optic connections.
  - Developed marketing strategies through advanced call tracking and follow-up service.

**Ontario Hydro**

**Account  
Manager/Commercial &  
Industrial Account Manager**

1990 - 1997

- 
- Designed retail rates for several Municipal Electric Utilities.
  - Negotiated a number of contracts & Tri Party Agreements between large industrial customers, Ontario Hydro & Municipal Electric Utilities.
  - Sales and marketing to key Municipal Utilities and commercial & industrial accounts with total revenue of more than \$500 million.

**Ontario Hydro**

**Metering & Relaying  
Supervisor**

1988 - 1990

- 
- Supervised staff of 6 Union & non-union employees working Capital Projects and Maintenance programs
  - Worked directly on maintenance and capital construction work for metering and relay programs at Bruce Generating Station.
  - Managed relationship with Local Distribution Companies. Hydro & Municipal Electric Utilities.
  - Fuse coordination on 27.6 KV feeders
  - Substation design and build on voltages below 27.6 KV

**Bruce Power Plant**

**Commissioning**

1982-1987

- 
- Plant B, Unit #8 generator equipment
  - Developed, implemented and commissioned the generation rejection scheme



**W.F.C. (Rick) Baker, P.Eng.**

CEO, Spirited Leaders Corporation

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#### **EDUCATION/INDUSTRY EXPERIENCE:**

- **President of the Board of Directors, Centre For Family Business (June 2013 to Present)**
- **Vice-Chair, Advisory Council – Conestoga College Centre For Entrepreneurship (June 2014 to Present)**
- **Chairman, Centre For Family Business Board of Directors [June 2013 to present]**
- Peter Hallman Mentor Award, Centre For Family Business (May 2013)
- Leadership Award, Centre For Family Business (May 2011)
- **Director, Centre For Family Business Board of Directors [January 2009 to present]**
- Director, Greater Kitchener Waterloo Chamber of Commerce Board of Directors [September 2007 to September 2013]
- Event Sponsor, Baker Investment Group Networking Breakfast Series – KW Chamber of Commerce [August 2006 to present]
- Chair, Energy & Environment Forum, KW Chamber of Commerce [Aug 2005 to Aug 2007]
- Member, Environment Committee - Greater KW Chamber of Commerce [April 2004 to 2005]
- Vice-Chair, Energy & Environment Forum, KW Chamber of Commerce [Oct 2003 to Aug 2005]
- Member, Ontario Energy Association [2002 to 2007]
- Chairman, Ontario Energy Marketers Association (OEMA) - [elected, Founding Chairman January 1998 to March 1999]
- Director, Ontario Energy Marketers Association (OEMA) - [elected January 1998]
- Chairman, Ontario Energy Marketers Association – Government & Media Relations Committee [1998 to 1999]
- DPIC Negotiator – OEB's 10 Year Market Review [1996-1997]
- Chairman, Ontario Direct Purchase Industry Committee (DPIC - Ontario) [September 1996-December 1997]
- Chairman, Ontario Direct Purchase Industry Committee (DPIC)- Volume Management Subcommittee [1996-1997]
- CIGMA Negotiator - Ontario: Minimum Conditions of Supply Conference [1994]
- Canadian Industrial Gas Marketers Association (CIGMA) member [1993-1994]
- Participant and witness: numerous Ontario Energy Board natural gas hearings [1989-1998]
- ONGA member [1991-2000]
- Director, Brantford Regional Chamber of Commerce [1989-1990]
- Chairman, Brantford Regional Chamber of Commerce - Business & Industry Committee [1988-1989]
- Chairman, Brantford Regional Chamber Trade Exhibition Committee [1988]
- **P. Eng., PEO Member**
- B.E.Sc. (Mechanical), University of Western Ontario, Dean's Honours List
- B.Sc. (Applied Math), University of Western Ontario
- MBA, University of Windsor [partial completion]

#### **PERSONAL:**

- **Married; two fine sons; Waterloo, Ontario resident**

#### **EXPERIENCE:**

- **February 2012 to present**                      **CEO – Spirited Leaders Corporation**
- **September 2009 to present**                **Founder & Chairman – Spirited Leaders Corporation**
- **December 2010 to January 2012**        **Director – Spirited Investors Corporation**
- **February 2007 – December 2010**        **Founder & CEO – Spirited Investors Corporation**
- **December 2003 to December 2004**      **President – BEST Co. Inc. [formerly The Power Connection Inc.]**
- **January 2003 to December 2004**        **Founder & President – Gazbec Inc.**
- **December 2002 to December 2004**      **Founder & President – Gas Ontario Inc.**

- **May 2001 to present** **Founder & Chairman – Baker Investment Group Inc.**
- March 2001 - January 2003 CEO – ECNG Inc. and Commercial VP, PremStar Canada Energy Ltd.
- June 2000 to June 2014 Founder & Chairman - The Baker Energy Service & Trading Company Inc. [formerly, Industrial Energy Engineering Group see below]
- May 1999 – February 2000 Senior VP – Marketing, Transportation & Operations Officer & Director, Coral Energy Canada Inc. [now know as Shell Trading]
- June 1998 – May 1999 Vice President – Marketing, Coral Energy Canada Inc. [now known as Shell Trading]
- December 1997 – June 1998 Vice President – Marketing, Eastern Canada, Coral Energy Canada Inc. [parent Coral Energy, LP owned by Shell U.S. and Shell Canada]
- December 1991 – May 2000 Co-Founder & Executive Vice-President - Industrial Energy Engineering Group
- June 1991 – December 1997 Founding Partner & Vice-President - Cibola Canada Energy Marketing Company
- November 1988 - June 1991 Regional Manager, Eastern Canadian Sales - Unigas Corporation
- May 1982 - November 1988 Various Positions to Division Manager, Brantford Sales – Union Gas Limited

# Steven Schmidt

Vice-President, Sales and Marketing



Steve has been actively involved in Industrial and Energy Management for over 16 years. Since graduating on the Dean's Honour List from the University of Waterloo, he has been engaged in the areas of industrial automation and process management as well as energy procurement, risk management, conservation and demand management. Most recently, Steve has taken an active role in managing our clients' conservation and demand management programs including Energy Conservation and Demand Management Plan creation and implementation.

## Experience Highlights:

- Responsible for the successful creation of numerous Energy Conservation and Demand Management Programs
- 16 Years Industrial and Energy Management
- Senior Technical Analysis and Project Management

## EDUCATION

Honours Bachelor of Arts, University of Waterloo, Waterloo, Ontario, 1992

## RECENT PROJECT EXPERIENCE

### Project Management

#### **Municipality of Clarington Energy Audit Program** Project Manager ( 2010 to Present)

##### **Municipal**

*Managed a team of energy auditors to complete 14 municipal audits and created a Master Implementation Plan to assist with the efficient implementation of the projects. This plan also formed the basis for Clarington's 5-Year Energy Conservation and Demand Management Plan as required under O. Reg. 397/11.*

#### **College Boreal Energy Auditing and Consumption/GHG Reporting for O. Reg. 397/11, (Various Locations)**

##### **Project Manager (2012 to Present)**

##### **Educational**

*Managed a team of engineers to complete full ASHRAE Level 2 energy audits of the College's 3 largest facilities, as well as the College's 2013 Facility and Energy Consumption Inventory O Reg. 397/11*

#### **City of Pickering Energy Audit Program,** Project Manager ( 2011-2012)

##### **Municipal**

*Managed a team of energy auditors to complete 4 municipal audits.*

#### **Tillsonburg Memorial and Alexandra Hospitals Energy Auditing and Consumption/GHG Reporting for O. Reg. 397/11, (Tillsonburg and Ingersoll, Ontario)** Project Manager ( 2012)

##### **Healthcare**

*Managed a team of engineers to complete full ASHRAE Level 2 energy audits of the each of the hospital. The team also completed the 2013 Facility and Energy Consumption Inventory and is currently working on completing the 5-Year Energy Conservation and Demand Management Plans as required under O. Reg. 397/11.*

Steven Schmidt

Vice-President, Sales and Marketing



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## Energy Conservation and Demand Management Plans

### **Huron-Perth District Catholic School Board Energy and Environmental Implementation Plan, (Dublin, Ontario)**

**Project Manager (2012 to Present)**

**Educational**

*Managed a team of technical engineers to create a 5-Year Energy Conservation and Demand Management Plan to satisfy the O.Reg. 397/11 Requirements. This plan went beyond the regulatory requirements to also include policies and procedures for a 'Greening' environmental action plan.*

### **Waterloo District Catholic School Board Energy and Environmental Implementation Plan, (Waterloo, Ontario)**

**Project Manager and Plan Editor (2012 to Present)**

**Educational**

*Worked with a team of technical engineers to create a 5-Year Energy Conservation and Demand Management Plan to satisfy the O.Reg. 397/11 Requirements. This plan went beyond the regulatory requirements to also include policies and procedures for a 'Greening' environmental action plan. This program also included energy audits of the schools.*

### **London District Catholic School Board O. Reg. 397/11 Required Reporting, London, Ontario**

**Project Manager (2013)**

**Educational**

*Oversaw the completion the 2013 Facility and Energy Consumption Inventory as required under O. Reg. 397/11. Presently working with a team of technical engineers to create a 5-Year Energy Conservation and Demand Management Plan to satisfy the O.Reg. 397/11 2014 Requirements.*

### **City of Timmins Energy Management Planning, Lead Consultant and Project Manager (2013-2014)**

**Municipal**

*Worked with two other consulting firms to identify practical energy conservation measures and create the Corporate Energy Management and Demand Management Plan as required by Ontario Regulation 397/11 Reporting. We also engaged the City using by developing an outreach program as well as the creating an energy information database and reporting system using VIP's Client Portal system to raise the energy management competency of City of Timmins personnel.*

**Adam Cheney** ACP, LEED GA®  
Energy Conservation and Commissioning Manager



Mr. Cheney, Energy Conservation and Commissioning Manager of VIP Energy Services Inc., has experience on both the client and service provider sides of the building optimization, preventative maintenance and quality control services. This allows him to provide a unique and essential perspective on the energy conservation and commissioning field. He has over seven years of experience in building operations, commissioning, building system controls, and performance assessment on a variety of facility types including municipal, commercial and institutional. Adam's experience prior to joining VIP Energy includes the operations and maintenance of a municipal facility, completing preventative maintenance, and the monitoring and adjusting of Building Automation Systems. He has expertise in the design, programming, and commissioning of lighting control systems, and the training of equipment operations and facility professionals.

### Experience Highlights

- Unique understanding of building operations from control to maintenance
- Electrical Commissioning including low voltage equipment such as; Lighting Control, Security Cameras and Electronic Door Access.
- LEED and BCA certified.
- 7 years of Commissioning and related experience

### EDUCATION

Electronics Engineering Technologist Diploma,  
Sheridan College / Electronics Engineering  
Technologist, Brampton, Ontario, 2006

Fanshawe College / Electrical Techniques, London,  
Ontario, 2003

### MEMBERSHIPS

Member, Building Commissioning Association

Member, Canada Green Building Council

## PROJECT EXPERIENCE

### Building Condition Assessments

**Exesite / Petro Canada BCA** (*Various, Ontario*)  
Assessor (2012-2013)  
Suncore Asset Identification  
Commercial (*Multi-year project to perform Building  
Condition Assessments of all Petro Canada facilities*)

**First Nations Housing Assessments** (*Stoney  
Reserve, Morley, Alberta*)  
Assessor (2013)  
Residential (*Perform Building Condition Assessments of  
flood damaged Stoney First Nations homes*)

### Energy Audits

**Northwestern Catholic District School Board** (*No,  
Ontario*)  
Commissioning Agent (2013-2014)  
Educational (*Energy Audits and Functional  
Performance Testing*)

**City of Kingsville** (*Kingsville, Ontario*)  
Energy Auditor (2014)  
Municipal (*Energy Audits*)

**Kenora Catholic District School Board** (*No, Ontario*)  
Commissioning Agent (2013-2014)  
Educational (*Energy Audits and Functional  
Performance Testing*)

**Renfrew Victoria Hospital** (*Renfrew, Ontario*)  
Energy Auditor (2014)  
Hospital (*Energy Audits*)

**St. Francis Memorial Hospital** (*Barry's Bay, Ontario*)  
Energy Auditor (2014)  
Hospital (*Energy Audits*)

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## Existing Building Commissioning

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**Canadian Blood Services Integrated Building Services** (*Brampton, Ontario*)  
Commissioning Agent (2012-2013)  
Industrial / Commercial (*Recommissioning Services*)

**BLJC/CIBC Bank Branch RCx** (*Various Locations*)  
Commissioning Agent (2013)  
Commercial (*Re-Commissioning of various Bank Branches in Alberta and Ontario*)

**Oxford Properties Group** (*Various - Ontario, Alberta*)  
Commissioning Agent (2010-2013)  
Commercial (*Retrocommissioning*)

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## New Commissioning

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**McMaster University Nuclear Research Building Addition** (*Hamilton, Ontario*)  
Commissioning Agent (2011)  
Educational (*Fundamental and Best Practice Commissioning*)

**Conseil Scolaire de District Catholique Centre-Sud** (*Various - Toronto, Ontario*)  
Project Coordinator, Commissioning Agent (2012-2013)  
Education – (*New Construction Commissioning for four Elementary Schools and two Secondary Schools*)

**Thames Valley District School Board** (*London, Ontario*)  
Commissioning Agent (2014)  
Educational (*BAS Performance Testing*)

**Waterloo Region Consolidated Courthouse** (*Waterloo, Ontario*)  
Project Coordinator, Commissioning Agent (2011)  
Municipal (*Best Practice Commissioning*)

**University of Western Ontario - Physics & Astronomy Building\*** (*Grimsby, Ontario*)  
Project Coordinator, Commissioning Agent (2011-2012)  
Educational (*Fundamental and Best Practice Commissioning*)

**Bradford West Gwillimbury Library** (*Bradford, ON*)  
Project Coordinator, Commissioning Agent (2012)  
Recreational (*Fundamental and Best Practice Commissioning*)

**Ryerson Public School (WRPSB)\*** (*Cambridge, Ontario*)  
Project Coordinator, Commissioning Agent (2011)  
Educational (*Fundamental Commissioning Scope*)

**YMCA Niagara West LEED Certified Silver** (*Grimsby, Ontario*)  
Project Coordinator, Commissioning Agent (2011-2012)  
Recreational (*Fundamental and Best Practice Commissioning*)

**Rouge Bijou Condominium** (*Markham, ON*)  
Project Coordinator, Commissioning Agent (2011)  
Residential (*Fundamental Commissioning*)

## NON-PROJECT EXPERIENCE

Stantec, Kitchener, ON  
Commissioning Specialist  
Aug '12 – Aug '13

The City of Cambridge, Cambridge, ON  
Building Operations Officer  
Mar '08 – Aug '10

Enermodal Engineering, Kitchener, ON  
Project Coordinator, Commissioning Services  
Aug '10 – Aug '12

Genesis Lighting Controls, Burlington, ON  
Lighting Technician  
Feb '07 – Mar '08

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**Jack Baker**, P.Eng., M.E.Sc.

PEO, Spirited Leaders Corporation

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### **EDUCATION / INDUSTRY EXPERIENCE:**

- P.Eng., PEO Member
- Executive Member, PEO, Grand River Chapter [Nov 2006 to present]
- M.E.Sc. (Software Engineering), University of Western Ontario, Dean's Honours List, 2006
- B.E.Sc. (Software Engineering with Distinction), University of Western Ontario, Dean's Honours List, 2004

### **PERSONAL:**

- Married; St. Jacobs, Ontario resident

### **EXPERIENCE:**

- Sep 2009 - present                      Founder & Chief Technical Officer, Spirited Leaders Corporation, Waterloo
- Mar 2007 – Jun 2011                    Founder & Director of IT, Spirited Investors Corp., Waterloo
- May 2001 - present                      Founder, Baker Investment Group Inc., Waterloo
- Sept 2000 - present                      Founder, President & CEO - NeuStyle Solutions Ltd., St. Jacobs
- Feb 2007 - Mar 2007                    Software Engineering Advisor (EIT) under NeuStyle Solutions Ltd. for Spirited Investors Corp., Waterloo
- Sept 2005 - May 2007                    Technical Consultant / Developer, Your Energy Savings, a division of The BEST Co. Inc., London
- May - Aug 2005                            Technical Consultant / Developer, The BEST Co. Inc., Gas Ontario Inc., and VIP Energy Inc., Waterloo
- May - Aug 2004                            Member of Centre for Advanced Studies (CAS) Team, Researcher / Developer, IBM, Markham
- May - Aug 2003                            Technical Consultant / Developer, Ontario Hydro Energy Inc., Brampton
- May - Aug 2002                            Systems Consultant / Developer, ECNG Inc., Mississauga
- May - Aug 2001                            Technical Consultant, PremStar Energy Canada Ltd., and The BEST Waterloo
- Sep 1999 - May 2000                      Committee Member of FastAtom, St. John's Kilmarnock School, Breslau
- May - Aug 1999                            Developer, Micro Consulting, Mississauga
- May – June 1999                            Developer, Canadian Association of Independent Schools / Conference of Independent Schools
- May - Aug 1998                            Programmer, St. John's Kilmarnock School, Breslau



# APPENDIX C

## FCM Milestones





**Milestone 1**  
**Creating a greenhouse gas emissions inventory and forecast**



**Milestone 2**  
**Setting an emissions reductions target**



**Milestone 3**  
**Developing a local action plan**



**Milestone 4**  
**Implementing the local action plan or a set of activities**



**Milestone 5**  
**Monitoring progress and reporting results**



# APPENDIX D

## Project Profiles



FOCUS: Demonstrated Experience Completing Effective Public Sector Conservation and Demand Management Plans to Meet the 2014 Requirements of Regulation 397/11

**Energy Conservation and Demand Management Plan, City of Timmins (2013/4)** – VIP Energy was hired as part of a team of consultants to provide the City of Timmins with a Corporate Energy Management Plan. This initiative includes energy conservation measure identification, O.Reg. 397/11 Reporting, energy management policy development, training and outreach as well as the development of an energy information database and reporting system using VIP's Client Portal system.

**Energy Conservation and Demand Management Plan, Huron-Perth Catholic District School Board (2013/4)** – In 2009, VIP was contracted by the HPCDSB to perform 18 energy audits at various schools to identify potential savings. Over 300 opportunities were identified with an annual savings of more than \$200,000/year (approximately 25% of consumption), with a total average payback of 9.6 years. In early 2012, VIP was contracted to complete a Conservation and Demand Management Action Plan, including a Greenhouse Gas Inventory, in order to keep the HPCDSB compliant with Ontario Regulation 397/11. VIP continues to provide this service on a go-forward basis.

**Energy Conservation and Demand Management Plan, The Municipality of Clarington (2013/4)** – The Municipality of Clarington commissioned VIP to conduct energy audits at most of their facilities as part of their energy conservation program. The audit project is currently ongoing, however, VIP has completed 14 audits to date. In early 2012, the Municipality engaged us to complete a Master Implementation Plan to act as a guideline and blueprint for project implementation. The results of this process will form the basis for the Municipality's efforts to meet their Regulation 397/11 Reporting obligations.

FOCUS: Demonstrated Experience Completing Effective Public Sector Facility Energy Audits

**Facility Energy Audits, Collège Boréal (2013)** – VIP Energy was contracted by the College to complete full energy audits (ASHRAE Level II) for their Sudbury, Timmins and Windsor campuses. These audits focused on measures to reduce the use of natural gas, electricity and water in both operational processes and equipment. The resulting conservation recommendations were categorized by simple payback, Greenhouse Gas (GHG) reductions and potential incentive sources. Any potential interdependencies among measures were also identified to ensure a realistic potential cost savings calculation and efficient approach to implementation.

**Facility Energy Audits, McGill University (2010-12)** - VIP completed audits at 12 facilities spread over 1.2 million ft<sup>2</sup> excluding the central power plant. Areas focused on included the HVAC and air distribution systems, steam boilers, hot water heaters, chillers and air conditioning, building envelope, appliances and other laboratory equipment. Audit recommendations had to consider the sensitive nature of some of the controlled environments required for research at the University. Each audit report included an investment plan prioritizing retrofits and upgrades and as well as a building energy consumption end use model. VIP

also completed a comprehensive investment strategy to assist the University in implementing the conservation measures in the most efficient and cost-effective manner.

**Peterborough Victoria Northumberland and Clarington Catholic District School Board (PVNCCDSB):** VIP had the opportunity to complete detailed technical energy audits at 38 schools between 2010 and 2012. Cost savings of over \$300,000/year were identified. Upon the successful completion of the energy audits, VIP was hired to assist the Board with managing the completion of a full lighting retrofit at the St. Peter's Secondary School. Our firm has also assisted the Board with Building Automation System re-commissioning and training, and is currently contracted to prepare all reporting required under the Green Energy Act's Regulation 397/11.

	<b>WORKSHOP EXAMPLE 01</b>
<b>Client Name</b>	Association of Municipalities of Ontario (AMO) and Local Authority Services (LAS)
<b>Completion Date</b>	March 2009
<b>Project Description</b>	<p>The Audit++ Program is essentially a shared audit combined with basic re-commissioning suggestions and capacity building exercises including staff workshops and a detailed cost-benefit analysis of specific actions at a given municipal facility. This program is designed to encourage the implementation of Energy Efficiency solutions in key municipal facilities by providing successful applicants with a no-cost comprehensive audit for a selected municipal facility. The result of all completed Audit++ projects was a detailed facility analysis and blueprint for moving forward with operational actions, retrofit work, and the associated business case and related incentive application.</p> <p>The program includes a total of 42 walkthrough level energy audits, one-day workshops and 6-8 page case studies.</p> <p>Reference  <a href="http://www.amo.on.ca/Content/las/EnergyServices/Audit/default.htm">http://www.amo.on.ca/Content/las/EnergyServices/Audit/default.htm</a></p>
<b>Days Worked</b>	35 (non-workshop/training days)
<b>Sectors involved</b>	Institutional
<b>Trainer's Role</b>	<p>Stephen Dixon was involved in all aspects of the Audit++ program with specific responsibility for opportunity identification including:</p> <ul style="list-style-type: none"> <li>• Development of Audit process utilizing the Seven Steps methodology</li> <li>• Quality assurance – review of energy management savings opportunities and savings estimates.</li> <li>• Report design and review</li> <li>• With the context of a post audit planning session – <u>the identification and evaluation of further on-site energy savings opportunities</u> in other municipal buildings other than those audited.</li> <li>• Development of the final business case as part of the post audit planning session.</li> </ul>

	<b>WORKSHOP EXAMPLE 02</b>
<b>Client Name</b>	City of Burlington / NRCan
<b>Workshop Name</b>	Customized Spot the Energy Savings Opportunities Workshop for Building Operators
<b>Summary/ Description</b>	The workshops objectives where to create awareness amongst building operational, maintenance and supervisory staff of the various actions that they can take to reduce energy consumption and ways they can participate in and contribute to the city wide program to reduce energy consumption. Using selected and operator and maintainer relevant sections this workshop showed how participant facilities used energy and where they could have impact on savings.
<b>Role of trainer</b>	Lead trainer and responsible for customization and analysis.
<b>Length of Workshop</b>	Total of eight (8) one half (1/2) day workshops.
<b>Audience Description</b>	Municipal facility operators, maintenance staff, coordinators, supervisors, managers.
<b>Date of Workshop</b>	Jan 15 <sup>th</sup> , 16 <sup>th</sup> , 31 <sup>st</sup> and Feb 1 <sup>st</sup> , 2013

	<b>WORKSHOP EXAMPLE 03</b>
<b>Client Name</b>	City of Mississauga / NRcan
<b>Workshop Name</b>	Customized Spot the Energy Savings Opportunities Workshop for Building Operators
<b>Summary/ Description</b>	The workshops objectives where to create awareness amongst building operational, maintenance and supervisory staff of the various actions that they can take to reduce energy consumption and ways they can participate in and contribute to the city wide program to reduce energy consumption. Using selected and operator and maintainer relevant sections this workshop showed how participant facilities used energy and where they could have impact on savings.
<b>Role of Trainer</b>	Lead trainer and responsible for customization and analysis.
<b>Length of Workshop</b>	Total of eight (8) one half (1/2) day workshops.
<b>Audience Description</b>	Municipal facility operators, maintenance staff, coordinators, supervisors, managers.
<b>Date of Workshop</b>	Jan 29 <sup>th</sup> – 30 <sup>th</sup> and Feb 5 <sup>th</sup> – 6 <sup>th</sup> , 2013

	<b>WORKSHOP EXAMPLE 04</b>
<b>Client Name</b>	LAS / Regional Municipality of York, York Regional Police District No. 4
<b>Completion Date</b>	March 2009
<b>Project Description</b>	A key feature of the LAS Audit++ Program was the provision of a post audit implementation planning workshop. During this implementation planning session a detailed business case (cost-benefit analysis) of specific and selected actions was developed. The business case for the Regional Municipality of York – York Regional Police District No. 4 included savings measures for demand controlled ventilation, a condensing boiler, a VFD for supply fans and an ice storage cooling system.
<b>Project Cost</b>	\$ 76,000
<b>Sectors involved</b>	Institutional
<b>Trainer's Role</b>	<p>Stephen Dixon was a project consultant responsible for:</p> <ul style="list-style-type: none"> <li>▪ Refinement of Cost Benefit Analysis</li> <li>▪ Facilitation of post audit implementation planning workshop in which the business cases were refined in consultation with municipal staff.</li> </ul>



# APPENDIX E

## CEP Sustainability Plans

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# Energy Management and Environmental Plan 2012



**Vipenergy**  
services, inc.

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H – HPCDSB Energy Conservation Measures Implemented to Date

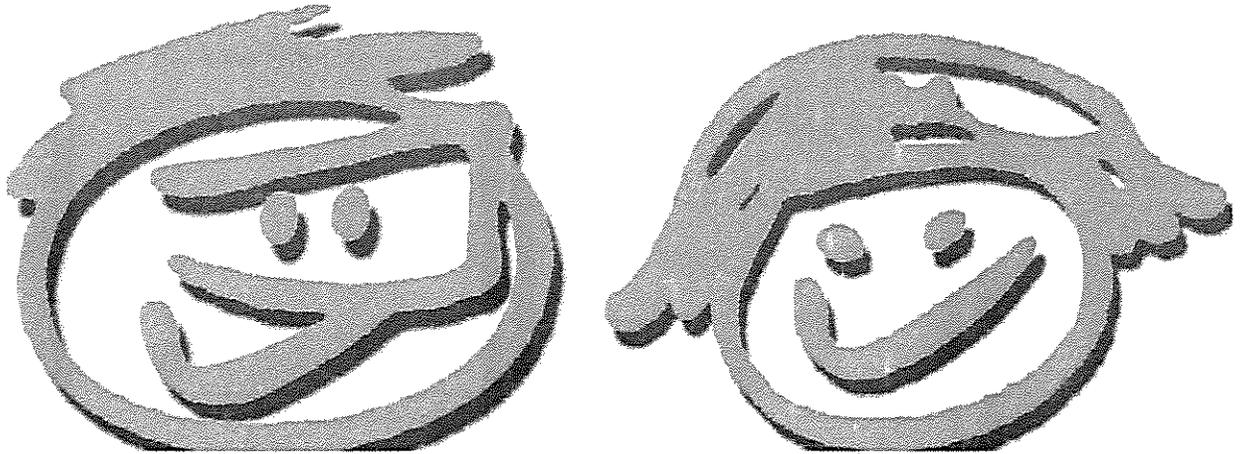
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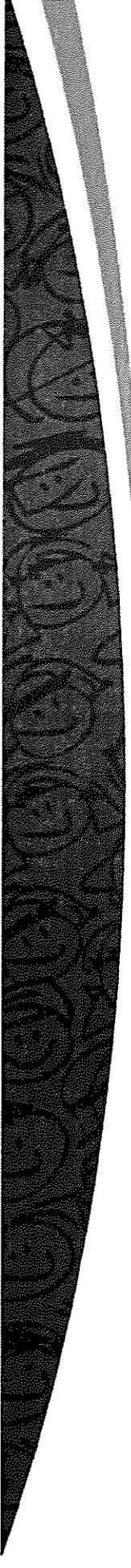
# Energy Management and Environmental Plan



A COLLABORATION BETWEEN WCDSB FACILITY SERVICES DEPARTMENT AND VIP ENERGY SERVICES, INC.

