



## Essex Region Conservation Authority

### Executive Committee

### Meeting Agenda

Meeting Date: Thursday, September 14, 2023

Time: 4:30 pm

Location and Details: Council Chambers, Essex Civic Centre, Essex, ON

#### List of Business

#### Page Number

1. **Call to Order**
2. **Land Acknowledgement**
3. **Declarations of Pecuniary Interest**
4. **Approval of Agenda** 1-2
5. **Hearings**
  - A. **Convene the Hearing Board**
  - B. **Hearing Board to Reconvene as the Executive Committee**
6. **Tenders**  
None
7. **Reports for Approval**
  - A. **EC 04/23 John R Park Homestead Revised Heritage Architect Consulting Fees** 3-9
  - B. **EC 05/23 Survey Services for Land Registration for the Former CASO Railway Corridor** 10-13
8. **Committee of the Whole**  
None
9. **New Business**
10. **Other Business**
  - A. **Next Meeting**

The next meeting of the ERCA Board of Directors will be held on Thursday, September 14, 2023, starting at 6:00 p.m. in Council Chambers at the Civic Centre, Essex.

**11. Adjournment**



A handwritten signature in black ink, appearing to read "Tim Byrne", is written over a faint horizontal line.

**Tim Byrne, CAO/Secretary-Treasurer**



## Essex Region Conservation Authority

### Executive Committee

EC04/23

From: Kevin Money, Director of Conservation Services

Date: Monday, August 21, 2023

**Subject: John R Park Homestead Revised Heritage Architect Consulting Fees**

Strategic Action: 8.1 Create Business Plans as required for largest Conservation Areas to identify infrastructure needs and investment in visitor services.

Compliance Action: Terms under the Agreement for Purchase and Sale of the John R. Park Homestead Site signed November 27, 2007.

**Recommendation:** THAT the Executive Committee receive and approve an updated Fee Proposal related to additional consulting fees for the expanded scope of work for Phase 1 of the John R. Park Homestead Restoration Project undertaken by George Robb Architect.

### Summary

- George Robb Architect was appointed as the consulting firm to prepare drawings, tender documents and undertake contract administration to allow for the restoration of the John R Park Homestead Museum and historical buildings (BD21.22).
- Structural investigations along with preparation of drawings and tender specification for the manor home proceeded and it was discovered that urgent additional works related to the roof structure would be required and had not been contemplated to the extent originally outlined in the Heritage Architect's report initiated in 2007 and updated in 2022.
- The initial phase of the proposed work in the current tender has incorporated the required structural repairs and this work has been tendered and awarded (BD31.23). However, the Architectural firm was required to revise the scope of work resulting in additional efforts and associated consulting fees related to preparing significant additional documents, including detailed drawings and specifications, to be included in the tender.

### Discussion

The updated Condition Assessment Report was brought forward to the Board of Directors (BD21.22) with an approved recommendation to award a sole source contract to the architectural firm George Robb Architect, specializing in heritage restoration. As the architectural firm proceeded to complete a structural analysis and prepare drawings to refine the scope of work for tender documents, it became apparent that significant additional works, not originally contemplated, were going to be required in

order to proceed with all necessary roof remediation requirements, impacting and expanding the recommended scope of work.

The original consulting fees for this project, as outlined in BD21.22, were \$52,629.82 + HST. In response to the expanded scope of work, George Robb Architects have quoted the additional consulting fees related to the additional investigation, undertaken at ERCA's request, to address issues related to the roof structure, and revised their fees to align with the increased construction costs to complete Phase 1 of this project within the expanded scope. The additional consulting fees are attached to this report and amount to an additional \$42,360.

The Board had been informed of the additional challenges and expanded scope of work during budget deliberations but, as no final architectural report was available at that time, this matter was only able to be addressed informally, to advise of anticipated increased costs associated with this project. The tender which had been accepted with the expanded scope of work, was awarded within the current budget provisions for Phase 1 to be completed.

Within the current budget envelope, ERCA had allocated \$500,000 for the initial phase of this project. In combination with the funds raised by the Foundation toward the restoration project, a total of \$700,000 is available to fund restoration construction and related consulting fees. Administration has made an application through the Canada Cultural Spaces Fund (BD27.23) with a proposal for an additional \$700,000 to fund restoration works at the John R. Park Homestead and this application remains under review at the time of writing. Should these funds be approved subsequent phases of the restoration project would be eligible for that funding.

**Approved By:**



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Tim Byrne  
CAO/Secretary Treasurer

**Attachments:**

- George Robb Architect, Additional Consulting Fees, June 3, 2023

June 3<sup>rd</sup>, 2023

**Mr. Kevin Money, Director of Conservation Services**

Essex Region Conservation Authority  
360 Fairview Avenue West, Suite 311,  
Essex, Ontario, N8M 1Y6

Dear Kevin,

**Re: Fee Proposal: Revised Scope of Work for Phase One: John R. Park Home  
915 County Road 50 East  
Harrow, Ontario  
Proposal No. 2202**

The following fee proposal is being submitted to address the additional consultant costs associated with the implications related to the revised Structural Report dated February 21<sup>st</sup>, 2023, the time spent in its review and development of an agreed approach, the revision of the existing working drawings to reduce the original scope of work, and the inclusion of the reinforcement of the three roofs to the immediate scope of work.

**Revised Structural Report Issued February 21<sup>st</sup>, 2023**

The Revised Structural Report issued on February 21<sup>st</sup>, 2023, was reviewed with Essex Region Conservation Authority staff on Friday, February 24<sup>th</sup>, 2023. The report outlined the need to reinforce the existing three roof structures to reestablish their integrity and performance capacity. Reinforcement of the individual peel pole rafters was recommended. The cost associated with this work was covered in a separate fee proposal submitted to the ERCA dated January 30<sup>th</sup>, 2023. The review and report were carried out in the first three weeks of February.

**Review of the Report, Site and Options (February 24<sup>th</sup>, 2023 to May 17<sup>th</sup>, 2023)**

Between February 24<sup>th</sup>, 2023 and May 17<sup>th</sup>, 2023 we worked with the Essex Region Conservation Authority to discuss the preliminary recommendations to reinforce the roof. The Consultant Team outlined recommended reinforcement options with preliminary contractor estimates that were presented to the ERCA. During this period, production was halted on advancing the original scope of work.

We meet five times in total including the original discussion of the report on February 24<sup>th</sup>, 2023 (Wednesday, March 29<sup>th</sup>, 2023, Tuesday, April 11<sup>th</sup>, 2023, Wednesday, May 17<sup>th</sup>, 2023, and Friday, May 26<sup>th</sup>, 2023).

- March 29/23 was a meeting with Don, Kevin and Tim to review the report findings and discuss implications.
- April 11/23 was a meeting with Don, Kevin, Tim and James to review the various strategies including new single or double rafters between existing peeled rafters, two rafters between each pair of existing rafters to reduce spans of the decking with short ridge sections, and introducing a new ridge beam bearing on the existing perimeter walls (beams). The consultant team requested the ERCA to check to see if there were existing perimeter beams at each roof, their sizes, and relationship of the beams to the peeled rafters.

- May 17/23 was a meeting with Don, Kevin, Tim and James in which an agreement was reached to pursue the introduction of new rafters between existing peeled log rafters. The final scope of work would be limited to the roof reinforcement, south foundation wall renewal and south porch repairs and refurbishment.
- May 26/23 was a meeting with Don & Kevin to review existing drawings and agree to the final scope of work.

This twelve week period from February 24<sup>th</sup>, 2023 up until the meeting on May 17<sup>th</sup>, 2023 represents