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**The Corporation of the City of Temiskaming Shores**

**By-law No. 2015-021**

**Being a by-law to establish a system for the collection and disposal of garbage, recyclables and other refuse**

**Whereas** The Corporation of the City of Temiskaming Shores (the “City”) is the owner and operator of two (2) municipal landfill sites (“Haileybury Landfill” and “New Liskeard Landfill”) located within the boundaries of the City;

**And whereas** the City is authorized to enact by-laws imposing fees or charges for services or activities provided or done by or on behalf of it pursuant to Section 391 of the Municipal Act, 2011 (S.O. 2001, c.25);

**And whereas** Council for the Corporation of The City of Temiskaming Shores deems it desirable to regulate the disposal of garbage by way of landfill bans, recycling and home composting systems;

**And whereas** Council considered Administrative Report No. PW-063-2013 at the December 3, 2013 Regular Council Meeting resulting in first and second reading of By-law No. 2013-195;

**And whereas** Council considered Administrative Report No. PW-001-2015 at the January 13, 2015 Special meeting of Council and directed staff to prepare the necessary by-law to repeal By-law No. 2013-195 and consideration of first and second reading of the draft Solid Waste Management at the January 13, 2015 Special meeting of Council;

**And whereas** Council for the Corporation of The City of Temiskaming Shores directed staff to undertake a public consultation process and submission of the by-law to the Ministry of Attorney General and Regional Senior Justice for approval of the short form wording and set fines prior to third reading;

**Now therefore** the Council of the Corporation of The City of Temiskaming Shores hereby enacts as follows:

1. That municipal Council adopts a “Solid Waste Management” Policy, a copy of which is attached hereto as Schedule “A” and forming part of this by-law; and
2. That this By-law shall become effective on the date of passing thereof; and
3. That By-law No. 94-15, as amended of the former Town of Haileybury, By-law No. 779, as amended of the former Township of Dymond and By-law No. 2807, as amended of the former Town of New Liskeard are hereby repealed;
4. That By-law No. 2013-195 is hereby repealed;
5. That the Clerk of the City of Temiskaming Shores is hereby authorized to make any minor modifications or corrections of an administrative, numerical, grammatical, semantically or descriptive nature or kind to the By-law and schedule as may be deemed necessary after the passage of this By-law.

Read a **first** and **second time** this 13<sup>th</sup> day of January, 2015.

---

Mayor – Carman Kidd

---

Clerk – David B. Treen

Read a **third time** and **finally passed** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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Mayor – Carman Kidd

---

Clerk – David B. Treen



Schedule "A" to  
**By-law No. 2015-021**  
**Solid Waste Management**

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**Appendix 07 – Prohibited Waste**

**Appendix 08 – Part 1 Provincial Offices Act – Set Fines**

## Section 1 - Title, Application and Scope

### 1.1 Short Title

This By-law shall be cited as the "Solid Waste Management" By-law.

### 1.2 Application

The Provisions of this By-law shall apply to all properties within the geographic limits of the City of Temiskaming Shores.

### 1.3 Conflicts

Where a provision of this By-law conflicts with a provision of another By-law in force in the City of Temiskaming Shores; the provisions that establish the higher standard shall prevail in order to protect the health, safety and welfare of the general public.

When any provision of this By-law is declared invalid for any reason by a court of competent jurisdiction, the remainder of this By-law shall continue to be in force. An invalid provision will not operate to void the entire By-law.

### 1.4 Enforcement

This By-law shall be enforced by a *By-law Enforcement Officer* or a *Fire Prevention Officer*, or *Chief Fire Official*, or a *Police Officer*.

## Section 2 - Definitions

For the purpose of this By-law, the definitions and interpretations given in this section shall govern.

2.1 **Aerosol container** means any empty aerosol container, which falls within the meaning of the definition of "empty container" in the regulations made under the Environmental Protection Act;

2.2 **Alternating Weekly Collection** means where the *recycling container* is collected one week, the *garbage container* is collected on the next or alternating week;

2.3 **Appendix** means all regulations attached to and forming part of this By-law including any amendments thereto;

2.4 **Approved Container** means containers described in Appendix 01;

2.5 **Asbestos Waste** means solid or liquid waste that results from the removal of asbestos-containing construction or insulation materials or the manufacture of asbestos-containing products and contains asbestos in more than a trivial amount or proportion;

2.6 **Ashes** means the residue from burnt materials;

- 2.7 **Automated Collection** means the collection of waste by means of the mechanical lifting and tipping of *approved containers* into specially designed collection vehicles;
- 2.8 **Books** means all soft and hard covered books;
- 2.9 **Boxboard** means non-corrugated cardboard packaging such as cereal and shoeboxes, and any similar rigid paper packaging with the metal or plastic portion or both removed;
- 2.10 **Building Owner** means the registered *owner* of *multi-unit residential* building or the building *owner's* designate (i.e. property manager) in charge of a *multi-unit residential* building;
- 2.11 **Bulky Items** means large items including, but not limited to, refrigerators, washer/dryer, stove, bicycles, floor lamps, mattresses, furniture, microwaves, sinks, toilet bowls, barrels, pool pumps, pool covers and any other similar discarded material;
- 2.12 **By-law Enforcement Officer** means the *person or persons* duly appointed by *Council* as Municipal Law Enforcement Officers for the purpose of enforcing regulatory by-laws of the *City*;
- 2.13 **Chief Fire Official** means the assistant to the Fire Marshal who is the Municipal Fire Chief or a member or members of the fire department appointed by the Municipal Fire Chief under Article 1.1.1.2 of Division C or a person appointed by the Fire Marshall under Article 1.1.1.1 of Division C;
- 2.14 **Christmas Trees** means trees including but not limited to the pine, spruce, balsam or fir species, which are typically decorated for display during the Christmas season;
- 2.15 **City** means the City of Temiskaming Shores and includes a person the *City* has entered into a contract with to perform all or part of its duties hereunder;
- 2.16 **Clean Fill** means earth or crushed rock fill (less than 100 mm) or waste of a similar nature that contains neither putrescible material nor soluble or decomposable chemical substances;
- 2.17 **Collection – Bi-Weekly** means materials are collected one day every two weeks;
- 2.18 **Collection - Curbside** means the system of collection of *garbage, recyclable material, bulky items, yard waste* and *organic material* placed in *approved containers* at a *collection location*, which is at or near the curb;
- 2.19 **Collection Location** means the location designated by the *Director of Public Works* for placement of *garbage, recyclable materials* for collection and removal as part of the *City's* waste collection services;
- 2.20 **Collection - Weekly** means the collection one day every week;

- 2.21 **Common Pad Collection** means the system of collection of *garbage, recyclable material, yard waste and organic material* placed in *approved containers* at a shared common area location;
- 2.22 **Contamination** means the co-mingling of an item(s) in garbage/recycling containers referred to in the list below:
- i. *Recyclable materials*
  - ii. *Garbage*
- Generally refers to any item which is not acceptable in either of the garbage and/or *recycling containers*, such as *special waste*, or *prohibited waste* as described in Appendix 07 of this By-law. In the case of *recyclable materials*, *contamination* also refers to recyclable items which may be soiled or dirty, which renders such items non-recyclable.
- 2.23 **Containerized Collection** means the system of collection of *garbage, recyclable material and organic material* placed in *approved containers* by means of a front-end collection vehicle;
- 2.24 **Contractor** means any person, partnership or corporation and the employees of any such person, partnership or corporation with whom the *City* has entered into a contract or agreement for the collection or processing of waste;
- 2.25 **Council** means the *Council* of the City of Temiskaming Shores;
- 2.26 **City Manager** means the *City Manager* for the City of Temiskaming Shores and where applicable includes a person designated by the *City Manager* to perform task or exercise that power in his or her place and stead;
- 2.27 **Director of Public Works** means the *Director of Public Works* for the City of Temiskaming Shores and where applicable includes a person designated by the *Director of Public Works* to perform that task or exercise that power in his or her place and stead;
- 2.28 **Environmental Protection Act** means the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
- 2.29 **E-Waste Items** means electronic items as defined by Phase 1 of the Waste Electrical Electronics Equipment (WEEE) Program and includes: laptop computers, desktop computers, peripherals such as keyboards and mice, monitors, desktop printers, disk drives, printers, fax machines and televisions;
- 2.30 **Farm Waste** means any waste which is the normal by-product of farming operations within the *City* and excludes construction and demolition materials from any building or structure, compostable materials other than what may result from clearing land for farm operation purposes, recyclable material that can be placed in the curbside collection program and other material deemed unacceptable for disposal at a *landfill site* by the Ministry of Environment or under this By-law;

- 2.31 **Fine Paper** means computer paper and all white and coloured ledger, including writing pad paper, letterhead, reports, business forms, copy paper and scratch pads, flyers and envelopes;
- 2.32 **Fire Prevention Officer** means the *person or persons* duly appointed by *Council* as *Fire Prevention Officer*;
- 2.33 **Gable Top Cartons** means milk and juice cartons constructed of coated paper and opened by unfolding the top;
- 2.34 **Garbage** means all materials permitted to be discarded, save and except those materials defined by this by-law as *bulky items, recyclable material, yard waste, white goods, Christmas trees, organic material and non-collectable waste*;
- 2.35 **Garbage Container** means an approved plastic wheeled container designated to store and collect *garbage*, which meets the requirements established for collection of *garbage*, as described in Appendix 01 of this By-law.
- 2.36 **Glass Bottles and Jars** means all glass food and beverage bottles and jars;
- 2.37 **Hazardous Waste** means any material, which is so designated or restricted within the meaning of any Federal or Provincial statute or regulation;
- 2.38 **Household Hazardous Waste** means any *household* product, material, or item labeled as "*hazardous*", "*toxic*", "*explosive*", "*ignitable*", "*corrosive*", "*reactive*" or "*flammable*";
- 2.39 **Imported Waste** means any waste transported into the *City* from outside of the *City* by any person;
- 2.40 **ICI** is the abbreviation for Industrial, Commercial and Institutional;
- 2.41 **ICI Establishments** means:
- a) a *Residential Building* – Multi-unit as defined herein;
  - b) an enterprise or activity involving warehousing, storage, industrial manufacturing, commercial processes or operations;
  - c) an enterprise, activity or project involving construction, renovation or demolition;
  - d) research or an experimental enterprise or activity;
  - e) clinics that provide medical diagnosis or treatment;
  - f) laboratories, hospitals or veterinarian or animal hospitals;
  - g) any business establishment including retail stores, offices, restaurants and gas bars;
  - h) any seasonal or temporary business establishment including chip wagons and vegetable stands, Christmas tree sales;
  - i) malls, strip malls, plazas and markets;

- j) an enterprise, activity or project involving landscaping;
  - k) hotel, motel, apartment hotel, hostel, or bed and breakfast establishment;
  - l) campsites (excluding the permanent residence trailer parks);
  - m) any residence with a centralized eating facility including but not limited to senior's home, boarding/rooming houses, shelters, *special needs housing*, nursing homes;
  - n) child care centres;
  - o) educational institutions including but not limited to schools, colleges, and universities and museums;
  - p) residences of all educational institutions including but not limited to universities, colleges and hospitals;
  - q) places of worship;
  - r) any government facility including Provincial Government, Federal Government and National Capital Commission facilities as well as Consulates and Embassies but excluding municipal facilities; or
  - s) any other establishment as designated by the *Director of Public Works*;
- 2.42 **ICI Garbage** includes all *garbage*, which would normally accumulate at any *ICI* establishment, enterprise or activity;
- 2.43 **Landfill Site** means an area of land designated by the *City* and by the Ministry of the Environment and Climate Change to be used for the disposal of *waste*, except for items listed in *Appendix 02* and in *Appendix 07* of this *By-law*;
- 2.44 **Magazines/Catalogues** means all *magazines* and catalogues bound with glue or stapled along the spine;
- 2.45 **Metal Food and Beverage Containers** means all steel and aluminum food and beverage cans and containers;
- 2.46 **Municipality** means The Corporation of the City of Temiskaming Shores;
- 2.47 **Newspapers** means all *newspapers* including the inserts that are delivered therein;
- 2.48 **Non-Collectible Waste** means any item designated by *Council* or the *Director of Public Works* which is not permitted to be collected within the *City's* waste collection system;
- 2.49 **Non-Profit Organization** means a corporation formed as a non share capital corporation under the *Corporations Act*, R.S.O. 1990, c. C.38. Part III, and an unincorporated association, which was formed for the purpose of carrying on without gain for its members and which uses any profits or other accretions to the corporation or unincorporated association in promoting its objects and not for the benefit or gain of its members;

- 2.50 **Old Corrugated Cardboard – OCC** means any paper board product which is composed of a rippled, flute or wave-shaped paper insert with paper liners bonded to the outside of the product and which does not have contaminants;
- 2.51 **Ontario Electronic Stewardship – OES** is a not-for-profit organization formed by retail, information technology and consumer electronic companies to implement the Waste Electrical and Electronic Equipment (WEEE) Program Plan under the Waste Diversion Act;
- 2.52 **Organics Container** means an approved plastic wheeled container designated to store and collect *organic materials*, which meets the requirements established for collection of *organic materials*, as described in Appendix 01 of this By-law;
- 2.53 **Organic Material** means those items described in Appendix 03 or as designated by the *Director of Public Works* to be collected separately for the purpose of *organic materials* collection;
- 2.54 **Owner** includes any registered *owner*, occupant, resident, lessee or tenant of a *residential dwelling* and includes any person managing any *low density residential* building or any *high density residential* building on behalf of the registered *owner*;
- 2.55 **Paint Can** means any empty and dry paint can and falls within the meaning of the definition of "empty container" in the regulations made under the *Environmental Protection Act*;
- 2.56 **Paper Cores** means the cardboard paper roll used for toilet paper or paper towels;
- 2.57 **Pathological Waste** means waste that is:
- a) any part of the human body, including tissues and bodily fluids, but excluding extracted teeth, hair, nail clippings and the like;
  - b) any animal carcass or part of;
  - c) non-anatomical waste infected with a communicable disease;
  - d) medicines, drugs or syringes, and
  - e) bandages, dressings or other infected materials;
- 2.58 **Person** means an individual, corporation, association or other business form;
- 2.59 **Plastic Film** refers to all plastic grocery, retail store, milk bags and pouches, frozen food, bulk food, breads, meat and cheese bags and wrap, over wrap from boxed products, stretch wrap, cereal wrap, snack food bags and the like;
- 2.60 **Police Officer** means a member of the Ontario Provincial Police Service;
- 2.61 **Private Property** means property, which is privately owned and is not the *City's* property, or property of a local board, or property of the Crown in Right of Ontario, the Crown in Right of Canada or any emanations thereof;

- 2.62 **Prohibited Wastes** means those items described in Appendix 07 or designated by the *Director of Public Works*;
- 2.63 **Public Property** means property, which is the *City's* property, or property of a local board, or property of the Crown in Right of Ontario, the Crown in Right of Canada or any emanations thereof;
- 2.64 **Recyclable Materials** means those items described in Appendix 02 or as designated by the *Director of Public Works* to be collected separately for the purpose of recycling;
- 2.65 **Recycling Container** means an approved plastic wheeled container designated to store and collect *recyclable materials*, which meets the requirements established for collection of *recyclable materials*, as described in Appendix 01 of this By-law;
- 2.66 **Residential Building – Multi-Unit** means an apartment building containing nine (9) or more dwelling units each of which:
- a) has self-contained living, kitchen and sanitary facilities; and
  - b) is owned or rented on not less than a monthly basis;
- 2.67 **Residential Building – Low Density** means a property on which is situated a duplex, apartment building, townhouse complex, co-operative housing complex or other similar *residential* complex containing eight (8) or fewer *residential dwelling* units and in which no *residential dwelling* unit therein is rented for a term less than a month, or for periodic periods less than one month in length;
- 2.68 **Residential Unit** means one or more rooms connected together as a self-contained, separate unit in the same building comprising all or part of the building and constituting an independent housekeeping unit for *residential* occupancy by *persons* with facilities for *persons* to sleep, cook and eat and including its own sanitary facilities;
- 2.69 **Residential Garbage** includes all *garbage* which would normally accumulate at a *residential dwelling*, a *low density residential building*, or a *multi-unit residential building*, but shall not include *non-collectable waste*;
- 2.70 **Residential Waste Collection System** means the *City's* municipal waste collection system for *residential garbage*, *recyclable material*, *yard waste material* and/or *organic material*;
- 2.71 **Scavenge** means the unauthorized removal of *garbage*, *recyclable material*, *yard waste* and *organic material* that have either been placed out for collection or in the case of some *containerized waste*, the location where the container is stored and filled before being moved to the *collection location*;
- 2.72 **Semi-automated collection** means manually assisted *automated collection* of waste from *collection locations* in *approved containers*;

- 2.73 **Sharp Items** includes windows, drinking glasses, dishes, ceramics, mirrors, light bulbs, sheet metal and other objects capable of cutting or puncturing but does not include *sharps*;
- 2.74 **Sharps** includes used and unused hypodermic needles, insulin pen tips, lancets and glass pipe stems;
- 2.75 **Single Family Dwelling** means a residence housing one family or household or one that is designed for one family only;
- 2.76 **Solid Waste** means discarded materials which:
- a) Includes, but is not limited to *garbage, bulky items, yard trimmings, household hazardous waste and non-collectable waste*; and
  - b) Are in a solid physical state, as determined by the "slump test" prescribed by the regulations passed under the provisions of the *Environmental Protection Act*; and
  - c) Do not contain any of the unacceptable substances or materials set forth in Appendix 02 to this By-law and such other materials as may from time-to-time be designated by the *Director of Public Works* as waste;
- 2.77 **Special Needs Housing** means a residential complex that contains a centralized kitchen, shared sanitary facilities and common living areas for residents, like shelters, rehabilitation homes, housing for the physically or mentally challenged, group homes and half-way houses;
- 2.78 **Special Waste** means solid *non-hazardous* waste otherwise acceptable for disposal at the *landfill site* but requires additional handling for proper disposal, e.g. asbestos;
- 2.79 **Spoke Transfer Station** means any area of land in the *City* designated as a *transfer station* by the *City* for the temporary storage of *recyclable materials* intended to be transferred to a recycling processing facility;
- 2.80 **Street** shall include a common and public highway, road, avenue, street, lane, square, place, thoroughfare, bridge, viaduct or trestle designated and intended for, or used by the general public for the passage of vehicles;
- 2.81 **Transient Waste** shall mean any refuse, *garbage* or waste including *recyclable materials* carried into the City of Temiskaming Shores from outside its boundaries by any person;
- 2.82 **White Goods** includes, but may not be limited to refrigerators, ovens/stoves, washers, dryers, dishwasher, freezer, air conditioning units, microwave ovens and hot water tanks;
- 2.83 **Yard Waste Materials** means those items described in Appendix 04 or as designated by the *Director of Public Works* to be collected separately for the purposes of *yard waste* collection;

## Section 3 – Administration

### 3.1 *Municipal Waste Collection Removal and Disposal*

The *City* or its agent shall operate a system for the collection, removal and disposal of *garbage*, recyclable materials, *bulky items* and *non-residential garbage* from *ICI establishments*, multi-unit residential buildings, *low density residential buildings* and *single family dwellings* in accordance with the provisions of this By-law;

### 3.2 *Performance of Work described in By-law*

The *City* may contract with any person or company for the performance of the whole of or any part of the work described in this by-law.

### 3.3 *Duties - Director of Public Works – Collection Program*

The *Director of Public Works* shall supervise and administer a collection system for *garbage*, bulky items, recyclable material, organic materials and *yard waste* and shall be responsible for its operation in accordance to this By-law.

The *Director of Public Works* shall establish waste reduction, recycling and recovery programs as deemed appropriate.

The *Director of Public Works* shall administer the By-law with the power to determine:

- a) the level and type of collection service provided to *single family dwellings*, low density residential buildings, *multi-unit residential buildings* and *ICI establishments*;
- b) the location where *garbage*, *bulky items*, *recyclable materials*, *yard waste* and *organic materials* are placed out for collection at *single family dwellings*, low density residential buildings, *multi-unit residential buildings* and *ICI establishments*;
- c) the scheduling of collection services, including collection day or the changes to collection schedules or services;
- d) whether a building, *collection location*, or property is safe for entry by any employees of the *City* or its *contractor* having regard to the physical condition and layout, loading facilities, method of handling collectible waste at the building, *collection location* or property;
- e) designate *new types of non-collectable waste* and new types of *recyclable materials* and *organic materials*; and
- f) any other matter necessary for the administration of this By-law.

Should emergency conditions arise that, in the opinion of the *Director of Public Works*, imperil municipal *landfill site*, recycling, *yard waste* or organic facilities, the *Director of Public Works* shall:

- a) take all remedial measures as may be necessary to protect public health, which may include limiting or stopping the collection of *garbage*, recycling, *yard waste* or *organic materials* in any area and restricting collection for any specific purpose;
- b) expend money and employ workers as needed to restore the *City's solid waste* system; and
- c) report to *Council* as soon as practical after such measures have been taken.

#### 3.4 *Duties - Director of Public Works – Acceptance of Waste at Disposal Site*

The *Director of Public Works* is authorized, subject to any limitations contained in this By-law or applicable legislation, to do each of the following with respect to accepting *solid waste at a landfill site*:

- a) negotiate the terms and conditions of an agreement accepting waste, other than recyclable materials, into a *landfill site* where not otherwise authorized under this By-law, and recommend such agreement to *Council*; and
- b) negotiate the terms and conditions of an agreement accepting recyclable materials at a *transfer station* where not otherwise authorized under this By-law, and to sign such an agreement;

#### 3.5 *Duties - Director of Public Works – Guidelines*

The *Director of Public Works* is authorized, subject to any limitations contained in this By-law or applicable legislation, to establish from time-to-time, guidelines:

- a) for the disposition of various forms of waste in accordance with federal or provincial statutes and regulations and municipal by-laws;
- b) as to what constitutes *non-collectible waste* and other forms of waste for which no waste collection services are available; and
- c) for the packing of various forms of waste;

#### 3.6 *Duties - Director of Public Works – Residential Densities*

The *Director of Public Works* is authorized, subject to any limitations contained in this By-law, to determine whether a property is a *residential building – multi-unit*, or a *residential building - low density*, by reference to the number of *residential* dwellings recorded for that property in the data base maintained, and operated by the Municipal Property Assessment Corporation (MPAC) and used by the *City*;

#### 3.7 *Duties - Director of Public Works – Amnesty Program*

The *Director of Public Works* is authorized, subject to any limitations contained in this By-law, to establish for the purposes of Appendix 05 to this By-law, the associated dates for the annual amnesty program.

### 3.8 *Duties - Director of Public Works – General Provision*

The *Director of Public Works* is authorized, subject to any limitations contained in this By-law or applicable legislation to deal with any other matter assigned to the *Director of Public Works* by this By-law or necessary for the administration of this By-law.

### 3.9 *Duties - Finance Department*

The Finance Department shall invoice and collect the *solid waste* fees or charges related to waste diversion, collection and disposal and implement enforcement provisions for outstanding fees or charges.

### 3.10 *Exception – Non-Taxable Properties*

Despite anything contained in this By-law, the *City* shall not provide *garbage* or *recycling collection* services, except by agreement, to any land or building owned or leased by the Crown in right of Canada, the Crown in right of Ontario, a school board, a university, a community college, a hospital, or to any property for which no taxes are paid and for which no grants in lieu are received.

### 3.11 *Refusal to Collect*

The *City* or its *contractor* will not collect material from a property otherwise entitled to collection services for various materials if:

- a) the material is not packed appropriately;
- b) the material is not in the *approved container*;
- c) the container is not placed properly at the *collection location*;
- d) the material is frozen or stuck to, or in the container; or
- e) the material is not generated in a *residential dwelling* unit in that property, as determined by the *Director of Public Works* in his/her sole discretion.

### 3.12 *Collection of Bulky Items*

The *City* does not collect bulky items of any nature. Individual property *owners* and *ICI establishments* are responsible for the proper disposal of bulky items. *Bulky items* can be disposed of at a *landfill site* in accordance to the applicable tipping fee, outlined in Appendix 06 attached hereto.

### 3.13 *Collection of Organic Materials*

The *City* does not separately collect *organic materials* of any nature, using an *organics container*. *Organic materials* can be disposed of in the *garbage container* or at the *landfill site* in accordance to the applicable tipping fee, outlined in Appendix 06 attached hereto.

### 3.14 *Municipal Hazardous or Special Waste*

The *City* does not collect on a regular basis *Municipal Hazardous* or *Special Waste*

(MHSW). The *City* does endeavour to provide at least annually, a MHSW collection event (Orange Drop) arranged and organized by the *Director of Public Works*.

### 3.15 *Waste Diversion Plan*

The City requires waste diversion plans from construction, renovation and demolition (CRD) projects, in accordance with the City's construction and demolition application process, to maximize the amount of CRD waste diverted from disposal through salvage, reuse and recycling.

### 3.16 *Approved Container – Responsibility*

3.16.1 The *approved container(s)* shall be the container(s) provided by the *City* designed for *automated collection*. The container(s) is/are assigned to the designated property, and not to the property owner.

3.16.2 Any owner, or building owner shall only utilize the container(s) provided by the *City* for the *automated collection* of waste.

3.16.3 *Owners*, or *building owners* shall maintain the approved container(s) at the *owner* or *building owner's* expense, and shall secure and store the approved containers at all times at the assigned property.

3.16.4 If either a *garbage container* or a *recycling container* is damaged by the collector or by snow removal equipment, the *owner* to whom the bin is issued may make a request to the *City* to repair the bin at no cost to the *owner*. If either a *garbage container* or a *recycling container* is damaged through non-compliance with any part of this by-law, neglect and/or wilful damage, the *owner* shall be responsible for the full cost of replacement of the container or parts for the containers, along with any other applicable fees or charges.

3.16.5 If either a *garbage container* or a *recycling container* is stolen, the *owner* shall contact the local police detachment to file a police report. The *owner* shall provide the *City* with a copy of the police report prior to issuing a new *garbage container* or *recycling container* at no cost to the *owner*.

3.16.6 Under no circumstances shall any *owner* or *building owner* alter or modify the *garbage containers* and/or *recycling containers* without the written consent of the *Director of Public Works*, for the purpose of changing the intended use of said containers.

3.16.7 *Garbage containers* and *recycling containers* are identified by serial numbers designated to a specific property address. Any person who violates, contravenes, or fails to observe and carry out any provisions of this By-law are subject to penalty according to Section 10 of this By-law.

3.16.8 It is the responsibility of an *owner* or *building owner* to ensure that *recycling containers* are free of *contamination* and that *garbage containers* are free of *recyclable materials*. Containers that are contaminated will not be collected and

could lead to suspended or discontinued collection services due to non-compliance. Containers contaminated shall be charged a fee in accordance with Section 10 of this By-law. Any person caught contaminating another *owners'* garbage and/or recycling containers, will face penalty under Section 10 of this By-law.

3.16.9 No *owner* or *building owner*, shall set out a container for collection that:

- Is not an *approved container*;
- Has not been assigned to the property;
- Is damaged to the extent that it is unsafe to manoeuvre;
- Has graffiti;
- Is not placed properly placed at the *collection location*;
- Has not been cleared of snow and/or ice
- Is secured with bungee cords, ties, or other lid securing device(s); and/or
- Is unclean or unsanitary.

### 3.17 *Storage Area for Approved Container*

No person shall store any type of materials for collection except in an *approved container* placed in a location on their property which is not a nuisance to any neighbour.

Under no circumstances shall an *approved container* be stored at the current pick-up location unless authorized by the *City*.

The *Director of Public Works* may determine where approved containers shall be located and his/her determination shall be final.

Every registered *owner* of a property, who has established a container storage area, shall keep the storage area in a clean, sanitary condition and in a good state of repair.

### 3.18 *Temporary Collection Location – Construction/Development*

When *curbside collection* is disrupted due to development construction or when access to the *collection location* is blocked, it is the responsibility of the developer at the developer's sole expense to move *approved containers* for collection where collection equipment can safely collect the material.

The developer at is his sole expense shall return all empty containers to the appropriate location at the end of the collection day.

Where material cannot be moved to a temporary *collection location*, the developer or the developer's *contractor* is responsible for an alternative collection of the material to the satisfaction of the *Director of Public Works*.

## Section 4- Collection Program – Residential

### 4.1 *Limits on Residential Collection Services*

The *City* will not provide waste collection services to any *residential* property in the *City* for any form of waste, except as provided for in this Section.

### 4.2 *Places of Worship*

Places of Worship are included in the definition of Industrial-Commercial-Institutional (*ICI*). Despite being so defined, if a place of worship can meet the *residential* collection limits, the *City* shall provide collection services to the place of worship.

### 4.3 *Collection of Yard Trimmings*

The *City* does not collect yard trimmings of any nature, unless authorized by the *Director of Public Works*. Individual property *owners* are responsible for the proper disposal of yard trimmings. Yard trimmings can be disposed of at a *landfill site* in accordance to the applicable tipping fee, described in Appendix 06 of this By-law.

### 4.4 *Single Family Dwelling*

The *City* will provide *garbage* and recycling collection services to each *single family dwelling* by supplying one (1) 65 – gallon *garbage container* and one (1) 95 – gallon *recycling container* each designed for *automated collection*.

### 4.5 *Residential Building – Low Density*

The *City* will provide *garbage* and recycling collection services to *low density residential buildings* eight (8) units and under. The service will be provided in the form of:

- i. *Containerized Collection* - one (1), two (2) yard dumpster for *garbage* and one (1), two (2) yard dumpster for *recyclable materials*; or
- ii. *Automated Collection* - 65 gallon containers for *garbage* and 95 gallon containers for *recyclable materials*.

The quantities of containers will be based on the maximum number of residential units within a *residential building*. An *owner* of a *low density residential building* may choose the quantity of the *garbage* and *recycling containers*, but if no choice is made, the *Director of Public Works* will select the default quantity of containers, i.e. one set per residential unit.

*Low-density residential buildings* containing four (4) units and under, shall not be eligible for *containerized collection services* for *garbage* or *recyclable materials*.

### 4.6 *Residential Building – Multi-unit*

Waste services for *multi-unit residential buildings* of nine (9) or more units, will be the responsibility of the *building owner*, except by agreement with the *City*.

#### 4.7 Waste Diversion Levy

Each residential unit receiving waste collection services through the City will be subject to a waste diversion levy outlined through By-law.

#### 4.8 Placement of Containers for Collection - Location

Containers placed for roadside collection at ground level shall be placed in accordance to the following:

- a) *Street* with concrete/asphalt curb – placed directly behind the curb;
- b) *Street* with sidewalk adjacent to concrete curb – placed directly behind the curb;
- c) *Street* with gravel road shoulders – placed directly on road shoulder;
- d) *Street* designated public lane – placed as close as possible to the edge of the public lane;
- e) Shall not place containers to knowingly obstruct pedestrian and vehicular traffic or maintenance operations, and not in a location which the *Director of Public Works* deems unreasonable, inefficient or dangerous;
- f) Of sufficient dimensions to enable the *City* or its *contractor* to collect waste pursuant to this By-law within the collection vehicle; i.e. no closer than three (3) feet from any obstacle such as mailboxes, hydro poles, telephone poles, parked vehicles, snow banks, etc.;
- g) Shall keep the *collection location* clear of snow and litter;
- h) Shall keep the *collection location* in such a manner suitable for *automated collection* without the operators being required to make manual adjustments to allow for pick-up of containers. Seasonal changes may require change of location for collection to be determined by the *Director of Public Works*;
  - i. The *City* or its *contractors* will not be responsible for emptying containers that are inaccessible to the collection vehicle.
  - ii. The operator is not required to exit the collection vehicle to facilitate *automated collection*; and
- i) Where for any reason, collection of containers cannot be made from the location specified in this By-law, containers shall be placed at locations designated by the *Director of Public Works* and his/her decision shall be final.

#### 4.9 Semi-Automated Collection

Where collection cannot be made under subsection 4.8a, 4.8b, 4.8c, 4.8f and/or 4.8h, and where a *residential dwelling* or a *low density residential building* served by a maintained street whereby, in the opinion of the *Director of Public Works*, the *City* or its *contractor* can safely drive to a *common pad location*, located adjacent to the street, will collect *garbage* and/or *recyclable materials* from *approved containers* by using *semi-automated collection*, and return the containers to the *common pad location*. The *collection location* for the *approved containers* must be large enough to place all containers on the collection day to allow easy movement for the operator.

#### 4.10 *Placing of Containers for Collection – Timing*

4.10.1 *Approved containers* placed for roadside collection at ground level shall not be set out earlier than 8:00 p.m. on the evening before collection, but no later than 6:30 a.m. on the designated day for collection. An *owner* or a *building owner* shall remove or return any empty container, and/or non-compliant and uncollected waste to the owner's private property prior to 10:00 p.m. on the day of collection.

4.10.2 The *City* or its *contractor* will not be responsible for missed collections; *approved containers* placed at the *collection location* outside of the times described in section 4.10.1 of this By-law may not be collected.

#### 4.11 *Frequency of Collection Services/ Limitations*

4.11.1 The *collection* program is one day per week alternating weekly between *garbage* and *recyclable materials*.

4.11.2 A *building owner* of a *low-density residential building* shall be responsible for the cost of any additional services and waste collections above the limits prescribed in this By-law. The *building owner* must provide permission to the *contractor* for additional services.

4.11.3 For *residential dwellings* or *low density residential buildings* receiving *containerized collection*, the bi-weekly limits per residential unit shall be:

- i. *Garbage* – four (4) regular sized garbage bags (26" x 32.5"), or capacity not to exceed a 65 gallons; and
- ii. *Recyclable Materials* – the equivalent of six (6) regular sized garbage bags (26" x 32.5"), or capacity not to exceed a 95 gallons; and
- iii. *Non-collectable Waste* – not permitted.

#### 4.12 *Collection - Statutory Holidays*

No curbside collection shall be made on the following holidays which fall on normal collection days: New Year's Day, Family Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Christmas Day, Boxing Day, or any other day designated as a holiday, unless an emergency or exceptional situation, as deemed by the *City*, arises and collection must occur on a holiday.

When a normal curbside collection day falls on a holiday, the collection shall be made one (1) day later, or as advertised by the *City* or its *contractor*.

#### 4.13 *Packing Materials – General Guidelines*

4.13.1 Every *owner* or *building owner* entitled to receive collection services shall:

- a) Ensure that any wet waste such as food waste, food contaminated paper, kitty litter and any other compostable material is wrapped in absorbent material and placed in a leak-proof container or bag prior to placement in the

*approved container;*

- b) place all *garbage* in the approved *garbage container* and all *recyclable materials* in the approved *recycling container*;
- c) forthwith clean up any mess or debris created if all or any waste spills from, or for any reason is no longer contained in the appropriate approved container; and
- d) place all materials into the appropriate container allowing the lid to close completely, while ensuring materials are not packed too tightly that waste cannot be readily emptied;
- e) place the approved container with the arrows on the lid pointing towards the *street*, and not placed at a *collection location* that knowingly obstructs pedestrian and vehicular traffic or maintenance operations; and
- f) keep *approved container* clear of snow and/or ice for the lid to open easily when emptied using *automated collection*.

4.13.2 No *owner* of a *residential dwelling* or *low density residential building* on a property entitled to receive collection services from the *City* shall:

- a) mingle any *prohibited waste* with permitted collectable materials;
- b) place more than the *approved containers* at a *collection location* for that property; or
- c) store, place or leave waste in a location which is a nuisance to a neighbour or to the public, whether or not in an *approved container*.

#### 4.14 *Assisted Waste Collection Program*

The *City* shall provide an assisted waste collection program to an *owner* of a *residential dwelling* who receives residential curbside collection, provided that the *owner* meets eligibility requirements and completes the Assisted Waste Collection Service Application Form. Acceptance is at the discretion of the *Director of Public Works*, and is subject to an annual review.

As a condition of service under this section, the *owner* shall ensure that the *approved containers* are at all times freely accessible and not enclosed within any building or restricted area, and shall comply with the Packing Materials – General Guidelines as described in section 4.13.1 and 4.13.2. At no time shall the safety of *City* employees or its *contractors* be jeopardized. The *City* and its *contractor* are not responsible for any property damage as a result of executing this service.

## **Section 5 - Collection Program – Industrial Commercial and Institutional**

### 5.1 *ICI Collection Services*

The *City* will not provide waste collection services to any Industrial, Commercial and Institutional (ICI) establishment for any form of waste, except as provided for in this Section.

## 5.2 *Frequency of Collection Services / Limitations*

5.2.1 The *City* may provide each *ICI establishment* with one (1) 65 – gallon *garbage container* and up to three (3) 95 – gallon *recycling containers*, each designed for *automated collection*.

5.2.2 Where access is restricted or limited for automated collection or for semi-automated collection, alternative collection methods may be approved by the *Director of Public Works*.

5.2.3 The collection program is one day per week alternating weekly between *garbage* and *recyclable materials*. The bi-weekly limits per commercial unit shall be:

- i. *Garbage* – four (4) regular sized garbage bags (26" x 32.5"), or capacity not to exceed a 65 gallons; and
- ii. *Recyclable Materials* – the equivalent of eighteen (18) regular sized garbage bags (26" x 32.5"), or capacity not to exceed a 285 gallons;
- iii. *Non-collectable Waste* – not permitted.

## 5.3 *Waste Diversion Levy*

Each *ICI establishment* receiving waste collection services through the *City* will be subject to a waste diversion levy outlined through By-law.

## 5.4 *Placing of Materials for Collection – Location*

Materials placed for roadside collection at ground level shall be placed in accordance to the following:

- a) *Street* with concrete/asphalt curb – placed directly behind the curb;
- b) *Street* with sidewalk adjacent to concrete curb – placed directly behind the curb.;
- c) *Street* with gravel road shoulders – placed directly on road shoulder;
- d) *Street* designated public lane – placed as close as possible to the edge of the public lane;
- e) Shall not place containers to knowingly obstruct pedestrian and vehicular traffic or maintenance operations, and not in a location which the *Director of Public Works* deems unreasonable, inefficient or dangerous;
- f) Of sufficient dimensions to enable the *City* or its Contractor to collect waste pursuant to this By-law within the collection vehicle; i.e. no closer than three (3) feet from any obstacle such as mailboxes, hydro poles, telephone poles, parked vehicles, snow banks, etc.;
- g) Shall keep the *collection location* clear of snow and litter;

- h) Shall keep the *collection location* in such a manner suitable for *automated collection* without the operators being required to make manual adjustments to allow for pick-up of containers. Seasonal changes may require change of location for collection to be determined by the *Director of Public Works*;
  - i. The *City* or its *contractors* will not be responsible for emptying containers that are inaccessible to the collection vehicle;
  - ii. The operator is not required to exit the collection vehicle to facilitate automated collection; and
- i) Where for any reason, collection of containers cannot be made from the location specified in this by-law, shall be placed at locations designated by the *Director of Public Works* and his/her decision shall be final.

### 5.5 *Semi-Automated Collection*

Where collection cannot be made under subsection 5.4a, 5.4b, 5.4c and/or 5.4f, and where an *ICI establishment* served by a maintained street whereby, in the opinion of the *Director of Public Works*, the *City* or its *contractor* can safely drive to a *common pad location*, located adjacent to the street, will collect *garbage* and/or *recyclable materials* from *approved containers* by using *semi automated collection*, and return the containers to the *common pad location*. The *collection location* for the *approved containers* must be large enough to place all containers to allow for easy movement for the operator on the day of collection.

### 5.6 *Placing of Materials for Collection – Timing*

- 5.6.1 *Approved containers* placed for roadside collection at ground level shall not be set out earlier than 5:00 p.m. the evening before collection, but no later than 6:30 a.m. on the designated day for collection. An owner or a building owner shall remove or return any empty container, and/or non-compliant and uncollected waste to private property no later than 5:00 p.m. the day of collection.
- 5.6.2 The *City* or its *contractor* will not be responsible for missed collections; *approved containers* placed at the *collection location* outside of the times described in section 5.6.1 of this By-law may not be collected.

### 5.7 *Packing Materials – General Guidelines*

- 5.7.1 Every *ICI establishment* entitled to receive collection services shall:
  - a) Ensure that any wet waste such as food waste, food contaminated paper, and any other compostable material is wrapped in absorbent material and placed in a leak-proof container or bag prior to placement in the appropriate container;
  - b) place all *garbage* in the approved *garbage container* and all recyclable materials in the approved *recycling container*;
  - c) forthwith clean up any mess or debris created if all or any waste spills from, or for any reason is no longer contained in the appropriate approved container; and

- d) place all materials into the appropriate container allowing the lid to close completely, while ensuring materials are not packed too tightly that waste cannot be readily emptied; and
  - e) place the *approved container* with the arrow on the lid pointing towards the street, and not placed at the *collection location* to knowingly obstruct pedestrian and vehicular traffic or maintenance operations.
  - f) keep *approved container* clear of snow and/or ice for the lid to open easily when emptied using *automated collection*.
- 5.7.2 No *owner* of an *ICI establishment* entitled to receive collection services from the *City* shall:
- a) mingle any *prohibited waste* with permitted collectable materials;
  - b) place more than the *approved containers* at a *collection location* for that property; or
  - c) store, place or leave waste in a location which is a nuisance to a neighbour or to the public, whether or not in an approved container.

## Section 6 - Private Waste Collection Operations

### 6.1 *Collection Services*

The *City* does not operate any type of collection service for *ICI establishments* or *multi-unit residential buildings*, within the boundaries of the *City* that cannot meet the residential limitations or the *ICI* limitations established in Section 4 and in Section 5 of this By-law respectively.

### 6.2 *Arrangements for Private Collection*

The registered *owner* of a property shall arrange for private collection services if:

- a) the registered owner of a property is not entitled to receive collection services from the *City*;
- b) collection services have been suspended, revoked or discontinued for any type of waste;
- c) limitations established in Section 4 or in Section 5 of this By-law are exceeded; or
- d) waste is of a type for which collection services are not provided by the *City*.

### 6.3 *Private Collection – Provisions*

The registered *owner* of a building or property who is required to arrange for private collection services shall ensure:

- a) that all waste material is stored in properly constructed and maintained waste storage containers;

- b) every storage container is emptied as necessary to prevent development of odours or other nuisances;
- c) ensure material does not overflow the storage container and lids or doors of storage containers are kept closed;
- d) a container storage enclosure is provided which is adequate to contain all of the storage containers used or provided for use by the *owners*;
- e) that every storage container and any enclosure or other structure or building provided for the housing of storage containers are at all times maintained in a secure, clean, dry and sanitary condition, to prevent entry of or occupation by rodents, insects or other vermin;
- f) that the waste material is conveyed to the point of disposal at the expense of the consignee or *owner* of such waste;
- g) provide proof if requested by the *Director of Public Works* that the waste has been transported to an appropriate *landfill site* in accordance with this By-law or legislative requirements;
- h) that material is not placed out for collection unless otherwise permitted by this By-law; and
- i) *prohibited waste(s)* and *recyclable materials* is/are kept separate from all other waste including other forms of *prohibited waste* and such *prohibited waste* is stored in a storage container adequate for the safe storage and disposal of the *prohibited waste(s)*.

#### 6.4 *Responsibility of Landlords and Condominium Corporations*

It shall be the duty of the landlord of an of a *residential building – multi-unit*, and the duty of a condominium corporation to supply and maintain a sufficient number of approved receptacles for each dwelling and such other equipment as may be necessary for the orderly disposal of *garbage* and *recyclable materials*. The landlord or condominium corporation shall provide a common place where the approved receptacles shall be properly stored and available for the occupants' use in order to facilitate collection.

## **Section 7 - Municipal Landfill Site/Spoke Transfer Station**

### 7.1 *Landfill Site/ Spoke Transfer Station – General Restrictions*

- 7.1.1 No person shall deposit waste at any *landfill site* or at the *spoke transfer station* outside the hours of operation as determined by the *Director of Public Works* and posted at the site, unless where approved waste disposal containers have been provided for that purpose.
- 7.1.2 No person shall, except as provided herein, deposit any *prohibited waste* at any *landfill site* or at the *spoke transfer station*.

- 7.1.3 No person shall deposit at a *landfill site* any *recyclable materials*, any *electronic waste* or any other form of waste determined by the *Director of Public Works* collectable under another type of diversionary program.
- 7.1.4 No person shall deposit at a *landfill site* or at the *spoke transfer station* any *bulky item*, tires, or any other form of waste determined by the *Director of Public Works* to require segregation or special handling, except at the designated location as directed by the site attendant.
- 7.1.5 No person shall deposit septic tank effluent at any location in a *landfill site*, or at the *spoke transfer site*.
- 7.1.6 No person shall deposit any burning material or set any fire at any *landfill site* or at the *spoke transfer station*.
- 7.1.7 No person shall deposit waste at the gate or entrance to a *landfill site* or to the *spoke transfer station*, or at any place other than the place designated for its receipt thereat.
- 7.1.8 No person shall neglect or refuse to provide proof of the origin of waste tendered for disposal at a *landfill site* or at the *spoke transfer station* when such is demanded, provided that in lieu of providing such proof the person tendering the waste may remove it without unloading it.
- 7.1.9 No person shall deposit waste at any *landfill site* or at the *spoke transfer station* when the attendant at the site refuses deposit of the waste on the grounds that the origin of the waste has not been satisfactorily proven.
- 7.1.10 No person shall deposit waste at any *landfill site* or at the *spoke transfer station* when such deposit has been forbidden by the *Director of Public Works*.
- 7.1.11 No person shall operate a motor vehicle at a *landfill site* or at the *spoke transfer station* other than on a designated route, without due care and attention and at a greater than the posted rate of speed.
- 7.1.12 No person shall salvage at any *landfill site*, *spoke transfer station* or *collection location* without the prior written approval of the *Director of Public Works*.
- 7.1.13 No person shall transport waste to or at any *landfill site* or the *spoke transfer station* except in properly covered containers or in carts, wagons, or vehicles, totally enclosed or covered in canvas, tarpaulins or nets, so fastened down around the edges to prevent any of the contents from falling upon the ground during transport.
- 7.1.14 No person shall deposit waste at any *landfill site* or at the *spoke transfer station* while barred from doing so pursuant to this By-law.
- 7.1.15 No person shall deliver any tires to any *landfill site* co-mingled with any other waste.

- 7.1.16 No person shall deposit tires with attached rims at any *landfill site* or *spoke transfer station*.
- 7.1.17 No person shall mix *white goods* with other waste delivered to the *landfill site* or the *spoke transfer station*, including waste delivered by municipal crews or municipal *contractors*.
- 7.1.18 No person shall deposit any freon containing appliance at a *landfill site* or the *spoke transfer station* in any location other than the location designated by the *Director of Public Works* for that purpose.
- 7.1.19 No person shall deposit any freon containing appliance at a *landfill site* unless in an upright position.
- 7.1.20 No person shall attend at any *landfill site* or at the *spoke transfer station* except for the purposes of depositing waste, or for other lawful business, without the written approval of the *Director of Public Works*.
- 7.1.21 No person shall trespass on any *landfill site* or the *spoke transfer station*.
- 7.1.22 No person shall deliver or deposit at any *landfill site* any *transient waste* or waste which does not comply with this By-law or unload such waste. Whether unloaded or not, all such waste shall be removed by or at the expense of the person seeking to dispose of it.
- 7.1.23 No person shall deliver or deposit at the *spoke transfer station* any *transient waste* unless they have entered into an agreement with the *City*.

## 7.2 *Asbestos Disposal*

No person shall unload or dispose of *asbestos*, unless such unloading or disposal is in accordance with the following conditions:

- a) All *asbestos* must be contained in a rigid, impermeable, sealed container of sufficient strength to accommodate the weight and nature of the waste. If the container is a cardboard box, the waste must be placed in a polyethylene bag placed within the box. The container must be free from punctures, tears or leaks. The external surface of the container and the vehicle used for the transport of the *asbestos waste* must be free from *asbestos waste*;
- b) During unloading, the packaged *asbestos waste* materials shall be handled individually and care taken to place the package in the designated area to avoid spillage. This unloading shall be the responsibility of the *contractor* and shall not be done by a landfill facility operator;
- c) The unloading shall only be done in the presence of a landfill facility operator to ensure that no loose *asbestos* or broken containers are unloaded and that no airborne particulate is generated;
- d) In the event that loose *asbestos* or broken containers are found, the haulage vehicle operator shall repackage the material with additional containers or bags;

- e) The containers shall be placed directly in the designated area which has been prepared by the landfill facility operator and immediately after unloading, the containers shall be covered by the operator; and
- f) The *City* shall be contacted twenty-four (24) hours prior to delivery to allow for preparation of the location.
- g) Asbestos is only accepted by appointment booked in advance. The *Director of Public Works* reserves the right to limit or refuse the acceptance of asbestos.

### 7.3 *Refusal Rights*

The *City* reserves the right to refuse the disposal of any material of a questionable nature or origin. Despite such under special or emergency conditions, the *Director of Public Works* may accept wastes which have been approved by the Ministry of the Environment and Climate Change.

### 7.4 *Order to Leave Disposal Site/Spoke Transfer Station*

The *Director of Public Works*, or an employee or agent of the *City* who is designated as being in charge of a site may at any time order any person to forthwith leave the *landfill site* or *spoke transfer site* if such person:

- a) is scavenging;
- b) is depositing waste contrary to this By-law;
- c) is conducting any illegal activity; or
- d) has no lawful reason to be at the *landfill site* or at the *spoke transfer station*.

### 7.5 *Trespassing – Police Assistance*

If any such person fails or refuses to leave in response to an order under Subsection 7.4, the *Director of Public Works* or an employee or agent being in charge of a *landfill site* or the *spoke transfer station* may call for police assistance and cause trespass charges to be laid.

### 7.6 *Landfill Site Operation – Scales*

Where available no person shall enter a *landfill site* for the purpose of unloading or disposing of any materials without first having the vehicle weighed on the weigh scales as directed by the scale attendant, and paying the required fee as established in Appendix 06 of this By-law.

### 7.7 *Landfill Site/ Spoke Transfer Station Operation – Disposal Fees and Surcharges*

- 7.7.1 The *City* may from time-to-time establish rates or fees for the use of the *landfill site* or the *spoke transfer sites* by amendment to Appendix 06, and may inform users of the facilities of any changes to the disposal fees by posting notice at the disposal facilities and/or sites.

- 7.7.2 Every person shall pay the applicable disposal fees and surcharges in full by cash or certified cheque to the attendant before leaving the facility and/or site unless a charge account has been approved in accordance with *City* policy.
- 7.7.3 Any person applying the disposal fees or surcharges to a charge account in good standing will be required to provide the vehicle license plate to the attendant for proper processing of said account.
- 7.7.4 Every person, group or municipality located outside the boundaries of the *City* who disposes of *recyclable materials* at the *spoke transfer station* must have approval from the *Director of Public Works*, and have entered into a formal agreement with the *City*. Fee associated with the disposal agreement shall be in accordance with Appendix 06 of this By-law.

#### 7.8 *Landfill/Spoke Transfer Station Operation – Hours of Operation*

The *landfill site* and/or *spoke transfer station* shall be open to the public at times determined by the *Director of Public Works*.

## **Section 8 -Private Landfill Sites**

### 8.1 *Authorization to Operate Private Landfill Site*

No person shall operate a privately-owned *waste disposal site* or other operation for the disposal of waste, either for his or her own use or the use of others, without having first applied for and received authorization therefore from the Ministry of the Environment and Climate Change.

### 8.2 *Right to impose conditions for Operation of Private Landfill Site*

The *City* may impose such facilities as it may deem fit when dealing with any such applications, and the applicant shall thereafter maintain his or her operation in conformity with any Municipal By-law or conditions included in the ECA as issued by the Ministry of the Environment and Climate Change.

### 8.3 *Other Approvals required to Operate Private Landfill Site*

All privately-owned *waste disposal* operations shall also comply with and be operated in accordance with all relevant *City*, Provincial and Federal approvals and standards and with the approval, when required, of the Medical Officer of Health.

## **Section 9 - General Provisions and Prohibitions**

### 9.1 *General Waste Provisions*

- 9.1.1 All waste contained within the *approved containers* when placed at the *collection location* are the responsibility of the *owner* or *building owner*. No

person in the *City* shall, unless authorized by the *Director of Public Works*, scavenge, pick over, interfere with, remove or scatter any waste or cause or permit the scavenging, picking over, interference with, removal or scattering of any waste, placed at a *collection location* for collection, whether or not in an *approved container*. This shall also apply to all *recyclables materials* at *City* facilities. Once waste enters the collection vehicle, it becomes the property of the *City*.

- 9.1.2 No person shall place any form of waste at the *collection location* for a property unless waste collection services are provided for that type of waste at that property;
- 9.1.3 No person shall place any form of waste at the *collection location* for a property entitled to receive waste collection services unless the waste was generated in that property;
- 9.1.4 No person shall, unless authorized by the *Director of Public Works* in writing, throw, cast or otherwise deposit or cause to be deposited or permit any *contractor*, agent or employee of such person to throw, cast or otherwise deposit any waste whatsoever on or in any *street*, *public property*, *private property*, vacant lot, yard or watercourse;
- 9.1.5 No person, unless authorized by the *Director of Public Works*, in writing, place waste on *public property* for collection by a private collection agency, municipal forces or an agent of the *municipality*;
- 9.1.6 No person shall permit any animal owned by him or her or under his or her control to pick over, interfere with, remove or scatter any waste placed out for collection;
- 9.1.7 No person shall deposit waste generated on *private property* into or beside public waste receptacles located on public streets/properties;
- 9.1.8 No person shall deposit or cause to be deposited any waste within the *City* limits other than in authorized *landfill sites*; provided however this shall not prohibit the use of natural soil, earth, sand, clay, gravel, loam, stones or any similar excavated material to fill low lots within the *City*;
- 9.1.9 No person shall allow any liquid matter from any cesspool, septic field or vehicle or allow any other objectionable liquid from any source whatsoever, to flow or drain upon *streets* roadsides, ditches, gutters, public lands or private lands;

## 9.2 *Pet Excrement*

An *owner* of a *residential dwelling* unit may dispose of pet excrement from any household pet, such as from dogs or cats with *garbage* provided the *owner* first wraps in absorbent paper, any feces which cannot be flushed in a sanitary manner, places same in a sealed leak-proof bag, which is mixed in with *garbage* which contains by volume, not more than 10% pet excrement.

An *owner* of a *residential dwelling* unit may deliver pet excrement to a *landfill site* provided the *owner* wraps the *pet excrement* in absorbent paper and places same in a sealed leak-proof bag, inside a further sealed leak-proof bag; and at the time of delivery notifies the operator at the *landfill site* of the contents of the bag.

### 9.3 *Animal Carcasses*

The carcasses of dead animals are not permitted to be disposed of at the *spoke transfer station*, or through *curbside collection*.

### 9.4 *Order to Remove Waste*

The *Director of Public Works* may give written notice to the person who places waste on *public property* advising that if such person fails to remove the waste or cause the waste to be removed, within the time specified in the notice, the *City* may remove the waste at the expense of the person who generated the waste.

### 9.5 *Failure to adhere to Written Notice to Remove Waste*

If any person or *persons* given written notice by the *Director of Public Works* to remove waste neglects or fails to remove such waste within 24 hours, or such longer time as may be specified in the notice for doing so, the *Director of Public Works* is hereby authorized to have the waste removed at the expense of the person or *persons* to whom notice was given.

### 9.6 *Costs incurred for Removal of Waste Applied to Property*

The *City* shall charge all costs incurred for the removal of the waste, including the expenses of the *City*, to the person or *persons* to whom notice was given and if notice was given to more than one person, each person shall be jointly and severally liable for payment of the total expense.

### 9.7 *Costs Recoverable in like manner as Municipal Taxes*

If payment is not made within thirty (30) days of the date on the written notice, the *City* may recover the outstanding amount by action or in the case of a registered *owner*, the same may be recovered in like manner as municipal taxes, in the sole discretion of the *Director of Public Works*, and the Treasurer is hereby authorized to take all necessary action to do so.

### 9.8 *Suspension of Waste Collection Services – Notice*

Where a registered *owner* and/or occupant contravene any of the provisions of this By-law, the *Director of Public Works* may in his or her sole discretion give notice in writing to the registered *owner* mailed by registered mail advising of the particulars of the default or defaults under this By-law and that the *Director of Public Works* may suspend, revoke or discontinue waste collection services unless the registered *owner* ensures that the specified default or defaults under the By-law is (are) remedied within the time specified in the notice and the Registered *Owner* and all *owners* therein, thereafter comply with the By-law.

### 9.9 *Suspension of Waste Collection Services – Order to Suspend*

Where, in the opinion of the *Director of Public Works*, there has been a failure to comply with the Notice or on a subsequent contravention of the By-law, and it is deemed appropriate to do so, the *Director of Public Works* may issue an Order to suspend, discontinue or revoke collection services to that property.

### 9.10 *Suspension of Waste Collection Services – Notice of Order*

Notice of the Order of the *Director of Public Works* shall be given in writing, delivered by registered mail to the registered *owner* at the address noted in the *City's* tax rolls as the address for the registered *owner* of that property.

### 9.11 *Suspension of Waste Collection Services – Termination of Order*

Any registered *owner* may apply to the *Director of Public Works* in writing for termination of the Order, and upon the registered *owner* satisfying the *Director of Public Works* that he or she and all *owners* within the property are then in compliance with this By-law and that further contravention of this By-law is unlikely to occur, the *Director of Public Works* in his or her sole discretion may:

- a) terminate the Order, in whole or in part;
- b) reinstate full or partial waste collection services subject to such conditions or terms as he or she considers appropriate; or
- c) make a new Order, on different terms.

## **Section 10 - Prohibitions, Enforcement and Penalties**

### 10.1 *Penalties – Individuals*

Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable:

- i. on a first conviction, to a fine of not more than \$10,000; and
- ii. on a subsequent conviction, to a fine of not more than \$25,000 as authorized by the Municipal Act S.O. 2001 Chapter 25 Section 77(1).

### 10.2 *Penalties – Corporation*

Despite subsection 10.1, where the person convicted is a corporation, the maximum fines in Subsections 10.1 a) and 10.1 b) are \$50,000 and \$100,000 respectively as authorized by the Municipal Act S.O. 2001 Chapter 25 Section 77(2).

### 10.3 *Liability for Breach of a Provision of this By-law*

When a person has been convicted of an offence under this by-law:

- a) The Provincial Offences Court of the Judicial District of Temiskaming, or

- b) Any court of competent jurisdiction thereafter may in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offence or the doing of any act or thing by the person convicted directed toward the continuation or repletion of the offence.

#### 10.4 Subsequent Conviction

In this By-law, a subsequent conviction means a conviction for an offence which offence occurs after the date of conviction for an earlier offence under this By-law.

#### 10.5 Set Fines

- 10.5.1 Alternatively, at the discretion of the Corporation, pursuant to Part 1 of the *Provincial Offences Act, R.S.O. 1990, Chapter P.33*, every *person* who contravenes Subsections 10.1 or 10.2 of this By-Law is liable to a set fine for each offence committed, as established under **Appendix – 08 Set Fines** annexed hereto, as amended by by-law adopted by *Council* from time-to-time.
- 10.5.2 Any *person* found to be in contravention of any applicable provision of this By-Law, may be issued a notice of such violation. Every such *person* may, within seventy-two (72) hours of the time when such notice was issued, pay at the Corporation Municipal Offices the set fine or fines for, and in full satisfaction of, such violation as set out in **Appendix – 08 Set Fines** annexed hereto.
- 10.5.3 Unpaid set fines may, following a thirty (30) calendar day period, at the sole discretion of the Corporation, be added to the *person's* next tax billing, and shall be collected in like manner.
- 10.5.4 The set fines described herein shall come into force and effect upon receipt of the Judge's Order, under the *Provincial Offences Act, R.S.O. 1990*, from the Ministry of the Attorney General.
- 10.5.5 As appointed by *Council*, this By-law shall be enforced by the following Officials of the Corporation as appropriate:
  - a) the Municipal *By-Law Enforcement Officers*; or
  - b) the *Director of Public Works*.
- 10.5.6 The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the *person* convicted, and such order shall be in addition to any other penalty imposed on the *person* convicted, in accordance with the provisions of the *Municipal Act, 2001* and the *Provincial Offences Act, R.S.O. 1990*, both as amended.
- 10.5.7 Every person who, by act, offence, default, neglect or omission; occasions any loss, cost, damage or injury to the *landfill site* or *spoke transfer station* or any part or appurtenance thereof, is liable to the Corporation for any and all financial losses and costs incurred as a result.

- 10.5.8 Unpaid charges for financial losses and costs invoiced under subsection 10.5.7 shall, following a ninety (90) calendar day period, at the sole discretion of the Corporation, be added to the municipal tax roll of the property upon which or from which the financial losses and costs occurred, and collected in like manner as municipal taxes.
- 10.5.9 No action or proceeding under the provisions of this By-Law shall preclude the Corporation from the right and power to exercise any other right or remedy available to the Corporation.

#### 10.6 *Prohibits and Offences*

Every person who:

- 10.6.1 sets out for collection by the *City* any type of *Bulky Waste* as defined herein; or
- 10.6.2 sets out for collection by the *City* any type of *Prohibited Waste* as defined herein; or
- 10.6.3 fails to maintain an *approved container* as defined herein; or
- 10.6.4 fails to store the *approved containers* at all times at the assigned property; or
- 10.6.5 fails to store any type of materials for collection except in an *approved container* placed in a location on their property which is not a nuisance to any neighbour; or
- 10.6.6 fails to properly place *approved containers* at the *collection location* as defined herein; or
- 10.6.7 fails to properly dispose of yard trimmings as defined herein; or
- 10.6.8 fails to set out *approved containers* to knowingly obstruct pedestrian and vehicular traffic or maintenance operations; or
- 10.6.9 sets out *approved containers* for collection earlier than 8:00 p.m. for residential and *low density residential buildings*, or 5:00 p.m. for *ICI establishments*, and/or or fails to remove *approved containers* and/or uncollected waste after 10:00 p.m. the day of collection for residential and *low density residential buildings*, or 5:00 p.m. the day of collection for *ICI establishments*; or
- 10.6.10 fails to properly ensure wet waste is wrapped in absorbent material and placed in a leak-proof container or bag prior to placement in *approved container*; or
- 10.6.11 places *recyclable materials* in an unapproved container for collection; or
- 10.6.12 places *garbage materials* in an unapproved container for collection; or

- 10.6.13 fails to ensure all garbage and recyclable materials are placed within the appropriate *approved container with the lid completely closed*; or
- 10.6.14 mingles any *prohibited waste* with permitted collectable materials; or
- 10.6.15 fails to arrange for private collection services when not entitled to receive collection services from the *City* or exceeds collection limitations; or
- 10.6.16 fails to arrange for private collection services when collection services from the *City* have been suspended, revoked or discontinued for any type of waste; or
- 10.6.17 fails to arrange for private collection services for waste of a type for which collection services from the *City* are not provided; or
- 10.6.18 fails to store waste material in a properly constructed and maintained waste storage container; or
- 10.6.19 fails to empty a storage container to prevent development of odours or other nuisances; or
- 10.6.20 fails to ensure storage container lids and/or doors are kept close to prevent overflow; or
- 10.6.21 fails to separate *prohibited waste(s)* from all other waste including other forms of *prohibited waste*; or
- 10.6.22 fails to store prohibitive waste in a storage container adequate for the safe storage and disposal of the *prohibited waste(s)*; or
- 10.6.23 deposits waste at any *landfill site* or at the *spoke transfer station* outside of the hours of operation posted at the site; or
- 10.6.24 deposits any *prohibited waste* at any *landfill site* or at the *spoke transfer station*; or
- 10.6.25 deposits at a *landfill site* any recyclable materials, any *electronic waste* or any other form of *waste* determined collectable under another type of diversionary program; or
- 10.6.26 deposits at a *landfill site* or at the *spoke transfer station* any *bulky item*, tires, or any other form of waste requiring segregation or special handling except at the designated location as directed by the landfill site operator; or
- 10.6.27 deposits septic tank effluent at any location in a *landfill site*; or
- 10.6.28 deposits any burning material or set any fire at any *landfill site* or at the *spoke transfer station*; or

- 10.6.29 deposits waste at the gate or entrance to a *landfill site* or the at *spoke transfer station* or at any place other than the place designated for its receipt; or
- 10.6.30 deposits waste at any *landfill site* or at the *spoke transfer station* when the operator/attendant at the site refuses deposit of the waste; or
- 10.6.31 salvages at any *landfill site*, the *spoke transfer station* or *collection location* without the prior written approval of the *Director of Public Works*; or
- 10.6.32 transports waste in containers not properly covered or in carts, wagons, or vehicles not totally enclosed or covered in canvas, tarpaulins or nets, so fastened down as to prevent contents from falling to the ground during transport; or
- 10.6.33 deposits tires at any *landfill site* or at the *spoke transfer station* co-mingled with any other waste; or
- 10.6.34 deposits tires with attached rims at a *landfill site* or at the *spoke transfer station*; or
- 10.6.35 mixes *white goods* with other waste delivered to the *landfill site* or at the *spoke transfer station*; or
- 10.6.36 deposits any freon containing appliance at a location other than the location designated for such; or
- 10.6.37 trespasses on any *landfill site* or *spoke transfer station*; or
- 10.6.38 deposits or unloads at any *landfill site* or *spoke transfer station* any *transient waste* without approval; or
- 10.6.39 fails to remove any *transient waste* deposited at a *landfill site* or *spoke transfer station*; or
- 10.6.40 fails to unload or dispose of *asbestos waste* in accordance with this By-law; or
- 10.6.41 fails to pay the applicable disposal fees; or
- 10.6.42 places any form of waste at a *collection location* for property entitled to receive waste collection services that was not generated at that property; or
- 10.6.43 throws, casts or otherwise deposits or causes to be deposited any waste whatsoever on or in any *street*, *public property*, *private property*, vacant lot, yard or watercourse; or
- 10.6.44 places waste on *public property* for collection by municipal forces or an agent of the *City*; or

- 10.6.45 permits any animal owned by him or her or under his or her control to pick over, interfere with, remove or scatter any waste placed out for collection; or
- 10.6.46 deposits waste generated on *private property* into or beside public waste receptacles located on public *streets/properties*; or
- 10.6.47 deposits or causes to be deposited any waste within the *City* limits other than in an authorized *landfill site* or *spoke transfer site*; or
- 10.6.48 allows any liquid matter from any cesspool, septic field or vehicle or allows any other objectionable liquid from any source whatever, to flow or drain upon *streets* roadsides, ditches, gutters, public lands or private lands; or
- 10.6.49 fails to wrap in absorbent paper and place in a sealed leak-proof bag any household pet feces, such as from dogs or cats; or
- 10.6.50 mixes more than 10% by volume with *garbage* pet excrement, such as from dogs or cats; or
- 10.6.51 fails to inform the *landfill site* operator of the contents of a bag containing pet excrement when depositing same at the *landfill site*; or
- 10.6.52 is guilty of an offence pursuant to the provisions of the *Municipal Act, 2001* and/or the *Provincial Offences Act*, R.S.O. 1990, Chapter P. 33, as applicable.

## Section 11 - Validity and Adoption

### 11.1 *Validity*

If any section, clause, or provision of this By-Law, is for any reason declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the By-Law as a whole or any part thereof, other than the section, clause or provision so declared to be invalid and it is hereby declared to be the intention that all remaining sections, clauses or provisions of this By-Law shall remain in full force and effect until repealed, notwithstanding that one or more provisions thereof shall have been declared to be invalid.

### 11.2 *Effective Date*

This By-Law shall become effective on the date of passing thereof.

## **Approved Containers**

For the purposes of this By-law an approved container includes a garbage container, a recycling container and an organics container as provided in this Appendix.

### **Garbage Container**

For the purposes of this By-law, "garbage container" means a 65 – gallon container, provided by the City, designed for *automated collection* services.

### **Recycling Container**

For the purposes of this By-law, "recycling container" means a 95 – gallon container, provided by the City, designed for *automated collection* services.

### **Organics Container**

For the purposes of this By-law, "organic container" means a plastic wheeled container, provided by the City, designed for *automated collection* services.

## Recyclable Materials

In this By-law "recyclable materials" includes;

recyclable containers includes the following forms of containers:

- a) food and beverage glass bottles and jars, including metal lids;
- b) metal food and beverage cans;
- c) cardboard cans such as from frozen juice, refrigerated dough, chips, and nuts;
- d) aluminum cans, foil, foil plates and foil trays;
- e) empty plastic containers (1 through 7);
- f) aseptic packaging, such as drink boxes;
- g) empty aerosol containers
- h) foam polystyrene (Styrofoam) such as from takeout, egg cartons, drinking cups and meat trays;
- i) polycoat containers such as milk and juice cartons; and
- j) any other container designated by the Director of Public Works to be a recyclable container.

recyclable papers includes the following:

- a) household paper, including junk mail, writing paper, computer paper, non-foil gift wrap, non-foil greeting cards and envelopes;
- b) paper egg cartons;
- c) paper rolls;
- d) paper bags, other than treated bags, such as flour, sugar, potato and pet food bags;
- e) newspapers and inserts;
- f) magazines, catalogues and glossies;
- g) telephone directories;
- h) soft covered books and hard covered books (hardcover removed and recycled separately); and
- i) any other paper or paper products designated by the Director of Public Works to be recyclable papers.

recyclable cardboard includes clean, unwaxed corrugated cardboard and box board;

recyclable plastic film, includes grocery, shopping, dry cleaning, bread bags, vegetable/fruit bags, milk bags (outer and rinsed inner bag), outer wrap from packaging and bubbled plastic packaging.

### **Organic Materials**

In this By-law "organic materials" includes materials that will breakdown naturally and turn into compost such as:

- a) food scraps;
- b) diapers;
- c) animal waste
- d) soiled paper food containers; and
- e) any other materials or products designated by the Director of Public Works to be organic materials.

### **Yard Waste Materials**

In this By-law, "yard trimmings" means:

- a) leaves;
- b) grass clippings;
- c) trees (excluding root balls);
- d) garden roots and cuttings;
- e) hedge and shrub trimmings;
- f) brush cuttings;
- g) twigs and branches;
- h) natural *Christmas Trees*, decorations removed;
- i) any other item determined by the *Director of Public Works* from time-to-time to be *yard waste*.

### **Amnesty Program**

In this By-law "amnesty program" means a program that permits residents to drop off refuse/garbage at the *landfill site* without the application of a tipping fee.

The amnesty program shall have the following restrictions/conditions applied:

- a) Applicable to residents of Temiskaming Shores and is **not** applicable to Industrial, Commercial or Institutional (ICI) establishments;
- b) Amnesty shall include not applicable Tipping Fee for brush;
- c) Tipping Fees remain applicable for Contaminated Waste items;
- d) Surcharge fee remains applicable for Metals/*Bulky Waste* containing freon gas.

The *Director of Public Works* shall establish two Amnesty weeks annually, once in the spring and once in the fall.

**Tipping Fees**

**Landfill Site**

Category	Description	Applicable Fee/ yard <sup>3</sup> (Prices come into effect July 1st of each year)	
		Resident	Non Resident
1	Flat Rate - \$1.00 per bag up to a maximum of \$3.00 (under one cubic yard)	\$3.00	\$6.00
2	Residential/Commercial Garbage: <i>includes abandoned residential or commercial waste, either animal or vegetable, organic waste, wearing apparel, broken crockery and refuse of a similar nature, but shall not include metal, weighty or bulky articles such as large appliances, furniture, barrels, bed springs, furnaces or anything of a similar nature.</i>	2015: \$4.00 2016: \$5.00 2017: \$6.00	2015: \$8.00 2016: \$10.00 2017: \$12.00
3	Metals/Bulky Waste: <i>Items whose large size precludes or complicates handling by normal collection, processing or disposal methods such as furniture and appliances. Also ferrous metal, aluminum, mixed metal, white goods and old vehicles.</i>	2015: \$5.00 2016: \$6.00 2017: \$7.00	2015: \$10.00 2016: \$12.00 2017: \$14.00
4	Yard Waste: <i>Includes clean wood, brush, yard and plant materials, suitable for composting purposes.</i>	No Fee	\$4.00
5	Non-Hazardous Waste: <i>includes clean fill</i>	2015: \$5.00 2016: \$6.00 2017: \$7.00	2015: \$10.00 2016: \$12.00 2017: \$14.00
6	Inorganic Earth Like Material: <i>includes reclaimed asphalt products, aggregate, and soils free of chemical contaminants.</i>	2015: \$6.00 2016: \$7.00 2017: \$8.00	2015: \$12.00 2016: \$14.00 2017: \$16.00
7	<i>Sorted Construction and Demolition Waste: Recyclable materials sorted from non – recyclable materials</i>	2015: \$5.00 2016: \$10.00 2017: \$15.00	2015: \$5.00 2016: \$10.00 2017: \$15.00
8	<i>Unsorted Construction and Demolition Waste</i>	2015: \$15.00 2016: \$20.00 2017: \$25.00	2015: \$30.00 2016: \$40.00 2017: \$50.00
9	Contaminated Waste: <i>includes excavated soils containing organic or hydrocarbon contaminants at a level that is acceptable to the Ministry of the Environment for disposal at the Municipality's Landfill Site. Asbestos includes \$100.00 flat rate, plus tipping fee.</i>	\$50.00	\$100.00
10	Freon Containing Items	\$75 each	\$150 each
11	Rubber Tires: Passenger Vehicle and Light Truck Tires Medium Truck Tires Small and Medium Off-the-Road Tires	No Fee	
	<b>Notes:</b> 1. All other tire sizes will not be accepted at the Landfill Site; 2. Landfill attendant shall accept up to a total of four (4) tires per drop off; 3. Tires still on a rim <b>will not</b> be accepted.		

**Note:**

The landfill site will only accept waste that is within the conditions of the Certificate of Approval.

**Prohibited Waste**

For the purposes of this By-law **dangerous hazardous or toxic waste** means:

acute hazardous waste	chemical hazardous waste	chemical corrosive waste
hazardous industrial waste	ignitable waste	PCB waste
radioactive waste	reactive waste	severely toxic waste
leachate toxic waste		

or any other waste determined by the *Director of Public Works* to be a hazardous or toxic waste.

**Pathological waste** includes biomedical waste, whether solid or liquid, including but not limited to:

animal or human organ	animal or human bone, muscle or tissue	used bandages, poultices, or dressings
medicines, vitamins, drugs or vaccines	needles, syringes or lancets	vials

or any other waste determined by the *Director of Public Works* to be pathological waste.

**Household Hazardous waste** includes any household product material or item, other than an empty container labelled as:

corrosive or toxic	reactive	explosive
oxidizing	poisonous	infectious
flammable		

or any other label or labels as may be established by the *Director of Public Works* from time to time as being prohibited.

**Part 1 Provincial Offences Act**

**Set Fines**

<u>Item No.</u>	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
	<u>Short Form Wording</u>	<u>Provision Creating or Defining Offence</u>	<u>Set Fine</u>
1	Set out Bulky Waste for collection	10.6.1	\$ 125.00
2.	Set out Prohibited Waste for collection	10.6.2	\$125.00
3.	Fail to maintain approved container	10.6.3	\$125.00
4.	Fail to store approved containers at assigned property	10.6.4	\$125.00
5.	Fail to store material in approved container	10.6.5	\$125.00
6.	Fail to properly place approved containers at the collection location	10.6.6	\$125.00
7.	Fails to properly dispose of yard trimmings	10.6.7	\$125.00
8.	Set out containers impeding traffic	10.6.8	\$125.00
9.	Set out containers prior times designated herein.	10.6.9	\$125.00
10.	Fail to wrap wet waste in absorbent material	10.6.10	\$125.00
11.	Place recyclables in unapproved container	10.6.11	\$125.00
12.	Place garbage in unapproved container	10.6.12	\$125.00
13.	Fail to ensure material is within container with the lid completely closed	10.6.13	\$125.00
14.	Mix prohibited waste with permitted material	10.6.14	\$125.00
15.	Unentitled fail to arrange private collection	10.6.15	\$125.00
16.	Fail to arrange pick-up of revoked waste	10.6.16	\$125.00
17.	Fail to arrange pick-up of unauthorized waste	10.6.17	\$125.00
18.	Fail to store waste in proper container	10.6.18	\$125.00
19.	Fail to empty storage container promptly	10.6.19	\$125.00
20.	Fail to close lids/doors of storage container	10.6.20	\$125.00
21.	Fail to separate prohibited waste from other	10.6.21	\$125.00
22.	Fail to safely store prohibitive waste	10.6.22	\$125.00
23.	Deposit waste outside of site hours	10.6.23	\$125.00
24.	Deposit any prohibited waste at waste site	10.6.24	\$125.00
25.	Deposit any waste of a like to recyclable items	10.6.25	\$125.00
26.	Deposit bulky waste anywhere but directed	10.6.26	\$125.00

27.	Deposit septic tank effluent at waste site	10.6.27	\$125.00
28.	Deposit burning material or set fire at dump	10.6.28	\$125.00
29.	Deposit waste anywhere else but designated	10.6.29	\$125.00
30.	Deposit waste despite refusal by attendant	10.6.30	\$125.00
31.	Salvage at any waste site without permission	10.6.31	\$125.00
32.	Transport waste in insecure containers	10.6.32	\$125.00
33.	Deposit tires with any other waste	10.6.33	\$125.00
34.	Deposit tires with attached rims	10.6.34	\$125.00
35.	Mix white goods with other deposited waste	10.6.35	\$125.00
36.	Deposit Freon appliance at undesignated area	10.6.36	\$125.00
37.	Trespass on any landfill site/ Spoke Transfer Station	10.6.37	\$125.00
38.	Deposit any transient waste at disposal site/ Spoke Transfer Station	10.6.38	\$125.00
39.	Fail to remove any transient waste deposited	10.6.39	\$125.00
40.	Fail to dispose of asbestos following By-law	10.6.40	\$125.00
41.	Fail to pay applicable disposal fee	10.6.41	\$125.00
42.	Place waste at a site or in a container where it was not created	10.6.42	\$125.00
43.	Deposit waste on private/public property	10.6.43	\$125.00
44.	Place waste on public property for collection	10.6.44	\$125.00
45.	Permit owned animal to interfere with waste	10.6.45	\$125.00
46.	Deposit private waste by public receptacles	10.6.46	\$125.00
47.	Deposit waste within City at unauthorized site	10.6.47	\$125.00
48.	Allow liquid to contact public or private land	10.6.48	\$125.00
49.	Fail to wrap animal feces in absorbent paper	10.6.49	\$125.00
50.	Mix more than 10% animal feces with waste	10.6.50	\$125.00
51.	Fail to inform operator of animal excrement	10.6.51	\$125.00

The general penalty provision for the offences listed above is section 61 of the Provincial Offences Act, R.S.O. 1990, c. P. 33

**The Corporation of the City of Temiskaming Shores**

**By-law No. 2015-022**

**Being a by-law to enter into an agreement with  
VIP Energy Services for Consulting services to assist  
with the preparation of the Municipal Energy Plan for the  
City of Temiskaming Shores**

**Whereas** under Section 8 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

**And whereas** under Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**And whereas** under Section 10 (1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

**And whereas** Council considered Administrative Report No. PW-002-2015 at the January 13, 2015 Special meeting of Council and directed staff to prepare the necessary by-law to enter into an agreement with VIP Energy Services for consulting services to assist with the preparation of the Municipal Energy Plan for the City of Temiskaming Shores as detailed in PW-RFP-010-2014 for consideration at the January 13, 2015 Special meeting of Council;

**And whereas** the Council of The Corporation of the City of Temiskaming Shores deems it necessary to enter into an agreement with VIP Energy Services for consulting services;

**Now therefore** the Council of The Corporation of the City of Temiskaming Shores hereby enacts the following as a by-law:

1. That Council authorizes the entering into an agreement with VIP Energy Services for consulting services to assist in the preparation of the Municipal Energy Plan for the City of Temiskaming Shores at an upset limit of \$63,850.00 plus taxes, a copy of which is attached hereto as Schedule "A" and forms part of this by-law;
2. That the Clerk of the City of Temiskaming Shores is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the by-law and schedule, after the passage of this by-law, where

such modifications or corrections do not alter the intent of the by-law or its associated schedule.

**Read a first, second and third time and finally passed** this 13<sup>th</sup> day of January, 2015.

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Mayor – Carman Kidd

---

Clerk - David B. Treen



Schedule "A" to

**By-law 2015-022**

Agreement between

**The Corporation of the City of Temiskaming Shores**

and

**VIP Energy Services**

for assistance with the preparation of the  
Municipal Energy Plan for the  
City of Temiskaming Shores

**This agreement** made in duplicate this 13<sup>th</sup> day of January, 2015.

Between:

**The Corporation of the City of Temiskaming Shores**

(hereinafter called “the Owner”)

and

**VIP Energy Services**

(hereinafter called “the Consultant”)

Witnesseth:

That the Owner and the Consultant shall undertake and agree as follows:

**Article I:**

The Consultant will:

- a) Provide all material and perform all work described in the Contract Documents entitled:

**Corporation of the City of Temiskaming Shores  
Consultant Assistance with Municipal Energy Plan  
Request for Proposal No. PW-RFP-010-2014**

- b) Do and fulfill everything indicated by this Agreement and in the Contract Documents, attached hereto as Appendix 01 – Form of Agreement, forming part of this agreement;  
c) Complete, as certified by the Engineer, all the work by **May 1, 2016.**

**Article II:**

The Owner will:

- a) Pay the Consultant in lawful money of Canada for the material and services aforesaid **Sixty-Three Thousand Eight Hundred and Fifty Dollars and Zero Cents (\$63,850.00) plus applicable taxes** subject to additions and deductions as provided in the Contract Documents.  
b) Make payment on account thereof upon delivery and completion of the said work and receipt of invoice, in accordance with the City of Temiskaming Shores Purchasing Policy, and with terms of Net 30 days after receiving such invoice.

**Article III:**

A copy of each of the Form of Tender, Special Provisions, Item Special Provisions, General Conditions, Specifications, Addenda/Addendum No. 0 to 0 are hereto annexed to this Form of Agreement and together with the plans relating thereto, and listed in the Specifications, are made a part of this Contract, herein called the Contract Documents, as fully to all intents and purposes as though recited in full herein.

**Article IV:**

All communications in writing between the parties, or between them and the Director shall be deemed to have been received by the addressee if delivered to the individual or to a member of the firm or to an officer of the Owner for whom they are intended or if sent by post or telegram addressed as follows:

The Contractor: **VIP Energy Services, Inc.**  
410 Conestogo Road, Suite 101  
Waterloo, Ontario  
N2L 4E2

The Owner: **Corporation of the City of  
Temiskaming Shores**  
P.O. Box 2050  
325 Farr Drive  
Haileybury, Ontario  
P0J 1K0

The Director: **The Director of Public Works  
City of Temiskaming Shores**  
P.O. Box 2050  
325 Farr Drive  
Haileybury, Ontario  
P0J 1K0

In witness whereof the parties have executed this Agreement the day and year first above written.

Signed and Sealed in	)	<b>VIP Energy Services, Inc.</b>
the presence of	)	
	)	
Contractor’s Seal	)	_____
	)	President – Paul Van Brunt
	)	
	)	_____
	)	Witness
	)	Name: _____
	)	
	)	<b>Corporation of the City of Temiskaming Shores</b>
	)	
	)	_____
Municipal Seal	)	Mayor – Carman Kidd
	)	
	)	_____
	)	Clerk – David B. Treen



Appendix 01 to  
Schedule "A" to

**By-law No. 2015-022**

Form of Agreement

Value In Providing Complete Energy Solutions

## Energy Consulting Services



VIP Energy Services, Inc. is a full-service energy management consulting firm. We Create solutions for our clients by drawing upon our intimate knowledge of the markets.

Our mission is to make a major impact on the management of energy by adding long-term value to our business partners and clients.

Our services are targeted at the needs of small, medium and large Industrial, Commercial, and Institutional (ICI) clients as well as partnering with utilities to help service their clients.

Paul Van Brunt  
President



## Consultant Assistance with Municipal Energy Plan

COPY

Prepared for:

The City of Temiskaming Shores  
325 Farr Drive,  
Haileybury, ON P0J 1K0

PW-RFP-010-2014

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Appendix A: RFP Required Forms

Appendix B: Curriculum Vitae

Appendix C: FCM Milestones

Appendix D: Project Profiles

Appendix E: CEP Sustainability Plans

Prepared by:

**VIP Energy Services, Inc.**

410 Conestogo Road, Suite 101  
Waterloo, ON N2L 4E2

November-12-14



# 1 EXECUTIVE SUMMARY

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With solid strategic and CDM plans already in place, the completion of a MEP will place the City of Temiskaming Shores in a leadership position in Ontario's municipal-energy sector. Our goal is to provide insight, ideas, and services to help the City stand out as the premier municipal-energy leader. To achieve this goal, we will need to design and successfully implement a leading-edge MEP.

In order to create a leading-edge MEP we need to:

- Adhere to the principles embedded in the Ministry of Energy's MEP Program & Guidelines
- Communicate the key aspects of the City's Official Plan, particularly the Vision statements and the 3 key characteristics that make the City special: 'healthy community, 'economic development', and 'social capital optimization'
- Seek out stakeholder help...and listen well
- Ensure our united effort influences the various stakeholders to buy into positive changes
- Be innovative

We understand the 3 major stages the Ministry has designed to ensure energy leadership: stakeholder engagement comes first, then the engineered baseline study and the energy map, and finally the development of a MEP that will be embraced. We know the Ministry expectations embedded in these major stages and we have clear ideas on how we can fully satisfy these expectations. Your progressive actions – your strategic planning, your conservation work, your stakeholder communications, and your commitment to sustainability – place you in a leadership position. Together, we can expand on your achievements.

Of utmost importance during the stakeholder engagement stage, we must continue to focus on successful communication as you did during your strategic planning processes. You have established a very solid foundation for communication and stakeholder buy-in. We can combine our expertise and build upon your existing communication successes.

We know we must give cost factors thorough consideration. We have presented project pricing of \$63,850. At this pricing, you will be able to achieve the goal of becoming Ontario's premier municipal-energy leader. We have also shown enhanced services that would increase the pricing to \$92,250. Enhanced services would, for example, expand "awareness communication" with your personnel and elevate the sophistication of energy mapping.

In the following pages, we will provide more details about our proposed services, our people, our qualifications, and our ability to deliver a leading-edge MEP.

To introduce the leaders on our team:

- Alan Sutton, CEM, MBA, LEED AP – chemical engineering, project management, team leadership
- Jack Baker, P.Eng., M.E.Sc. – software engineering, database expertise, cloud computing savvy
- Paul Van Brunt, P.Eng. – 30 years electrical & energy engineering & energy service innovation
- Rick Baker, P.Eng. – 7 years of leadership consulting, entrepreneurship, 25-yr energy career
- Stephen Dixon, M.A.Sc. – systems design engineering, energy & environment, motivational speaker

We are honoured to have the opportunity to present this proposal for your consideration. RFP Requested forms are presented in *Appendix A: RFP Required Forms*.

## 2 PROPOSED METHODOLOGY

---

### 2.1 Introduction

VIP's overall goal is to provide insight, ideas, and services to help the City stand out as the premier municipal-energy leader in Ontario...by creating a top-caliber MEP.

MEP success requires 3 successful activities:

1. Performance of quality engineering work,
2. Communication that influences stakeholders to embrace positive change, and
3. Efficient and effective use of resources, particularly human resources and money.

#### 2.1.1 Performance of Quality Engineering Work

A team of 5 engineers will be working on this project, representing 5 engineering disciplines: Chemical, Electrical, Mechanical, Systems Design, and Software. A multi-disciplined approach will ensure all engineering bases are covered. In addition to covering the required engineering disciplines, the team of 5 engineers possess well over 100 years of energy-sector experience. That 100 years of experience includes more than 10 years of software experience, 20 years of utility employment, 10 years of manufacturing-sector employment, and 60 years of providing end-user services ranging from procurement and utilization to conservation and sustainability. Please refer to **Appendix B: Team Member Curriculum Vitae**.

#### 2.1.2 Communication that Influences Stakeholders to Embrace Positive Change

The City of Temiskaming Shores ("City") completed a comprehensive strategic planning process, which produced the City's **City of Temiskaming Shores Official Plan, March 2014**. This plan is laced with well-conceived communication processes, including:

- Key Informant Interviews
- Community-based dialogue
- Community Survey
- Distribution of Draft Strategic Plan
- Community Open House

This list of the City's communication actions is impressive. These communication processes have created a solid foundation for the next major step for the City and its stakeholders – the creation of the MEP. After an initial exchange of ideas with the City aimed at determining "*what worked best during the strategic planning process*", the VIP team will incorporate the most successful communication actions into the MEP. New communication actions are also envisioned and included in this proposal.

Examples of communications, proven to engage people bring about positive change:

- Awareness and idea-generation workshops that feature the VIP team’s Stephen Dixon (a magnetic energy & environment speaker with a natural ability to engage the people in audiences) and Rick Baker (a 20-year serial entrepreneur who now directs his efforts toward helping leadership teams reach consensus and achieve their potential),
- Focused mail-outs, awareness communications designed to keep the City’s community-leadership initiative on everyone’s radar screen, and
- Website communications, celebrating stakeholder successes (tied to the MEP) and injecting a fun factor.

This proposal contains introductions to the above and other communication actions and processes.

### 2.1.3 Efficient and Effective Use of Resources, particularly human resources and money

With the completion of a comprehensive strategic plan, which included a number of well-planned communication processes, the City has the ability to create a very cost-effective MEP. The communication planning and testing work, already performed by the City, will reduce the costs in Stage 1 (Stakeholder Engagement) of the MEP project. This is an important consideration because it not only reduces costs, it also allows timely completion of Stage 1. And, Stage 1 is critical to success. ‘Communication with influence’ increases the likelihood that engineering work will result in end-users’ actions that reduce energy use, increase sustainability of the environment, and enhance the attractiveness of their community.

VIP can adjust its service package to fit the City’s needs. Throughout this proposal, there is reference to “Base” services and “Enhanced” services. To be clear: the City can choose the Base-service offerings/pricing and receive a top-caliber MEP.

Or, the City can choose to add the Enhanced-service offerings/pricing, which have been designed to:

- intensify awareness and education with City personnel,
- cover the costs of ‘scrubbing utility data’ in the event that is required during the energy-mapping process,
- elevate the sophistication of energy mapping, illustrating more-complex urban planning scenarios, and
- expand communication activity with stakeholders (i.e., more-comprehensive marketing action).

Also, please note: energy audits with an average cost of 0.035 \$/square foot are included as enhanced services.

## 2.2 Project Overview

Given the current economic climate, rising energy costs, challenging budgets, and our current dependence on energy it is critical that the City have appropriate plans to not only reduce the cost and environmental impact of energy on today's residents of Temiskaming Shores, but to also protect future generations. The objective of the MEP is to build an actionable roadmap for the City and its residents to help fulfill the vision and goals of the City. Specifically, the MEP shall:

- Assess the community's energy use and greenhouse gas (GHG) emissions;
- Identify opportunities to conserve, improve energy efficiency and reduce GHG emissions;
- Consider impact of future growth and options for local clean energy generation; and,
- Support local economic development.

The framework for this initiative will be the requirements from the Green Energy Act Regulation 397/11 and the FCM Partners in Climate Protection program, however, it will also need to integrate and capitalize upon existing sustainability and conservation initiatives, as outlined in the *City of Temiskaming Shores Official Plan, March 2014*. This MEP, when implemented, must clearly drive measurable financial improvements by improving energy efficiency throughout the City's operations.

The following sections discuss in detail our approach as well as our work plan.

## 2.3 Our Approach

In the development of the *City of Temiskaming Shores Official Plan, March 2014*, the City gained valuable experience by applying methodology, including an environmental scan and a series of community engagement practices, which aided in the development of the Plan.

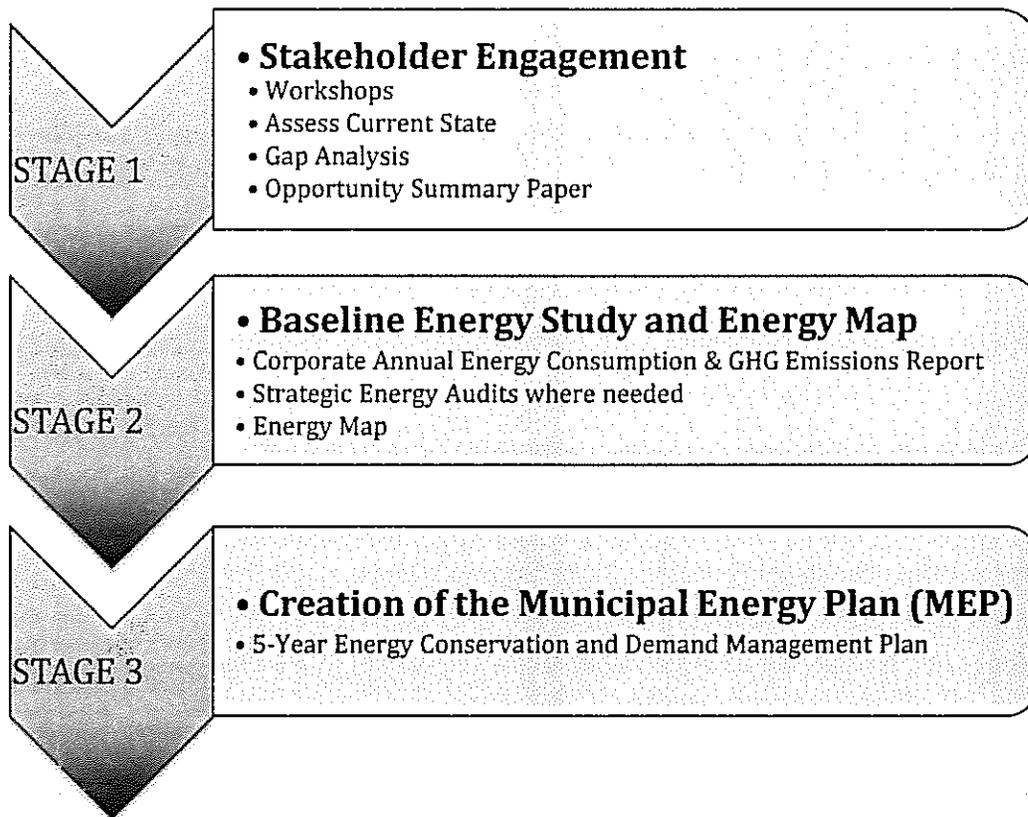
The result was a clear Vision for the City and its future; expressed as sixteen (16) Plan Objectives. VIP's Team will use the success of this effort to springboard the development of the MEP. Our approach is sensitive to the City's need to secure value for investment. As such, our proposed methodology has two components: a base and an enhanced set of activities.

The most successful policies must be driven from within the organization, even if outside expertise is employed. Our job, as idea-generators, facilitators, and coaches is as important as our role as engineers and policy developers. In addition to drafting the plan, our role will also be to support, challenge, and inspire the designated City staff participants to develop an industry leading, actionable, living plan.

In our development of the MEP, several important factors will be taken into consideration beyond the written scope of work as follows:

- All actions will meet the PAREE principle (practical, affordable, reasonable, educational and enforceable).

- Focus on building helping City personal grow energy-leadership will promote a culture of conservation and sustainability, supporting the successful delivery of this initiative.
- Effective involvement of required stakeholders in building the MEP will ensure it appropriately reflects the values and focus of the residents of Temiskaming Shores.
- The VIP team will ensure City personnel are engaged in the process throughout the project, with ongoing communication and participation in decision-making.
- The VIP team will use creative ways to be efficient in the delivery of this project and ensure the highest level of performance.
- Sustainable work methods will be employed wherever possible to reduce the energy and environmental impact of completing this initiative.



A key part of an effective energy management plan rests on the development of organizational capacity for energy management in terms of policy and planning, human resources development, appropriate identification of energy management accountability, communications, and investment practices.

The first component of the stakeholder engagement process will focus on City personnel – putting internal resources to work on this important initiative and building internal buy-in. This will involve the development and delivery of one day Program Launch workshop for City personnel. It will focus on the City's MEP vision and MEP goal (linkage to the City's strategic plan....'inclusive', 'vibrant', and 'sustainable'), generating 'buzz', and engaging the City's people.

The second component of the stakeholder engagement process will focus on external stakeholders and resources. This will involve:

1. agreement on the lists of stakeholders, including the list of must-have people (as identified by the Ministry) and nice-to-have people (the City's list and VIP's recommendations),
2. creation of a "Communication Plan" (getting started is key...and then making adjustments as feedback is received from stakeholders), and
3. the development and delivery of one day stakeholder-input workshop.

The stakeholder-input workshop will focus on obtaining communication plan input, finding energy savings, and establishing sources of energy information. It will cater to a broader audience including participants from local energy supply chain (OPA, LDC, equipment Vendors), municipal officials, local market sector (commercial, industrial, residential), and local public sector (school board and hospital) representatives.

Details of the workshop are as follows:

- The one-day workshop will be delivered to a focused audience with the objective of providing a principal based methodology to (1) enable City staff to spot energy savings opportunities and (2) enable stakeholder participants to identify energy savings opportunities, sources of energy data, and determining the means to secure the data. All training material will be provided.
- This workshop is a hands-on and highly interactive charette-style experience. Facilitators will utilize a variety of physical demonstrations, calculation worksheets, graphic slides, role plays, case studies, and discussion to create a highly effective learning environment. The workshop experience is designed to provide many perspectives on saving energy dollars, whether operational, technological or a combination of both.
- A key aspect of the internally focused workshop is the development of an understanding of "how energy behaves and is used in your facilities". This understanding is fundamental to being able to identify and act upon savings opportunities.

- A key aspect of the externally focused workshop is the development of an understanding of *"how energy behaves and is used in the Municipality"*.
- The workshops will review the energy retrofit activity carried out by the City as a leading example of environmental sustainability, with a focus on some of the higher profile energy retrofit projects.
- The workshops will explore -- with physical demonstration and case studies -- a framework for technical awareness and an in-house methodology for opportunities identification. The Seven Steps<sup>®</sup> framework and methodology examines energy use starting at the point of purchase (generation), and ending with an inventory of end-use. The methodology for the identification of savings opportunities starts with elimination of waste at the point of end-use and ends with optimization of supply.
- The workshops will address the key issue of getting to the implementation of measures identified through the conceptual development of a process for project identification, evaluation, prioritization and development.
- The workshops will encourage buy-in.

One of the expected outcomes from the Stage 1 workshops is a clear understanding of the extent of data scrubbing that will be required and the metrics to be utilized throughout the project including, in particular, the need for 'clean' information for energy mapping.

At a Stage 1 Close-Out Meeting, VIP will provide the City with a status update including, but not limited to:

- A communication document issued to the engaged Stakeholders highlighting their contribution;
- A list of the stakeholders engaged, including the names of the participants and the dates the workshops took place, copies of consultation agendas, and minutes or summaries of meetings;
- A list of conservation objectives and any opportunities identified through engagement with stakeholders; and
- A strategy for continued stakeholder engagements and communications through Stages 2 and 3, as set out below.

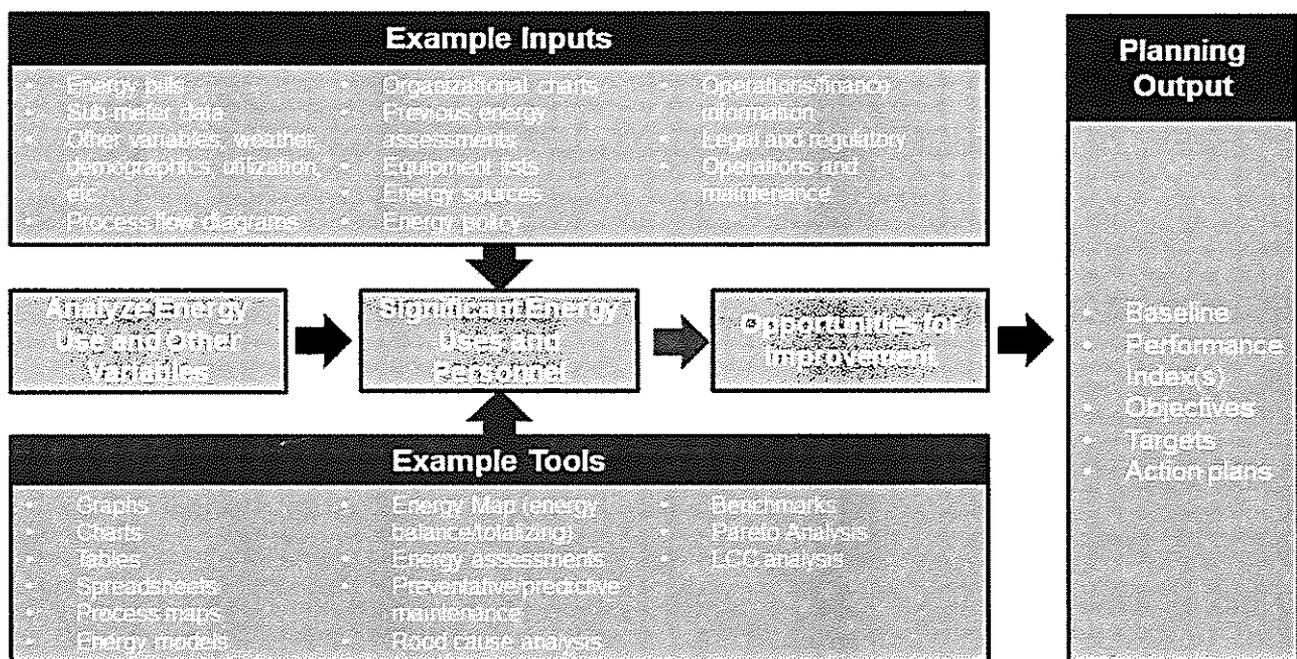
### **Enhanced Services**

As an enhancement to the Stage 1 activities previously outlined, VIP recommends that an Open House be arranged to invite public review and comment. This would be an event launch, or kick-off, effort promoting the City's commitment to the project. VIP will present the goals and objectives of the MEP development, the integration of the effort with previous City plans and initiatives, summarize the success of the City's conservation efforts, and outline the approach to be taken in the development of the MEP.

## Stage 2

### Baseline Energy Studies and Energy Map(s)

The Baseline Energy Studies will measure how and where energy is used within the City and, coupled with the information gained in Stage 1, provide the foundation for analyzing identified opportunities for reduction of energy use. The VIP team will work with a number of stakeholders, including the local gas and electric utilities, to provide energy consumption data at an aggregate level. Under the recently announced OPA Conservation First Framework, the LDCs will have greater autonomy in the assistance they can provide to complete this work. Further, a culture of collaboration is being encouraged between the different utility providers.



VIP's ongoing communications with the engaged Stakeholders will take the form of a multi-media campaign. VIP will work with the City to provide (publicly accessible) quarterly website updates outlining the progress achieved, celebrating who's participating in the City's energy initiative, and sharing local MEP-inspired success stories. A monthly email communication will be issued to all participating Stakeholders, to share this information and expand awareness. During Stage 2, VIP will meet one-on-one with key stakeholders including policy makers, end users, and all the utilities. These information-exchange sessions will cover at least:

- A profile of how energy is supplied and distributed in the City, including renewable and distributed energy facilities;
- A profile of existing transformer/customer installation with existing solar penetration and extrapolate performance assuming 50% upward to 100% of customer installing some form of renewable generation;

- Energy consumption data, including electricity, natural gas, heating oil, propane, diesel and transportation fuels by sector including municipal, residential, commercial, industrial and transportation (including water treatment and sewage infrastructure);
- Wherever possible, include metrics based on customer class (for example kwh/tonne of product) to ensure that commercial and industrial stakeholders are in unit measures that they can relate to;
- Spatial analysis of energy consumption statistics in each sector to identify opportunities for energy conservation within each sector;
- Greenhouse gas emissions resulting from energy consumption (utilizing a calculation methodology to estimate the greenhouse gas emissions that aligns with best practices);
- Buy-in of City and Provincial Stakeholders, including the local politicians and the Ontario Power Authority (OPA); and
- Identification of energy conservation opportunities that support and align with the *City of Temiskaming Shores Official Plan, March 2014* and the *City of Temiskaming Shores' 2015-2019 Conservation and Demand Management Plan*.

Per the Ministry of Energy Guidelines, March 2014, VIP will provide an energy data collection and analysis at a minimum of postal code granularity. Subject to agreed upon budget, the energy mapping granularity may be raised (for example, as included in the recent energy mapping for the City of Guelph and City of London). For most metrics, the utilities will be providing data associated with the numerators (energy units) and VIP will work with the City to establish the most-meaningful denominators (for example, geographic area).

At a Stage 2 Close-Out Meeting, VIP will provide the City with a status update including, but not limited to:

- A summary of the results of the Baseline Energy Study data research including:
  - A description of the data collection process, or processes, including roles of relevant stakeholders;
  - Methodologies used for data analysis; and
  - The “Energy Map”.
- A description of how the results of Stage 1 and the data collection and analysis in Stage 2 will inform the development of the MEP, including:
  - An outline of next steps/timelines;
  - The ongoing role of key stakeholders; and
  - Any preliminary findings/opportunities that may be integrated into the MEP.

### Enhanced Services

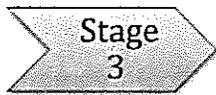
As an enhancement to the Stage 2 activities previously outlined, VIP recommends that detailed energy audits (ASHRAE<sup>1</sup> Level II) be conducted at the City’s facilities where there is a gap in past practice and

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<sup>1</sup> American Society of Heating, Refrigerating and Air-conditioning Engineers, Inc.

current needs. Here we will identify energy conservation measures that will align with the Council's vision and environmental goals.

As identified in our previous discussion of data quality, the extent to which the collected data will need "cleaning" will drive the costs of analysis higher.



## Creation of the Municipal Energy Plan (MEP)

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The MEP will be reviewed by City staff and must be approved by Council. The objective will be to produce a 'living' and actionable document to ensure The City meets its short and long term energy reduction and sustainability goals.

By this stage of the project, VIP will have compiled the data collected from the previous stages. In meetings with the City's staff, VIP will review the merits and drawbacks of each energy conservation measure identified. Utilizing a selection criteria established by the City, VIP will prioritize and organize the measures into Design, Construction and Retrofit Strategies, Operations and Maintenance Strategies and Occupant Behavioural Strategies.

The final report and project will focus on delivering the following objectives outlined in the RFP:

- A commitment and proposed timelines on integrating energy efficiency and conservation recommendations including action items detailed in the Plan;
- Timelines and budgetary considerations;
- Identification of any supply or generation constraints and/or growth pressures within the City;
- An outline of the City's strategy within the context of regional energy planning;
- Identification of costs and impact of specific conservation measures that could be undertaken for specific facilities, operations, areas or sectors and timelines for implementation;
- Conservation and efficiency should have a place of their own and the two should be noted within the context of a transition to renewable energy;
- The MEP should highlight a carbon emission reduction strategy and include emission reduction metrics alongside kwh, btu and other units of energy consumption;
- Identification of internal or external resources that will assist in plan implementation;
- description of how the key objectives and initiatives of the Plan will be incorporated/coordinated with other municipal and key stakeholder planning processes;
- An implementation strategy, outlining what actions are intended to achieve the goals, objectives and targets, including setting immediate goals (1-2 years out), short terms goals (3-7 years out) and long term goals (8-20 years out);
- Identify Provincial, Federal and OPA incentive opportunities to assist with implementation and financial support;
- A summary of stakeholder engagement undertaken and how stakeholders will continue to be engaged in the future;
- An outline of how the Plan will be communicated to the stakeholders;
- Ensure that the MEP's recommended actions meet the PAREE Principle (Practical, Affordable, Reasonable, Educational and Enforceable);

- Maximize financial savings through energy savings;
- Assess the City's energy use, and associated costs and greenhouse gas emissions;
- Reduce the environmental impact of City operations, and provide corporate leadership in adopting a culture of conservation and sustainability;
- Make provisions for community focused input into the MEP, especially as it relates to the Milestones of the FCM Partners for Climate Protection program;
- Create the MEP so that it complements existing and planned sustainability initiatives undertaken by the City, as outlined in the *City of Temiskaming Shores Official Plan, March 2014 and the City of Temiskaming Shores' 2015-2019 Conservation and Demand Management Plan*;
- Consider key energy drivers, including community design/planning, demographics and transportation (e.g. active transportation, carpooling);
- Generate internal capacity within the City to undertake energy management, monitoring, analysis and reporting functions;
- Make recommendations for sufficient staff resources to implement and maintain the MEP; and,
- Ensure that the City meets its commitments under the Federation of Canadian Municipalities Partners for Climate Protection Program, as they relate to the completion of Milestones 1, 2 and 3; as outlined in *Appendix C: FCM Milestones*.

VIP will prepare the final draft to be brought to Council for their approval.

#### Enhanced Services

As an enhancement to the Stage 3 activities previously outlined, VIP recommends preparation of a presentation to the Municipal and Provincial Stakeholders such as the Member of Provincial Parliament (MPP), the Ontario Power Authority (OPA), Association of Municipalities Ontario (AMO) and the Ministry of Energy.

#### 2.4 Quality Control

VIP has a formal quality management system which follows the ISO 9000:2008 Quality Management standard. The quality management system promotes quality practices across VIP's organization with the goal of:

- Reducing the risk and consequences of design errors;
- Helping us grow by promoting reliable processes;
- Improving productivity and efficiency;
- Promoting the quality and reliability of our services;
- Improving the financial performance of our operations;
- Increasing client confidence and loyalty; and,
- Supporting regulatory compliance.

The Quality Management System (QMS) helps communicate VIP's practices for planning, managing people, client satisfaction, practice management, managing sub consultants, and for continual improvement. The specific elements of the QMS are:

- Strategic Planning—aligning our focus, planning our work;
- People Focus—key processes to help our most valuable resource;
- Customer Focus—understanding client requirements;
- Service Delivery—focus on project management & delivery;
- Supplier Focus—promoting mutually beneficial supplier relationships; and,
- Measurement and Improvement—measurement of client satisfaction, business results, and progress on improvement objectives.

Other critical aspects of our QMS include:

- Client Feedback Interview process — the client feedback process is generally viewed positively by our clients and it is a valuable way to develop client relationships. Client feedback is used to improve our performance on a specific project as well as to continually improve our organizational practices and processes.
- Practice Audit Process — we conduct internal audits to assess compliance with our company policies and procedures and with the various elements of the QMS. The other significant objective of this process is to evaluate the effectiveness of the QMS and to look for opportunities to improve our processes and leverage best practices.
- Improvement Process — promoting a culture of continual improvement is a fundamental aspect of successful organizations with effective quality management systems. To this end, we have a formal Improvement Process to encourage suggestions for improvement and to document follow-up actions.

## 2.5 Scope Control

The service delivery requirements of the MEP development are addressed through a focus on our project management and project delivery processes. Our Project Management practices confirm and clarify, in a concise format, the expectations VIP has of their Project Managers and provides centrally located reference documents ("one stop shopping") with easily accessible online references to relevant resource information.

The Project Management practices encompass the critical tasks which affect both the management of risks and achievement of quality on typical projects, and are organized based on the four key stages of project management: Initiate, Plan, Control, and Close-out.

VIP's scope of work will be clearly defined and understood by both parties. A detailed scope of work helps avoid misunderstandings, disputes and claims. Every scope of work should include a detailed list of services to be performed, the fee for the services, and a schedule for performance. The scope will include a detailed list of other services available upon request for an additional fee, as well as a detailed list of services that are specifically excluded.

Projects are broken down into manageable elements that reflect the way the work will be carried out, managed and controlled, with each descending level representing an increasingly detailed description of the project elements. The major project elements are further divided into smaller more manageable components until the deliverables are defined in sufficient detail to support planning, executing, controlling and closing activities.

The scope of work will be reviewed by our project leaders and presented during an “Internal Kick Off Meeting”. This kick off meeting will clearly establish to the team:

- Quality work to project scope and standards;
- Project Objectives and Deliverables;
- Project budget and schedule;
- Work Breakdown Structure; and,
- Existing documentation, Governmental regulations and Municipality policies and procedures.

The key to maintaining a project scope, schedule and budget is through well-defined structured tracking of progress and budget. When all involved understand what is expected of them, scope control becomes an easily maintainable task with our Deliverables Tracking Sheet.

## 2.6 PROJECT SCHEDULE AND WORK PLAN

Effective Schedule Control results from effective and ongoing project management. Some of the key elements which will be implemented to achieve the desired schedule control are:

- Use of highly qualified experienced local resources;
- A well-developed and proven QA/QC procedure;
- Key project team members working together on an ongoing basis and interacting effectively to meet project deadlines;
- A clearly defined communication protocol adhered to by all team members;
- A thorough understanding of the City’s project requirements and expectations;
- A clearly presented and realistic schedule;
- An efficient and reliable means of collecting progress information;
- Establishment of individual responsibility for each activity; and,
- Ongoing review and communication of schedule progress.

The VIP Project Manager, in collaboration with the City Project Manager, is responsible for developing the master schedule from the Work Breakdown Structure. We will identify the anticipated level of effort for all key staff members to successfully complete this project. The identified resources will commit the necessary time over the duration of their project tasks. There will be an effective process for collecting information regarding progress on each project activity. This requires that the work breakdown structure be rigidly adhered to by all team members and that timely, financial information is available when required. VIP’s

accounting system is fully capable of handling these requirements. With information on project progress, our Project Manager will correct any situation that is causing, or is projected to cause, schedule delays. The means available are: reallocation of resources; extending work hours; adding more resources; and increasing subcontractor performance.

VIP recognizes the design process is already be ongoing, as indicated in *The City of Temiskaming Shores' 2015-2019 Conservation and Demand Management Plan*, and foresees no difficulties in maintaining the proposed schedule. VIP has an abundance of experience in the type of work to be conducted under this RFP and consequently, we have the knowledge and experience to develop a realistic schedule for the work.

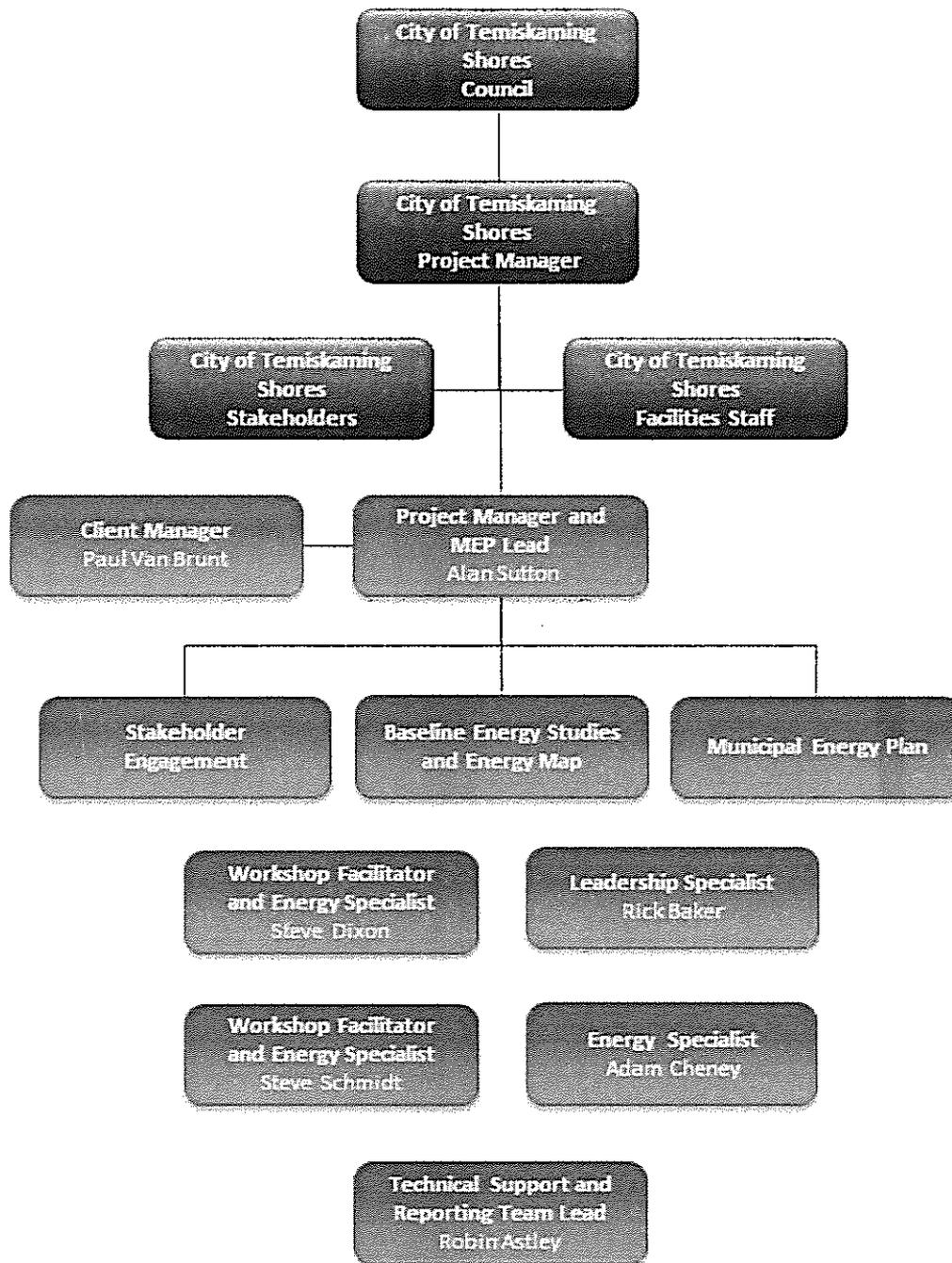
## 2.7 Task/Time Matrix

At this, the pre-project award stage, a high-level overview of the project is presented. Upon the completion of the project General Project Requirements/Needs Analysis phase, a detailed task time matrix will be developed.

City of Temiskaming Shores  Municipal Energy Plan	Level of Effort Estimates					
	BASE PROJECT A stand-alone offering			ENHANCED PROJECT Expanding the service		
	City Personnel	VIP	Union Gas Hydro	City Personnel	VIP	Union Gas Hydro
<b>Stage 1: Stakeholder Engagement</b>						
Project Management and Communications	95	138		124	174	
Workshops	144	99	16	216	117	40
<b>Stage 2: Energy Baseline and Energy Map</b>						
Data Collection	24	94	40	34	182	80
Data Analysis and Mapping	-	248	48	-	376	96
Communications and Reporting	58	60		82	84	
<b>Stage 3: Municipal Energy Plan</b>						
Municipal Energy Plan	18	46		18	46	
Communications and Reporting	48	48		72	96	12
Council Presentation	10	24		10	24	
<b>Total Hours</b>	<b>397</b>	<b>757</b>	<b>104</b>	<b>556</b>	<b>1,099</b>	<b>228</b>

### 3 PROPOSED STAFF

VIP Energy Services, Inc. has extensive experience in overall project management with a staff consisting of 8 professionals. Allow us to introduce key members of our project team. Example project work has been provided in *Appendix B: Team Member Curriculum Vitae* with the relevant project profile summaries. VIP authorizes the disclosure of the relevant CV personal information for these Team Members.



**Paul Van Brunt, P.Eng., President**

**Role: *Client Manager and Technical Oversight***

Paul Van Brunt graduated from the University of Western Ontario with a Bachelor of Electrical Engineering. Paul's career began at Ontario Hydro in 1982 where he held various positions. He has 27 years of experience in energy procurement and business development with analysis and energy-problem solving. Paul has been instrumental in providing energy risk management plans for clients in many different sectors, providing avenues for savings and budget stability in times of volatile energy markets. He has also been a primary resource in providing technical oversight of many of VIP's clients' Energy Audit and Conservation Programs.

**Experience Highlights**

- Entrepreneur
- P. Eng., PEO Member
- Technical expertise, procurement

**Alan Sutton, B.A.Sc., M.B.A., CEM, LEED AP®, Director, Energy Management, VIP**

**Role: *Project Manager***

Alan Sutton currently serves as VIP's Director – Energy Management. With strong technical and leadership skills, and a diverse background, Alan is a valuable addition to any project team. His passion for energy conservation and team building has supported the organization's philosophy of being a strategic Energy Management partner with the knowledge and expertise to help Clients save time and money.

A Chemical Engineer (University of Waterloo), with an MBA (Wilfrid Laurier University), Alan has a 30-year career that has encompassed Research and Development, Manufacturing, and Energy Conservation, primarily in the Existing Building Market Segment. Alan brings more than ten years' experience with performing: Building Condition Assessments, Energy Audits (identifying strategic Energy Management Strategies, analyzing their fiscal opportunity, and applying client-based criteria to develop potential implementation plans); Designing Retrofits (design and construction project management); and, Commissioning (making sure that the installed equipment is performing as designed). Alan has led Energy Management and Commissioning Leadership Teams, has been responsible for development of consistent practices and development of templates and tools to facilitate the efficient execution of projects.

**Experience Highlights**

- "Cradle to Grave" experience: assessment, analysis, strategic planning, implementation and commissioning
- Client and Project Management: sustainability triple bottom-line focus
- Technical expertise

**Rick Baker, P.Eng., Chief Executive Officer, Spirited Leaders Corporation**

**Role: *Leadership Specialist***

Rick is a P.Eng., enjoying a 32-year career. During the first 25 years, Rick had 3 roles: utility employee (Union Gas), energy entrepreneur (founder of several Canadian energy businesses, with a focus on Ontario), and senior executive at one of Canada's major energy marketing companies (Rick and partners sold a business to Coral Energy, now known as Shell Trading).

During the last 7 years, Rick has served as a consultant to Ontario business leaders and their leadership teams. Rick is a prolific reader and writer, with much teaching experience ranging from 1-on-1 sessions to audiences of 500 people. Rick has been honoured to serve in numerous community-leadership roles including leadership roles at Chambers of Commerce (Brantford and Kitchener-Waterloo), the Centre For Family Business (present Chairman), and Conestoga College (Vice-Chair Advisory Council for their Centre For Entrepreneurship and instructor for the post-grad course, "Business Growth & Succession Planning").

#### **Experience Highlights**

- Unique understanding of Municipal organizations and operations
- Entrepreneur
- Leadership mentor and coach

**Steve Schmidt, Hons BA., Vice-President, VIP**

**Role: *Back-up Project Manager and Workshop Specialist***

Steve has been actively involved in Industrial and Energy Management for over 16 years. Since graduating on the Dean's Honour List from the University of Waterloo, he has been engaged in the areas of industrial automation and process management as well as energy procurement, risk management, conservation and demand management. Most recently, Steve has taken an active role in managing our clients' conservation and demand management programs including Energy Conservation and Demand Management Plan creation and implementation.

#### **Experience Highlights**

- Responsible for the successful creation of numerous Energy Conservation and Demand Management Programs
- 16 Years Industrial and Energy Management
- Senior Technical Analysis and Project Management

**Jack Baker, P.Eng., M.E.Sc., Chief Technology Officer, Spirited Leaders Corporation**

**Role: *Back-up Project Manager and Workshop Specialist***

Senior technology specialist Jack Baker has more than 15 years' experience designing, implementing, installing, and maintaining custom hardware and software. A graduate of the University of Western Ontario with a Masters in Software Engineering. Jack is one of very few software engineers to obtain P.Eng. Designation.

Jack develops and implements automated, user-friendly solutions to replace manual, time-consuming, and obsolete processes. A brilliant problem solver, Jack helps businesses improve efficiency with custom software design, software and database architecture, custom-built solutions, server and networking hardware, and more.

While working with VIP's predecessor, The BEST Co., Jack spearheaded a software development project for an electricity-service-based client analysis and management tool. Working closely with Hydro One personnel, he developed a back-end database and front-end data entry system to handle Ontario Hydro Energy's residential contracts.

#### **Experience Highlights**

- Responsible for the successful creation of numerous Energy Conservation and Demand Management Programs
- 16 Years Industrial and Energy Management
- Senior Technical Analysis and Project Management

**Stephen Dixon, B.Sc., M.A.Sc., Principal, TdS Dixon Inc.**

**Role: *Workshop Specialist***

Stephen Dixon is a freelance energy consultant and Principal of TdS Dixon Inc., of St Jacobs, Ontario. He brings a practical, hands-on approach to the challenge of developing the energy management capacities of a broad range of institutional, commercial and industrial organizations. Stephen has accumulated over thirty two years of energy management experience, including more than 600 energy audits and the facilitation of over 1,000 energy management workshops. Stephen holds an M.A.Sc. in Systems Design Engineering from the University of Waterloo and a B.Sc. in Physics from UPEI.

#### **Experience Highlights**

- Training Charrettes with captivating speaker skills
- Community engagements and energy expertise
- Municipal relationships

**Adam Cheney, ACP, LEED GA®, Energy Conservation and Commissioning Manager, VIP**

**Role: *Energy Specialist***

Mr. Cheney, Energy Conservation and Commissioning Manager of VIP Energy Services, Inc., has experience on both the client and service provider sides of the building optimization, preventative maintenance and quality control services. This allows him to provide a unique and essential perspective on the energy conservation and commissioning field. He has over seven years of experience in building operations, commissioning, building system controls, and performance assessment on a variety of facility types including municipal, commercial and institutional. Adam's experience prior to joining VIP Energy includes the operations and maintenance of a municipal facility, completing preventative maintenance, and the monitoring and adjusting of Building Automation Systems. He has expertise in the design, programming, and commissioning of lighting control systems, and the training of equipment operations and facility professionals.

#### **Experience Highlights**

- Unique understanding of building operations from control to maintenance
- Electrical Commissioning including low voltage equipment such as; Lighting Control, Security Cameras and Electronic Door Access
- LEED and BCA certified

## 4 PREVIOUS EXPERIENCE

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VIP Energy Services, Inc. (VIP) has a long-standing history in the energy market. The firm traces its foundation back to 1991 with the creation of IEEG (Industrial Energy Engineering Group), a firm specializing in Canada-wide energy consulting. In 2000, The BEST Co. Inc. was formed from the former IEEG. In 2003, The BEST Co. Inc. acquired the interests of The Power Connection (TPC) joint-venture from the consortium of Barrie Hydro Holdings Inc., Markham Energy Corporation, Niagara Falls Hydro, Cambridge and North Dumfries Energy Plus Inc. and Guelph Hydro Inc. The BEST Co. was re-branded as VIP Energy Services, Inc. in 2004.

VIP is a privately held corporation, originally incorporated in Ontario. The firm's principles are Paul Van Brunt P.Eng., Alan Sutton B.A.Sc., M.B.A., CEM, LEED AP® and Steven Schmidt B.A. Hons. VIP provides energy management services including Energy Audits, Energy Project Management, Regulatory Analysis and Reporting, Energy Cost/Consumption Data Management and Reporting, Online Energy Meter Data Presentment and Management Tools, Energy Risk Management and Procurement Plans, and Commissioning (new and existing buildings).

VIP currently has a skilled staff of 8 employees providing truly independent, non-biased advice focused on the needs of our clients. Although the firm does have extensive experience with many leading energy management technologies, we do not have any formal or informal affiliations with any equipment manufacturer, provider or resellers. VIP strives to partner with its clients by developing an understanding of:

- The unique nature (and culture) of our customers' businesses and organizations
- Our customers' goals related to their energy targets
- In the case of public sector clients, our experience has given us a unique perspective into the constraints and opportunities presented in terms of public accountability and the budget management process

4.1 List of Comparable Projects:

In **Appendix D: Project Profiles** this Proposal, three project profiles have been provided to reflect the experience of the Team.

In **Appendix E: CEP Sustainability Plans**, VIP has provided two examples of previous Corporate Energy Management Plans, or detailed Sustainability Plans. The extent of data analysis and granularity closely matches that of this assignment. The examples include a copy of the Table of Contents to provide a flavour of the report content.

In addition to these experiences, VIP has the following additional project information to offer:

Five Year Energy Conservation and Demand Management Plans:

Market Sector			
Municipal	University/College	School Board	Hospital
City of Belleville	Canadore College	Brant Haldimand and Norfolk Catholic District School Board	Alexandra Hospital
City of Timmins	Cambrian College		Deep River and District Hospital
County of Essex	Collège Boréal	Conseil scolaire de district catholique des Aurores boréales	Kemptville District Hospital
Regional Municipality of Niagara	Lambton College		Kirkland and District Hospital
Town of Kingsville	Nipissing University	Hamilton Wentworth Catholic District School Board	Montfort Hospital
		Huron-Perth Catholic District School Board	Pembroke Regional Hospital
		Kenora Catholic District School Board	Renfrew Victoria Hospital
		London District Catholic District School Board	Southlake Regional Health Centre
		Northwest Catholic District School Board	St. Francis Hospital
		Peterborough Victoria Northumberland and Clarington Catholic District School Board	Tillsonburg District Memorial Hospital
		Superior North Catholic District School Board	Toronto East General Hospital
			Winchester District Memorial Hospital

**Energy Audits:**

Market Sector			
Municipal	University/College	School Board	Hospital
City of Owen Sound	McGill University	Conseil scolaire de district du Centre Sud-Ouest	St. Francis Memorial Hospital
City of Pickering		Greater Essex County District School Board	Renfrew Victoria Hospital
City of Timmins		Huron-Perth Catholic District School Board	Winchester District Memorial Hospital
County of Essex		Waterloo Catholic District School Board	Alexandra Hospital
Municipality of Clarington			West Haldimand General Hospital
Region of Waterloo			Haldimand War Memorial Hospital
			Montfort Hospital
			Kirkland and District Hospital
			Tillsonburg District Memorial Hospital

**Commissioning:**

Market Sector			
Municipal	University/College	School Board	Hospital
Bradford West Gwillimbury	McMaster University	Conseil scolaire de district catholique Centre-Sud	Sick Kids Hospital
City of London	University of Western	Kenora Catholic District School Board	
Region of Waterloo		Northwest Catholic District School Board	
		Thames Valley District School Board	
		Waterloo Region District School Board	

## 5 PROPOSED COSTS

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### Base Proposal

We are pleased to provide professional engineering services related to the execution of the Municipal Energy Plan (MEP) Consultant project as outlined in this proposal for the City. Professional fees, including disbursements, exclusive of applicable taxes, have been calculated and are presented in the table below.

<b>Professional Engineering Fees (CAN\$, HST Extra)</b>		
<b>PHASE</b>	<b>Base Fee</b>	<b>Enhanced Fee</b>
Stage 01 - Stakeholder Engagement	\$19,570	\$23,290
Stage 02 - Baseline Energy Study and Energy Map	\$25,885	\$42,100
Stage 03 - Creation of Municipal Energy Plan	\$9,815	\$11,500
Anticipated Disbursements	\$8,580	\$15,360
<b>TOTAL</b>	<b>\$63,850</b>	<b>\$92,250</b>

Payment on account for services rendered and for reimbursable expenses incurred, shall be made monthly on presentation of a VIP invoice. Invoices for fees and reimbursable expenses are due and payable by the client upon receipt without holdback. VIP reserves the right to discontinue services in the event of non-payment.

## 6 VALUE-ADDED SERVICES

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Consistent with our guidance provided to clients, we endeavour to reduce our resource requirements as much as possible, and to meet our remaining needs as efficiently as possible. In this context, we:

- Use car-pooling to limit our transportation requirements and associated use of fossil fuels
- Use teleconferencing, where face-to-face meetings can be substituted, to limit our transportation requirements and associated use of fossil fuels
- Use Webinars, where teleconferencing is insufficient but face-to-face meetings can be substituted, to limit our transportation requirements and associated use of fossil fuels
- Support employees who wish to work from their home offices, further reducing fossil fuel use
- Choose low-carbon forms of transportation where possible, including choosing public transit when possible
- Offset GHG emissions which cannot be practically avoided using third-party verified carbon offset credits

Our group supports the principle of sustainable action. As such, we print on recycled paper (including this RFP response). We employ sustainable practices throughout our offices including the use of efficient office equipment, the reuse of office supplies (binders, etc.), reusable coffee cups, motion sensors for lighting, etc.

A cost saving opportunity for this work would be for the City to submit an application to the Natural Resources Canada (NRCAN) available funding to supplement the cost of the workshops. VIP would manage the application process.

A time saving opportunity for this work would be to revise the planned timelines for the project. We propose that Stage 1 Stakeholder Engagement could be accomplished within three months of the project initiation. We believe that the proposed timeline for Stage 2: Baseline Energy Study and Energy Map is reasonable. Stage 3 Creation of the Municipal Energy Plan, we propose, could be completed within a six month time frame. These revisions would see the entire project completed within a fifteen month timeframe.

As part of our company's core business, we continue to work closely with our clients to assist them in making sustainable choices.

## 7 CLOSING

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We thank you for the opportunity to submit this proposal and look forward to assisting you with this project. We trust this proposal meets, or exceeds, your current needs. However, if you have any questions or require clarification with respect to the described work, please do not hesitate to contact the undersigned (below).

It is expected that upon award that VIP Energy Services, Inc. and the City of Temiskaming Shores will be able to come to agreement on a mutually acceptable set of terms and conditions.

This proposal expires thirty (30) days from the Date of Submission (November 13, 2014). VIP retains the intellectual property contained in this proposal. It is to be treated confidentially and not disclosed to third parties. The project team is available to begin work on this project immediately and looks forward to working with your team. Thank you for considering the VIP Team. We look forward to demonstrating our commitment to you.

Respectfully Submitted,

**VIP ENERGY SERVICES, INC.**



Alan Sutton  
B.A.Sc., M.B.A., CEM, LEED AP®  
Director, Energy Management  
Tel: (519) 886-1097 x 233  
Fax: (519) 886-7015  
asutton@vipenergy.ca

AS/RB

# APPENDIX A

RFP Required Forms





**City of Temiskaming Shores**  
**PW-RFP-010-2014**  
Consultant Assistance with Municipal Energy Plan

**NON COLLUSION AFFIDAVIT**

I/ We VIP ENERGY SERVICES, INC. the undersigned am fully informed respecting the preparation and contents of the attached quotation and of all pertinent circumstances respecting such bid.

Such bid is genuine and is not a collusive or sham bid.

Neither the bidder nor any of its officers, partners, owners, agents, representatives, employees or parties of interest, including this affiant, has in any way colluded, conspired, connived or agreed directly or indirectly with any other Bidder, firm or person to submit a collective or sham bid in connection with the work for which the attached bid has been submitted nor has it in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other bidder, firm or person to fix the price or prices in the attached bid or of any other Bidder, or to fix any overhead, profit or cost element of the bid price or the price of any bidder, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Temiskaming Shores or any person interested in the proposed bid.

The price or prices quoted in the attached bid are fair and proper and not tainted by any collusion, conspiracy, connivance or unlawful agreement on the part of the Bidder or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

The bid, quotation or proposal of any person, company, corporation or organization that does attempt to influence the outcome of any City purchasing or disposal process will be disqualified, and the person, company, corporation or organization may be subject to exclusion or suspension.

Signed 

Company Name VIP ENERGY SERVICES, INC.

Title DIRECTOR - ENERGY MANAGEMENT





**City of Temiskaming Shores**  
**PW-RFP-010-2014**  
Consultant Assistance with Municipal Energy Plan

**Conflict of Interest Declaration**

Please check appropriate response:

- I/we hereby confirm that there is not nor was there any actual or perceived conflict of interest in our quotation submission or performing/providing the Goods/Services required by the Agreement.
- The following is a list of situations, each of which may be a conflict of interest, or appears as potentially a conflict of interest in our Company's quotation submission or the contractual obligations under the Agreement.

List Situations:

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In making this quotation submission, our Company has / has no (*strike out inapplicable portion*) knowledge of or the ability to avail ourselves of confidential information of the City (other than confidential information which may have been disclosed by the City in the normal course of the quotation process) and the confidential information was relevant to the Work/Services, their pricing or quotation evaluation process.

Dated at WATERLOO this 11<sup>TH</sup> day of NOVEMBER, 2014.

FIRM NAME: VIP ENERGY SERVICES, INC.

BIDDER'S AUTHORIZED OFFICIAL: ALAN SUTTON

TITLE: DIRECTOR - ENERGY MANAGEMENT

SIGNATURE: Alan Sutton





**City of Temiskaming Shores**  
**PW-RFP-010-2014**  
Consultant Assistance with Municipal Energy Plan

PW-RFP-010-2014

Contractor's submission of bid to:

The Corporation of the City of Temiskaming Shores

Stipulated Bid Price

We/I, TE ENERGY SERVICES, INC  
(Registered Company Name/Individuals Name)

Of, 210 CAWSTOWN BLVD WATERLOO, ON N2L 4E2  
(Registered Address and Postal Code)

Business:

Phone Number (519) - 886 - 1097

Fax Number (519) - 886 - 7015

We/I hereby offer to enter into an agreement to supply and install, as required in accordance to the proposal for a price of:

Lump sum price (incl. HST)

\$ 72,150.50 CAN

SEVENTY TWO THOUSAND ONE HUNDRED AND FIFTY <sup>50</sup>/<sub>100</sub> DOLLARS



# APPENDIX B

## Team Member Curriculum Vitae



**Alan Sutton** B.A.Sc., M.B.A., CEM, LEED AP®

Director, Energy Management



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Alan Sutton currently serves as Director – Energy Management of VIP Energy Services Inc. With strong technical and leadership skills, and a diverse background, Alan is a valuable addition to any project team. His passion for energy conservation and team building has supported the organization's philosophy of being a strategic Energy Management partner with the knowledge and expertise to help Clients save time and money.

A Chemical Engineer (University of Waterloo), with an MBA (Wilfrid Laurier University), Alan has a 30-year career that has encompassed Research and Development, Manufacturing, and Energy Conservation, primarily in the Existing Building Market Segment. Alan brings more than ten years' experience with performing: Energy Audits (identifying strategic Energy Management Strategies, analyzing their fiscal opportunity, and applying client-based criteria to develop potential implementation plans); Designing Retrofits (design and construction project management); and, Commissioning (making sure that the installed equipment is performing as designed). Alan has led Energy Management and Commissioning Leadership Teams, has been responsible for the development of consistent practices and the development of templates and tools to facilitate the efficient execution of projects.

### Experience Highlights

- "Cradle to Grave" experience: assessment, analysis, strategic planning, implementation and commissioning
- Client and Project Management: sustainability triple bottom-line focus
- Technical expertise

### EDUCATION

Master of Business and Administration, Wilfrid Laurier University, Waterloo, Ontario, 1989

B.A.Sc. Chemical Engineering with a Management Science Option, University of Waterloo, Waterloo, Ontario, 1984

### MEMBERSHIPS

Member, Canada Green Building Council

Member, Association of Energy Engineers

Member: Institute of Energy Managers

## PROJECT EXPERIENCE

### Energy Conservation and Demand Management Plans

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**Winchester District Memorial Hospital** (*Winchester, Ontario*)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Tillsonburg District Memorial Hospital** (*Tillsonburg, Ontario*)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Alexandra Hospital** (*Ingersoll, Ontario*)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Kirkland and District Hospital** (*Kirkland Lake, Ontario*)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Montfort Hospital** (*Ottawa, Ontario*)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Toronto East General Hospital** (*Ottawa, Ontario*)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Alan Sutton** B.A.Sc., M.B.A., LEED AP®

Director, Energy Management

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**Southlake Regional Health Centre** (Newmarket, Ontario)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**St. Francis Hospital** (Barry's Bay, Ontario)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Renfrew Victoria Hospital** (Renfrew, Ontario)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Deep River and District Hospital** (Renfrew, Ontario)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Pembroke Regional Hospital** (Pembroke, Ontario)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**Kemptville District Hospital** (Kemptville, Ontario)

Project Manager (2014)

Health Care (Five Year CDM Plan and Consumption Template Submission).

**College Boreal** (Various Locations, Ontario)

Project Manager (2014)

University and College (Three Facilities, Five Year CDM Plan and Consumption Template Submission).

**Cambrian College** (Various Locations, Ontario)

Project Manager (2014)

University and College (Thirteen Facilities, Five Year CDM Plan and Consumption Template Submission).

**Lambton College** (Various Locations, Ontario)

Project Manager (2014)

University and College (Thirteen Facilities, Five Year CDM Plan and Consumption Template Submission).

**Canadore College** (Various Locations, Ontario)

Project Manager (2014)

University and College (Eighteen Facilities, Five Year CDM Plan and Consumption Template Submission).

**Nipissing University** (Various Locations, Ontario)

Project Manager (2014)

University and College (Twenty-One Facilities, Five Year CDM Plan and Consumption Template Submission).

**Northwest Catholic District School Board** (Various, Ontario)

Project Manager (2014)

Educational (Six Facilities, Five Year CDM Plan and Consumption Template Submission).

**Huron-Perth Catholic District School Board** (Various, Ontario)

Project Manager (2014)

Educational (Nineteen Facilities, Five Year CDM Plan and Consumption Template Submission).

**London District Catholic School Board** (Various, Ontario)

Project Manager (2014)

Educational (Sixty-Two Facilities, Five Year CDM Plan and Consumption Template Submission).

**Kenora Catholic District School Board** (Various, Ontario)

Project Manager (2014)

Educational (Six Facilities, Five Year CDM Plan and Consumption Template Submission).

**Peterborough Victoria Northumberland and Clarington District Catholic School Board** (Various, Ontario)

Project Manager (2014)

Educational (Thirty-Nine Facilities, Five Year CDM Plan and Consumption Template Submission).

**District School Board of Niagara** (Various, Ontario)

Project Manager (2014)

Educational (127 Facilities, Five Year CDM Plan and Consumption Template Submission).

**Brant Haldimand and Norfolk Catholic District School Board** (Various, Ontario)

Project Manager (2014)

Educational (Thirty-Seven Facilities, Five Year CDM Plan and Consumption Template Submission).

**Hamilton-Wentworth Catholic District School Board** (Various, Ontario)

Project Manager (2014)

Educational (Seventy Facilities, Five Year CDM Plan and Consumption Template Submission).

**Conseil Scolaire de District Catholique des Aurores boréales** (Various, Ontario)

Project Manager (2014)

Educational (Five Facilities, Five Year CDM Plan and Consumption Template Submission).

**Alan Sutton** B.A.Sc., M.B.A., LEED AP®

Director, Energy Management

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**Superior North Catholic District School Board**

*(Various, Ontario)*

Project Manager (2014)

Educational (Ten Facilities, Five Year CDM Plan and Consumption Template Submission).

**City of Belleville** *(Belleville, Ontario)*

Project Manager (2014)

Municipal (Thirty-Six Facilities, Five Year CDM Plan and Consumption Template Submission).

**County of Essex** *(Essex, Ontario)*

Project Manager (2014)

Municipal (Twenty-Six Facilities, Five Year CDM Plan and Consumption Template Submission).

**Town of Kingsville** *(Kingsville, Ontario)*

Project Manager (2014)

Municipal (Thirty-One Facilities, Five Year CDM Plan and Consumption Template Submission).

**Regional Municipality of Niagara** *(Niagara, Ontario)*

Project Manager (2014)

Municipal (Fifty-Six Facilities, Five Year CDM Plan and Consumption Template Submission).

**Lake Huron Primary Water Supply System** *(Various, Ontario)*

Project Manager (2014)

Municipal (Four Facilities, Five Year CDM Plan and Consumption Template Submission).

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## Building Condition Assessments

**Ontario Education Portfolio BCA\*** *(Various Locations, Ontario)*

Report Reviewer (2011-2013)

Ontario Ministry of Education

Educational (Multi-year project to perform Building Condition Assessments of all Ontario facilities).

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## Building Energy Audits

**Northwest Catholic District School Board** *(Various, Ontario)*

Senior Reviewer (2014)

Educational (Five Facilities, Energy Audit).

**Kenora Catholic District School Board** *(Various, Ontario)*

Senior Reviewer (2014)

Educational (Six Facilities, Energy Audit).

**Town of Kingsville** *(Kingsville, Ontario)*

Senior Reviewer (2014)

Municipal (Four Facilities, Energy Audit).

**Renfrew Victoria Hospital** *(Renfrew, Ontario)*

Senior Reviewer (2014)

Health Care (Energy Audit).

**St. Francis Hospital** *(Barry's Bay, Ontario)*

Senior Reviewer (2014)

Health Care (Three Facilities, Energy Audit).

**Winchester District Memorial Hospital Energy Assessments** *(Winchester, Ontario)*

Senior Reviewer (2013)

Health Care (Single Building Level II Energy Assessment)

**College Boreal Energy Assessments** *(Various, Ontario)*

Senior Reviewer (2013)

Educational (Three Building Level II Energy Assessment)

**County of Essex Sun Parlor Home Energy Assessment** *(Leamington, Ontario)*

Project Manager (2013)

Healthcare (Single Building Level II Energy Assessment)

**City of London Lake Huron and Elgin Area Water Supply Systems Energy Assessments** *(Various, Ontario)*

Senior Reviewer (2013)

Municipal (Six Building Level II Energy Assessment)

**Alan Sutton** B.A.Sc., M.B.A., LEED AP®

Director, Energy Management

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**City of Edmonton Energy Assessment\*** (Edmonton, Alberta)  
Project Manager (2013)  
Municipal (5 Building Level II Energy Assessments)

**CIBC Energy Assessments and Options Analysis\*** (Various Locations, Canada)  
Project Manager and Client Manager, (2011-2013)  
Commercial (over 30 bank branches Level II Assessments and Implementation Plan)

**Morguard Energy Assessment\*** (Mississauga and Oakville, Ontario)  
Project Manager (2011-2013)  
Commercial (BOMA BEST Level I Energy Assessment)

**George Brown College M&V Plan\*** (Toronto, Ontario)  
Technical Advisor (2012)  
Education Measurement and Verification Plan development as a component of a LEED Certification)

**Region of PEEL Energy Assessments\*** (Various, Ontario)  
Technical Advisor (2012)  
Municipal (over 200 facilities Level II Energy Assessments)

**Barbados Smart Energy Framework\*** (Various Locations, Barbados)  
Project Manager (2012)  
International Government (researching and proposing energy efficiency standards and specifications 15 facilities, Traffic Control signals and solar photovoltaic)

**Manulife Financial Energy Assessment\*** (Toronto, Ontario)  
Technical Advisor (2012)  
Commercial (BOMA BEST Level 1 Assessment)

**Former Telus World of Science Energy Assessment\*** (Calgary, Alberta)  
Project Manager (2012)  
Institutional (Level II Energy Assessment)

**Westbridge Energy Assessment\*** (Calgary, Alberta)  
Technical Advisor (2012)  
Industrial (Level II Energy Assessment)

**Maxxam Energy Audit\*** (Various Locations, Canada)  
Project Manager (2011)  
Industrial (13 facilities, over 250,000 ft<sup>2</sup>)  
**Weetabix M&V Plan\*** (Cobourg, Ontario)

Project Manager (2011)  
Industrial (Measurement and Verification Plan – design and implementation)

**Richardson Oilseed Water Audit and ECM Implementation\*** (Lethbridge, Alberta)  
Project Manager (2011)  
Industrial (Water audit and ECM implementation)

**City of Windsor Justice Facility** (Windsor, Ontario)  
Project Manager (2011)  
Municipal (BOMA BEST Level I Energy Assessment)

**Arnprior and District Memorial Hospital Energy Audits\*** (Toronto, Ontario)  
Report Reviewer (2011)  
Healthcare (3 facilities, 155,000 ft<sup>2</sup>)

**Polaris Energy Audit\*** (Mississauga, Ontario)  
Energy Auditor (2011)  
Commercial Office (Single facility, 135,000 ft<sup>2</sup>)

**Apple Energy Audit\*** (Markham, Ontario)  
Energy Auditor (2011)  
Commercial Office (Single facility, 45,000 ft<sup>2</sup>)

**PWGSC, SNC Lavalin O&M Energy Audits\*** (Various Locations, Ontario)  
Report Reviewer (2011)  
Federal Government (3 PWGSC facilities, 1,120,000ft<sup>2</sup>)

**Legislative Assembly of Ontario Energy Audit\*** (Toronto, Ontario)  
Project Manager (2010)  
Provincial Government (single facility, heritage building, over 100,000ft<sup>2</sup>)

**Hamilton Wentworth Catholic District School Board Energy Audit\*** (Hamilton, Ontario)  
Project Manager (2010)  
Educational (15 facilities, over 800,000 ft<sup>2</sup>)

**Kawartha Pine Ridge District School Board Energy Audits\*** (Various, Ontario)  
Project Manager (2010)  
Educational (17 facilities, over 1,100,000 ft<sup>2</sup>)  
**Atomic Energy of Canada Limited Energy Audit\*** (Mississauga, Ontario)  
Project Manager (2010)  
Federal Government (single facility, over 140,000 ft<sup>2</sup>)

**City of Brantford Energy Audits\*** Brantford, Ontario  
(Project Manager), 2010  
Municipal (11 facilities, over 450,000 ft<sup>2</sup>)

**Alan Sutton** B.A.Sc., M.B.A., LEED AP®

Director, Energy Management

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**Catholic District School Board of Eastern Ontario  
Energy Audits\*** (Various, Ontario)  
Project Manager (2009)  
Educational (47 facilities, over 1,400,000 ft<sup>2</sup>)

**Regional Municipality of Waterloo Water Treatment  
Plant Energy Model Verification\*** (Cambridge,  
Ontario)

Project Manager (2009)  
Municipal (Trace700 Energy Model)

**Revera Energy Audit\*** (St. Catharines, Ontario)  
Project Manager (2008)  
Healthcare (two facilities, long term care, 85,000 ft<sup>2</sup>)

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## Commissioning

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**Northwestern Catholic District School Board  
Commissioning\*** (Various, Ontario)  
Project Manager (2014)  
Educational (Five Facilities, Functional Performance  
Testing))

**Kenora Catholic District School Board  
Commissioning\*** (Various, Ontario)  
Project Manager (2014)  
Educational (Six Facilities, Functional Performance  
Testing))

**Thames Valley District School Board  
Commissioning\*** (Various, Ontario)  
Project Manager (2014)  
Educational (Five Facilities, Functional Performance  
Testing))

**Conseil scolaire de district catholique Centre-Sud  
New Construction Commissioning\*** (Various,  
Ontario)  
Project Manager (2013)  
Educational (New Construction Commissioning for four  
Elementary Schools and two Secondary Schools)

**BLJC/CIBC Bank Branch NCx and RCx\*** (Various  
Locations, Canada)  
Project Manager and Client Manager (2013)  
Commercial (Commissioning and Re-Commissioning of  
over 30 Bank Branches in Alberta, Ontario and Quebec)

**SickKids Research Tower New Building  
Commissioning\*** (Toronto, Ontario)  
Technical Advisor (2013)  
Healthcare (21 storey, 750,000 ft<sup>2</sup> New Construction  
Commissioning)

**MEC NCx\*** (Ottawa, Ontario)  
Project Manager (2012)  
Retail (New Construction Commissioning)

**Regional Municipality of Waterloo LEED NC  
Commissioning\*** (Kitchener, Ontario)  
Project Manager (2011)  
Municipal (13,500 ft<sup>2</sup> new construction biosolids waste  
management facility, LEED EA p1 fundamental  
commissioning)

**Thames Valley District School Board  
Commissioning\***, (London, Ontario)  
Project Manager (2010)  
Educational (Six facilities, fundamental commissioning)

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## Design Review of Facilities & Processes

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**CIBC Bloor and Ossington\*** (Toronto, Ontario)  
Technical Advisor (2013)  
Commercial (HVAC and Building Envelope Retrofit  
Design and Tender).

**CIBC Heating Plant Assessment\*** (Toronto, Ontario)  
Project Manager (2012)  
Commercial (Assessment and Retrofit Design)

**CIBC Retrofit Design\*** (Various, Ontario)  
Technical Advisor and Client Manager (2012)  
Commercial (21 facilities, design and tender for HVAC  
and building envelope retrofit)

**Alan Sutton** B.A.Sc., M.B.A., LEED AP®

Director, Energy Management

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**JCI/Bell Canada HVAC Retrofit Design\*** (Various, Ontario)  
Project Manager (2012)  
Commercial (5 facilities, design and tender for 45 Energy Conservation Measures)

**Algonquin and Lakeshore Catholic District School Board Retrofit Design\*** (Various, Ontario)  
Project Manager (2011)  
Educational (23 facilities, design and tender for 50 Energy Conservation Measures)

**Kitchener Waterloo Community Housing Solar PV Design\*** (Kitchener, Waterloo, Ontario)  
Project Manager (2010)  
Multi-Residential (six facilities, design and tender for 10kW Solar PV Panels)

**Cornwall Armoury Design\*** (Cornwall, Ontario)  
Project Manager (2010)  
Client: PWGSC  
Federal Government (Steam to Hydronic Heating conversion design)

**Realstar Management Heating Plant Retrofit Design\***, (Sarnia, Ontario)  
Project Manager (2007)  
Multi-Residential (six facilities, design and tender for heating plant retrofits, 200-600 unit facilities)

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## LEED Facilitation

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**CIBC 750 Lawrence LEED Gap Analysis\*** (Toronto, Ontario)  
Project Manager (2012)  
Commercial (LEED EBOM Gap Analysis)

**Regional Municipality of Waterloo Biosolids Dewatering Facility\*** (Kitchener, Ontario)  
Project Manager (2011)  
Municipal (13,500 ft<sup>2</sup> new construction biosolids waste management facility, LEED Silver facilitation)

**Cara Headquarters Relocation\*** (Vaughan, Ontario)  
Project Manager (2011)  
Commercial (100,000 ft<sup>2</sup> corporate headquarters, LEED Gold facilitation)

**Skyline International LEED Feasibility\*** (Toronto, Ontario)  
Project Manager (2008)  
Multi-Residential (650,000 ft<sup>2</sup> new construction project, LEED Gold Core & Shell Facilitation)

**A.P.S. Metal LEED Feasibility\*** (Pickering, Ontario)  
Project Manager (2007)  
Industrial (Feasibility Study for LEED Silver)

## NON-PROJECT EXPERIENCE

**Stantec Consulting Ltd., Mississauga, ON**  
Senior Associate  
2011-2103

**Efficiency Engineering Inc. Cambridge, ON**  
General Manager, Commissioning Services  
2006-2011

**GMA Cover Corporation, Guelph, ON**  
Plant Manager  
2004-2006

**Collins & Aikman Plastics, Mississauga, ON**  
Plant Manager  
2003-2004

**Nartech Metal Products, Guelph, ON**  
Plant Manager  
1998-2003

**Alan Sutton** B.A.Sc., M.B.A., LEED AP®

Director, Energy Management

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**Cambridge Industries, Woodstock, ON**  
**Plant Manager**  
1996-1998

**Standard Products (Canada) Ltd., Stratford, ON**  
**Research & Development Manager**  
1986-1995

**Mitten Vinyl Inc., Paris, ON**  
**Research & Development Manager**  
1995-1996

## **PUBLICATIONS**

Hot Water Heating Series, Article#7: Condensing Boilers. *Energy Management Magazine*, 2009.

"Hot Water Heating Series, Article #4: Building Code and Safety Issues". *Energy Management Magazine*, 2009.

"The Future Is Looking Green". *Featured in Rex Magazine*, 2007.

## **PRESENTATIONS**

"Identifying & Acting on Low-Cost/No-Cost Energy Conservation Measures", Energy Management Congress, Las Vegas, Nevada, Jun 2013

"Energy Auditing – The Basics", Mechanical Service Contractors of Canada Annual General Meeting, Maui, Hawaii, Dec 2012

"How to Build a Green Team", Sustainable Waterloo Workshop, Waterloo, Ontario, Sep 2012

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Paul H. Van Brunt P.Eng.

President



A highly motivated individual with direct supervisory experience who is very performance driven. Over thirty years of experience working with utilities and municipalities throughout Ontario, project sales and management experience, development and delivery of successful proposals, district energy, distributed generation, rate analysis, problem solving and management of large key accounts. An energetic team player with considerable experience working with all sizes of municipal utilities and customers across Ontario.

Paul Van Brunt graduated from The University of Western Ontario with a Bachelor of Electrical Engineering degree. Mr. Van Brunt's career began at Ontario Hydro in 1982 where he held various positions. He has 27 years of experience in business development with energy service contract strategies, key account management, sales, marketing, rate analysis, and energy-problem solving.

### Experience Highlights

- Entrepreneur
- Project Management
- Technical expertise

### EDUCATION

B.E.Sc. (Electrical), University Of Western Ontario,  
1982

Marketing Management Program (Ontario Hydro),  
Wilfrid Laurier University

### MEMBERSHIPS

P. Eng., PEO Member

### WORK EXPERIENCE

**VIP Energy Services Inc.**

**President**

2004 - Present

- Manage business development, research, business associates and operations. Managed sales staff, operations, large contracts, VIP board objectives. I.e. Sales targets, customer retention expectation etc.
- Hiring, budget management, department staff, targets and CDM reporting
  - Projected Budget of \$2M
  - Up to 15 Staff at times
  - 11 revenue generating business plans
  - Sales with a personal sales target of \$1.0M
  - Large Customer relationship management for Sodexo, Petro Canada, Athena Energy, Atlantic Packaging, Lake Huron Water (City of London), Lakeridge Health

Paul H. Van Brunt P.Eng.

President

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<b>The Best Co.</b>	<b>Vice President</b>	<b>2002 - 2004</b>
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- Energy consulting sales with a personal sales target of \$400K
- Manage Contract for Hydro One building their contract selling natural Gas and Power aggregator program
- Manage business development, research, business associates
- Assigned as Vice President for Business Development to ECNG Inc.
- Responsible for the development of creative, cutting-edge ideas to sustain Best Co as a leader in the deregulated energy industry.

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<b>Coral Energy Canada Inc.</b>	<b>Director, Power Sales</b>	<b>1999 - 2001</b>
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- Commodity sales Gas & Power with a personal sales target of \$1.0M which was exceeded by 2.5 times every year.
- Directed electricity sales and marketing team for Coral Energy Canada Inc.
  - Set Business plan for \$25M margin
    - staff and processes
    - electricity in Ontario & Alberta
    - Profit Margin expanded to \$60M
- Set up and developed sales and marketing programs for utilities and end-use customers.
  - Responsible for developing marketing and sales strategies for electricity and natural gas with Ontario Municipal Electrical Utilities interested in expanding energy service offerings in areas other than electricity

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<b>AE Sharp Ltd.</b>	<b>Associate Consultant</b>	<b>1998 - 1999</b>
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- Developed marketing and sales strategies for electricity sales with the Municipal Electrical Utilities.
- Consulted with Municipal Electrical Utilities, providing services that included studies for metering services, electrical deregulation and rates.
- Trained staff on deregulated electricity Market

Paul H. Van Brunt P.Eng.

President

---

**Personal Computers  
Made Easy**

**Associate Consultant**

1992 - 1999

- 
- Marketing and sales of web pages and computer hardware.
  - Designed, built and repaired computers while also providing computer support.
  - Design of web pages.
  - Offered consulting services to Municipal Electrical Utilities. Services included studies in the area of assessment of physical assets, metering services, electrical deregulation and rates.
  - Internet sales for fiber optic connections.
  - Developed marketing strategies through advanced call tracking and follow-up service.

**Ontario Hydro**

**Account  
Manager/Commercial &  
Industrial Account Manager**

1990 - 1997

- 
- Designed retail rates for several Municipal Electric Utilities.
  - Negotiated a number of contracts & Tri Party Agreements between large industrial customers, Ontario Hydro & Municipal Electric Utilities.
  - Sales and marketing to key Municipal Utilities and commercial & industrial accounts with total revenue of more than \$500 million.

**Ontario Hydro**

**Metering & Relaying  
Supervisor**

1988 - 1990

- 
- Supervised staff of 6 Union & non-union employees working Capital Projects and Maintenance programs
  - Worked directly on maintenance and capital construction work for metering and relay programs at Bruce Generating Station.
  - Managed relationship with Local Distribution Companies. Hydro & Municipal Electric Utilities.
  - Fuse coordination on 27.6 KV feeders
  - Substation design and build on voltages below 27.6 KV

**Bruce Power Plant**

**Commissioning**

1982-1987

- 
- Plant B, Unit #8 generator equipment
  - Developed, implemented and commissioned the generation rejection scheme



**W.F.C. (Rick) Baker, P.Eng.**

CEO, Spirited Leaders Corporation

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#### **EDUCATION/INDUSTRY EXPERIENCE:**

- **President of the Board of Directors, Centre For Family Business (June 2013 to Present)**
- **Vice-Chair, Advisory Council – Conestoga College Centre For Entrepreneurship (June 2014 to Present)**
- **Chairman, Centre For Family Business Board of Directors [June 2013 to present]**
- Peter Hallman Mentor Award, Centre For Family Business (May 2013)
- Leadership Award, Centre For Family Business (May 2011)
- **Director, Centre For Family Business Board of Directors [January 2009 to present]**
- Director, Greater Kitchener Waterloo Chamber of Commerce Board of Directors [September 2007 to September 2013]
- Event Sponsor, Baker Investment Group Networking Breakfast Series – KW Chamber of Commerce [August 2006 to present]
- Chair, Energy & Environment Forum, KW Chamber of Commerce [Aug 2005 to Aug 2007]
- Member, Environment Committee - Greater KW Chamber of Commerce [April 2004 to 2005]
- Vice-Chair, Energy & Environment Forum, KW Chamber of Commerce [Oct 2003 to Aug 2005]
- Member, Ontario Energy Association [2002 to 2007]
- Chairman, Ontario Energy Marketers Association (OEMA) - [elected, Founding Chairman January 1998 to March 1999]
- Director, Ontario Energy Marketers Association (OEMA) - [elected January 1998]
- Chairman, Ontario Energy Marketers Association – Government & Media Relations Committee [1998 to 1999]
- DPIC Negotiator – OEB's 10 Year Market Review [1996-1997]
- Chairman, Ontario Direct Purchase Industry Committee (DPIC - Ontario) [September 1996-December 1997]
- Chairman, Ontario Direct Purchase Industry Committee (DPIC)- Volume Management Subcommittee [1996-1997]
- CIGMA Negotiator - Ontario: Minimum Conditions of Supply Conference [1994]
- Canadian Industrial Gas Marketers Association (CIGMA) member [1993-1994]
- Participant and witness: numerous Ontario Energy Board natural gas hearings [1989-1998]
- ONGA member [1991-2000]
- Director, Brantford Regional Chamber of Commerce [1989-1990]
- Chairman, Brantford Regional Chamber of Commerce - Business & Industry Committee [1988-1989]
- Chairman, Brantford Regional Chamber Trade Exhibition Committee [1988]
- **P. Eng., PEO Member**
- B.E.Sc. (Mechanical), University of Western Ontario, Dean's Honours List
- B.Sc. (Applied Math), University of Western Ontario
- MBA, University of Windsor [partial completion]

#### **PERSONAL:**

- **Married; two fine sons; Waterloo, Ontario resident**

#### **EXPERIENCE:**

- **February 2012 to present**                      **CEO – Spirited Leaders Corporation**
- **September 2009 to present**                **Founder & Chairman – Spirited Leaders Corporation**
- **December 2010 to January 2012**        **Director – Spirited Investors Corporation**
- **February 2007 – December 2010**       **Founder & CEO – Spirited Investors Corporation**
- **December 2003 to December 2004**     **President – BEST Co. Inc. [formerly The Power Connection Inc.]**
- **January 2003 to December 2004**       **Founder & President – Gazbec Inc.**
- **December 2002 to December 2004**     **Founder & President – Gas Ontario Inc.**

- **May 2001 to present** **Founder & Chairman – Baker Investment Group Inc.**
- March 2001 - January 2003 CEO – ECNG Inc. and Commercial VP, PremStar Canada Energy Ltd.
- June 2000 to June 2014 Founder & Chairman - The Baker Energy Service & Trading Company Inc. [formerly, Industrial Energy Engineering Group see below]
- May 1999 – February 2000 Senior VP – Marketing, Transportation & Operations Officer & Director, Coral Energy Canada Inc. [now know as Shell Trading]
- June 1998 – May 1999 Vice President – Marketing, Coral Energy Canada Inc. [now known as Shell Trading]
- December 1997 – June 1998 Vice President – Marketing, Eastern Canada, Coral Energy Canada Inc. [parent Coral Energy, LP owned by Shell U.S. and Shell Canada]
- December 1991 – May 2000 Co-Founder & Executive Vice-President - Industrial Energy Engineering Group
- June 1991 – December 1997 Founding Partner & Vice-President - Cibola Canada Energy Marketing Company
- November 1988 - June 1991 Regional Manager, Eastern Canadian Sales - Unigas Corporation
- May 1982 - November 1988 Various Positions to Division Manager, Brantford Sales – Union Gas Limited

# Steven Schmidt

Vice-President, Sales and Marketing



Steve has been actively involved in Industrial and Energy Management for over 16 years. Since graduating on the Dean's Honour List from the University of Waterloo, he has been engaged in the areas of industrial automation and process management as well as energy procurement, risk management, conservation and demand management. Most recently, Steve has taken an active role in managing our clients' conservation and demand management programs including Energy Conservation and Demand Management Plan creation and implementation.

## Experience Highlights:

- Responsible for the successful creation of numerous Energy Conservation and Demand Management Programs
- 16 Years Industrial and Energy Management
- Senior Technical Analysis and Project Management

## EDUCATION

Honours Bachelor of Arts, University of Waterloo, Waterloo, Ontario, 1992

## RECENT PROJECT EXPERIENCE

### Project Management

#### **Municipality of Clarington Energy Audit Program** Project Manager ( 2010 to Present)

##### **Municipal**

*Managed a team of energy auditors to complete 14 municipal audits and created a Master Implementation Plan to assist with the efficient implementation of the projects. This plan also formed the basis for Clarington's 5-Year Energy Conservation and Demand Management Plan as required under O. Reg. 397/11.*

#### **College Boreal Energy Auditing and Consumption/GHG Reporting for O. Reg. 397/11, (Various Locations)**

##### **Project Manager (2012 to Present)**

##### **Educational**

*Managed a team of engineers to complete full ASHRAE Level 2 energy audits of the College's 3 largest facilities, as well as the College's 2013 Facility and Energy Consumption Inventory O Reg. 397/11*

#### **City of Pickering Energy Audit Program,** Project Manager ( 2011-2012)

##### **Municipal**

*Managed a team of energy auditors to complete 4 municipal audits.*

#### **Tillsonburg Memorial and Alexandra Hospitals Energy Auditing and Consumption/GHG Reporting for O. Reg. 397/11, (Tillsonburg and Ingersoll, Ontario)** Project Manager ( 2012)

##### **Healthcare**

*Managed a team of engineers to complete full ASHRAE Level 2 energy audits of the each of the hospital. The team also completed the 2013 Facility and Energy Consumption Inventory and is currently working on completing the 5-Year Energy Conservation and Demand Management Plans as required under O. Reg. 397/11.*

Steven Schmidt

Vice-President, Sales and Marketing



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## Energy Conservation and Demand Management Plans

### **Huron-Perth District Catholic School Board Energy and Environmental Implementation Plan,**

*(Dublin, Ontario)*

**Project Manager (2012 to Present)**

**Educational**

*Managed a team of technical engineers to create a 5-Year Energy Conservation and Demand Management Plan to satisfy the O.Reg. 397/11 Requirements. This plan went beyond the regulatory requirements to also include policies and procedures for a 'Greening' environmental action plan.*

### **Waterloo District Catholic School Board Energy and Environmental Implementation Plan,**

*(Waterloo, Ontario)*

**Project Manager and Plan Editor (2012 to Present)**

**Educational**

*Worked with a team of technical engineers to create a 5-Year Energy Conservation and Demand Management Plan to satisfy the O.Reg. 397/11 Requirements. This plan went beyond the regulatory requirements to also include policies and procedures for a 'Greening' environmental action plan. This program also included energy audits of the schools.*

### **London District Catholic School Board O. Reg. 397/11 Required Reporting, London, Ontario**

**Project Manager (2013)**

**Educational**

*Oversaw the completion the 2013 Facility and Energy Consumption Inventory as required under O. Reg. 397/11. Presently working with a team of technical engineers to create a 5-Year Energy Conservation and Demand Management Plan to satisfy the O.Reg. 397/11 2014 Requirements.*

### **City of Timmins Energy Management Planning, Lead Consultant and Project Manager (2013-2014)**

**Municipal**

*Worked with two other consulting firms to identify practical energy conservation measures and create the Corporate Energy Management and Demand Management Plan as required by Ontario Regulation 397/11 Reporting. We also engaged the City using by developing an outreach program as well as the creating an energy information database and reporting system using VIP's Client Portal system to raise the energy management competency of City of Timmins personnel.*

**Adam Cheney** ACP, LEED GA®  
Energy Conservation and Commissioning Manager



Mr. Cheney, Energy Conservation and Commissioning Manager of VIP Energy Services Inc., has experience on both the client and service provider sides of the building optimization, preventative maintenance and quality control services. This allows him to provide a unique and essential perspective on the energy conservation and commissioning field. He has over seven years of experience in building operations, commissioning, building system controls, and performance assessment on a variety of facility types including municipal, commercial and institutional. Adam's experience prior to joining VIP Energy includes the operations and maintenance of a municipal facility, completing preventative maintenance, and the monitoring and adjusting of Building Automation Systems. He has expertise in the design, programming, and commissioning of lighting control systems, and the training of equipment operations and facility professionals.

### Experience Highlights

- Unique understanding of building operations from control to maintenance
- Electrical Commissioning including low voltage equipment such as; Lighting Control, Security Cameras and Electronic Door Access.
- LEED and BCA certified.
- 7 years of Commissioning and related experience

### EDUCATION

Electronics Engineering Technologist Diploma,  
Sheridan College / Electronics Engineering  
Technologist, Brampton, Ontario, 2006

Fanshawe College / Electrical Techniques, London,  
Ontario, 2003

### MEMBERSHIPS

Member, Building Commissioning Association

Member, Canada Green Building Council

## PROJECT EXPERIENCE

### Building Condition Assessments

**Expesite / Petro Canada BCA** (*Various, Ontario*)  
Assessor (2012-2013)  
Suncore Asset Identification  
Commercial (*Multi-year project to perform Building  
Condition Assessments of all Petro Canada facilities*)

**First Nations Housing Assessments** (*Stoney  
Reserve, Morley, Alberta*)  
Assessor (2013)  
Residential (*Perform Building Condition Assessments of  
flood damaged Stoney First Nations homes*)

### Energy Audits

**Northwestern Catholic District School Board** (*No,  
Ontario*)  
Commissioning Agent (2013-2014)  
Educational (*Energy Audits and Functional  
Performance Testing*)

**City of Kingsville** (*Kingsville, Ontario*)  
Energy Auditor (2014)  
Municipal (*Energy Audits*)

**Kenora Catholic District School Board** (*No, Ontario*)  
Commissioning Agent (2013-2014)  
Educational (*Energy Audits and Functional  
Performance Testing*)

**Renfrew Victoria Hospital** (*Renfrew, Ontario*)  
Energy Auditor (2014)  
Hospital (*Energy Audits*)

**St. Francis Memorial Hospital** (*Barry's Bay, Ontario*)  
Energy Auditor (2014)  
Hospital (*Energy Audits*)

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## Existing Building Commissioning

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**Canadian Blood Services Integrated Building Services** (*Brampton, Ontario*)  
Commissioning Agent (2012-2013)  
Industrial / Commercial (*Recommissioning Services*)

**BLJC/CIBC Bank Branch RCx** (*Various Locations*)  
Commissioning Agent (2013)  
Commercial (*Re-Commissioning of various Bank Branches in Alberta and Ontario*)

**Oxford Properties Group** (*Various - Ontario, Alberta*)  
Commissioning Agent (2010-2013)  
Commercial (*Retrocommissioning*)

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## New Commissioning

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**McMaster University Nuclear Research Building Addition** (*Hamilton, Ontario*)  
Commissioning Agent (2011)  
Educational (*Fundamental and Best Practice Commissioning*)

**Conseil Scolaire de District Catholique Centre-Sud** (*Various - Toronto, Ontario*)  
Project Coordinator, Commissioning Agent (2012-2013)  
Education – (*New Construction Commissioning for four Elementary Schools and two Secondary Schools*)

**Thames Valley District School Board** (*London, Ontario*)  
Commissioning Agent (2014)  
Educational (*BAS Performance Testing*)

**Waterloo Region Consolidated Courthouse** (*Waterloo, Ontario*)  
Project Coordinator, Commissioning Agent (2011)  
Municipal (*Best Practice Commissioning*)

**University of Western Ontario - Physics & Astronomy Building\*** (*Grimsby, Ontario*)  
Project Coordinator, Commissioning Agent (2011-2012)  
Educational (*Fundamental and Best Practice Commissioning*)

**Bradford West Gwillimbury Library** (*Bradford, ON*)  
Project Coordinator, Commissioning Agent (2012)  
Recreational (*Fundamental and Best Practice Commissioning*)

**Ryerson Public School (WRPSB)\*** (*Cambridge, Ontario*)  
Project Coordinator, Commissioning Agent (2011)  
Educational (*Fundamental Commissioning Scope*)

**YMCA Niagara West LEED Certified Silver** (*Grimsby, Ontario*)  
Project Coordinator, Commissioning Agent (2011-2012)  
Recreational (*Fundamental and Best Practice Commissioning*)

**Rouge Bijou Condominium** (*Markham, ON*)  
Project Coordinator, Commissioning Agent (2011)  
Residential (*Fundamental Commissioning*)

## NON-PROJECT EXPERIENCE

Stantec, Kitchener, ON  
Commissioning Specialist  
Aug '12 – Aug '13

The City of Cambridge, Cambridge, ON  
Building Operations Officer  
Mar '08 – Aug '10

Enermodal Engineering, Kitchener, ON  
Project Coordinator, Commissioning Services  
Aug '10 – Aug '12

Genesis Lighting Controls, Burlington, ON  
Lighting Technician  
Feb '07 – Mar '08

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**Jack Baker**, P.Eng., M.E.Sc.

PEO, Spirited Leaders Corporation

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### **EDUCATION / INDUSTRY EXPERIENCE:**

- P.Eng., PEO Member
- Executive Member, PEO, Grand River Chapter [Nov 2006 to present]
- M.E.Sc. (Software Engineering), University of Western Ontario, Dean's Honours List, 2006
- B.E.Sc. (Software Engineering with Distinction), University of Western Ontario, Dean's Honours List, 2004

### **PERSONAL:**

- Married; St. Jacobs, Ontario resident

### **EXPERIENCE:**

- Sep 2009 - present                      Founder & Chief Technical Officer, Spirited Leaders Corporation, Waterloo
- Mar 2007 – Jun 2011                    Founder & Director of IT, Spirited Investors Corp., Waterloo
- May 2001 - present                      Founder, Baker Investment Group Inc., Waterloo
- Sept 2000 - present                      Founder, President & CEO - NeuStyle Solutions Ltd., St. Jacobs
- Feb 2007 - Mar 2007                    Software Engineering Advisor (EIT) under NeuStyle Solutions Ltd. for Spirited Investors Corp., Waterloo
- Sept 2005 - May 2007                    Technical Consultant / Developer, Your Energy Savings, a division of The BEST Co. Inc., London
- May - Aug 2005                            Technical Consultant / Developer, The BEST Co. Inc., Gas Ontario Inc., and VIP Energy Inc., Waterloo
- May - Aug 2004                            Member of Centre for Advanced Studies (CAS) Team, Researcher / Developer, IBM, Markham
- May - Aug 2003                            Technical Consultant / Developer, Ontario Hydro Energy Inc., Brampton
- May - Aug 2002                            Systems Consultant / Developer, ECNG Inc., Mississauga
- May - Aug 2001                            Technical Consultant, PremStar Energy Canada Ltd., and The BEST Waterloo
- Sep 1999 - May 2000                    Committee Member of FastAtom, St. John's Kilmarnock School, Breslau
- May - Aug 1999                            Developer, Micro Consulting, Mississauga
- May – June 1999                           Developer, Canadian Association of Independent Schools / Conference of Independent Schools
- May - Aug 1998                            Programmer, St. John's Kilmarnock School, Breslau



# APPENDIX C

## FCM Milestones





**Milestone 1**  
**Creating a greenhouse gas emissions inventory and forecast**



**Milestone 2**  
**Setting an emissions reductions target**



**Milestone 3**  
**Developing a local action plan**



**Milestone 4**  
**Implementing the local action plan or a set of activities**



**Milestone 5**  
**Monitoring progress and reporting results**



# APPENDIX D

## Project Profiles



FOCUS: Demonstrated Experience Completing Effective Public Sector Conservation and Demand Management Plans to Meet the 2014 Requirements of Regulation 397/11

**Energy Conservation and Demand Management Plan, City of Timmins (2013/4)** – VIP Energy was hired as part of a team of consultants to provide the City of Timmins with a Corporate Energy Management Plan. This initiative includes energy conservation measure identification, O.Reg. 397/11 Reporting, energy management policy development, training and outreach as well as the development of an energy information database and reporting system using VIP's Client Portal system.

**Energy Conservation and Demand Management Plan, Huron-Perth Catholic District School Board (2013/4)** – In 2009, VIP was contracted by the HPCDSB to perform 18 energy audits at various schools to identify potential savings. Over 300 opportunities were identified with an annual savings of more than \$200,000/year (approximately 25% of consumption), with a total average payback of 9.6 years. In early 2012, VIP was contracted to complete a Conservation and Demand Management Action Plan, including a Greenhouse Gas Inventory, in order to keep the HPCDSB compliant with Ontario Regulation 397/11. VIP continues to provide this service on a go-forward basis.

**Energy Conservation and Demand Management Plan, The Municipality of Clarington (2013/4)** – The Municipality of Clarington commissioned VIP to conduct energy audits at most of their facilities as part of their energy conservation program. The audit project is currently ongoing, however, VIP has completed 14 audits to date. In early 2012, the Municipality engaged us to complete a Master Implementation Plan to act as a guideline and blueprint for project implementation. The results of this process will form the basis for the Municipality's efforts to meet their Regulation 397/11 Reporting obligations.

FOCUS: Demonstrated Experience Completing Effective Public Sector Facility Energy Audits

**Facility Energy Audits, Collège Boréal (2013)** – VIP Energy was contracted by the College to complete full energy audits (ASHRAE Level II) for their Sudbury, Timmins and Windsor campuses. These audits focused on measures to reduce the use of natural gas, electricity and water in both operational processes and equipment. The resulting conservation recommendations were categorized by simple payback, Greenhouse Gas (GHG) reductions and potential incentive sources. Any potential interdependencies among measures were also identified to ensure a realistic potential cost savings calculation and efficient approach to implementation.

**Facility Energy Audits, McGill University (2010-12)** - VIP completed audits at 12 facilities spread over 1.2 million ft<sup>2</sup> excluding the central power plant. Areas focused on included the HVAC and air distribution systems, steam boilers, hot water heaters, chillers and air conditioning, building envelope, appliances and other laboratory equipment. Audit recommendations had to consider the sensitive nature of some of the controlled environments required for research at the University. Each audit report included an investment plan prioritizing retrofits and upgrades and as well as a building energy consumption end use model. VIP

also completed a comprehensive investment strategy to assist the University in implementing the conservation measures in the most efficient and cost-effective manner.

**Peterborough Victoria Northumberland and Clarington Catholic District School Board (PVNCCDSB):** VIP had the opportunity to complete detailed technical energy audits at 38 schools between 2010 and 2012. Cost savings of over \$300,000/year were identified. Upon the successful completion of the energy audits, VIP was hired to assist the Board with managing the completion of a full lighting retrofit at the St. Peter's Secondary School. Our firm has also assisted the Board with Building Automation System re-commissioning and training, and is currently contracted to prepare all reporting required under the Green Energy Act's Regulation 397/11.

	<b>WORKSHOP EXAMPLE 01</b>
<b>Client Name</b>	Association of Municipalities of Ontario (AMO) and Local Authority Services (LAS)
<b>Completion Date</b>	March 2009
<b>Project Description</b>	<p>The Audit++ Program is essentially a shared audit combined with basic re-commissioning suggestions and capacity building exercises including staff workshops and a detailed cost-benefit analysis of specific actions at a given municipal facility. This program is designed to encourage the implementation of Energy Efficiency solutions in key municipal facilities by providing successful applicants with a no-cost comprehensive audit for a selected municipal facility. The result of all completed Audit++ projects was a detailed facility analysis and blueprint for moving forward with operational actions, retrofit work, and the associated business case and related incentive application.</p> <p>The program includes a total of 42 walkthrough level energy audits, one-day workshops and 6-8 page case studies.</p> <p>Reference  <a href="http://www.amo.on.ca/Content/las/EnergyServices/Audit/default.htm">http://www.amo.on.ca/Content/las/EnergyServices/Audit/default.htm</a></p>
<b>Days Worked</b>	35 (non-workshop/training days)
<b>Sectors involved</b>	Institutional
<b>Trainer's Role</b>	<p>Stephen Dixon was involved in all aspects of the Audit++ program with specific responsibility for opportunity identification including:</p> <ul style="list-style-type: none"> <li>• Development of Audit process utilizing the Seven Steps methodology</li> <li>• Quality assurance – review of energy management savings opportunities and savings estimates.</li> <li>• Report design and review</li> <li>• With the context of a post audit planning session – <u>the identification and evaluation of further on-site energy savings opportunities</u> in other municipal buildings other than those audited.</li> <li>• Development of the final business case as part of the post audit planning session.</li> </ul>

	<b>WORKSHOP EXAMPLE 02</b>
<b>Client Name</b>	City of Burlington / NRCan
<b>Workshop Name</b>	Customized Spot the Energy Savings Opportunities Workshop for Building Operators
<b>Summary/ Description</b>	The workshops objectives where to create awareness amongst building operational, maintenance and supervisory staff of the various actions that they can take to reduce energy consumption and ways they can participate in and contribute to the city wide program to reduce energy consumption. Using selected and operator and maintainer relevant sections this workshop showed how participant facilities used energy and where they could have impact on savings.
<b>Role of trainer</b>	Lead trainer and responsible for customization and analysis.
<b>Length of Workshop</b>	Total of eight (8) one half (1/2) day workshops.
<b>Audience Description</b>	Municipal facility operators, maintenance staff, coordinators, supervisors, managers.
<b>Date of Workshop</b>	Jan 15 <sup>th</sup> , 16 <sup>th</sup> , 31 <sup>st</sup> and Feb 1 <sup>st</sup> , 2013

	<b>WORKSHOP EXAMPLE 03</b>
<b>Client Name</b>	City of Mississauga / NRcan
<b>Workshop Name</b>	Customized Spot the Energy Savings Opportunities Workshop for Building Operators
<b>Summary/ Description</b>	The workshops objectives where to create awareness amongst building operational, maintenance and supervisory staff of the various actions that they can take to reduce energy consumption and ways they can participate in and contribute to the city wide program to reduce energy consumption. Using selected and operator and maintainer relevant sections this workshop showed how participant facilities used energy and where they could have impact on savings.
<b>Role of Trainer</b>	Lead trainer and responsible for customization and analysis.
<b>Length of Workshop</b>	Total of eight (8) one half (1/2) day workshops.
<b>Audience Description</b>	Municipal facility operators, maintenance staff, coordinators, supervisors, managers.
<b>Date of Workshop</b>	Jan 29 <sup>th</sup> – 30 <sup>th</sup> and Feb 5 <sup>th</sup> – 6 <sup>th</sup> , 2013

	<b>WORKSHOP EXAMPLE 04</b>
<b>Client Name</b>	LAS / Regional Municipality of York, York Regional Police District No. 4
<b>Completion Date</b>	March 2009
<b>Project Description</b>	A key feature of the LAS Audit++ Program was the provision of a post audit implementation planning workshop. During this implementation planning session a detailed business case (cost-benefit analysis) of specific and selected actions was developed. The business case for the Regional Municipality of York – York Regional Police District No. 4 included savings measures for demand controlled ventilation, a condensing boiler, a VFD for supply fans and an ice storage cooling system.
<b>Project Cost</b>	\$ 76,000
<b>Sectors involved</b>	Institutional
<b>Trainer's Role</b>	<p>Stephen Dixon was a project consultant responsible for:</p> <ul style="list-style-type: none"> <li>▪ Refinement of Cost Benefit Analysis</li> <li>▪ Facilitation of post audit implementation planning workshop in which the business cases were refined in consultation with municipal staff.</li> </ul>



# APPENDIX E

## CEP Sustainability Plans

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# Energy Management and Environmental Plan 2012



**Vipenergy**  
services, inc.

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B – Sample Carbon Neutral Action Report – Vancouver Board of Education

C – Ontario Regulation 103/94 – Industrial, Commercial, and Institutional Source Separation Programs

D – Ontario Regulation 102/94 – Waste Audits and Waste Reduction Work Plans

E – Ontario Regulation 397/11 – Energy Conservation and Demand Management Plans

F – HPCDSB Energy Consumption Breakdown by School

G – HPCDSB Environment Stewardship Policy

H – HPCDSB Energy Conservation Measures Implemented to Date

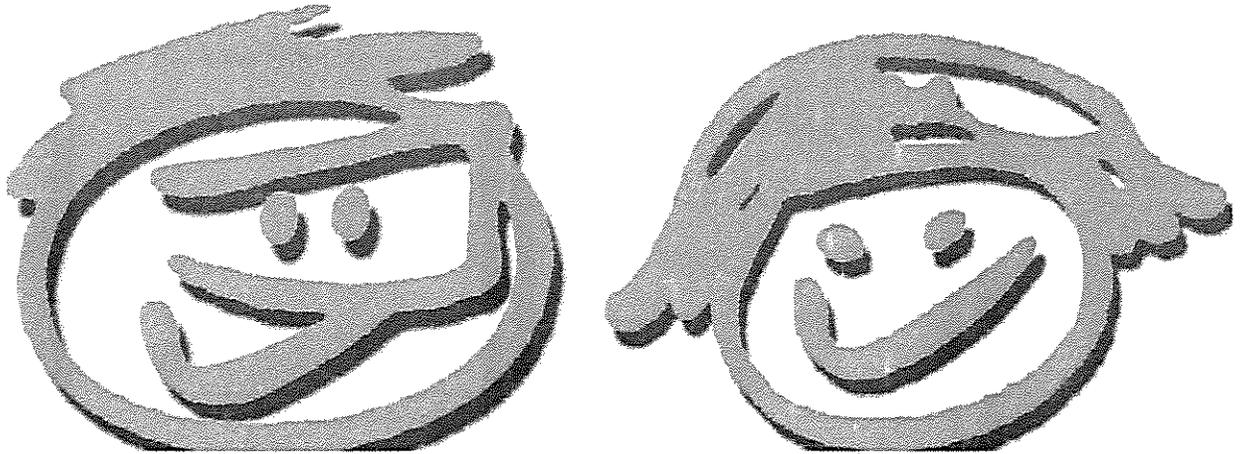
I – Energy Consumption and GHG Emissions Template





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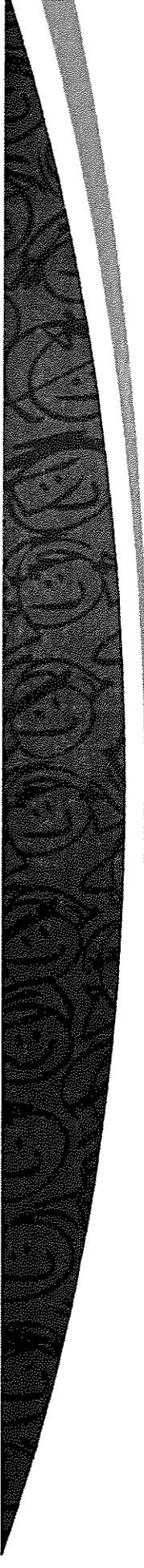
# Energy Management and Environmental Plan



A COLLABORATION BETWEEN WCDSB FACILITY SERVICES DEPARTMENT AND VIP ENERGY SERVICES, INC.

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B – Sample Carbon Neutral Action Report

C – APF 011 – Appliances, Home Furnishings and Carpets

D – Ontario Regulation 103/94 – Industrial, Commercial, and Institutional Source Separation Programs

E – Ontario Regulation 102/94 – Waste Audits and Waste Reduction Work Plans

F – Active Transportation Charter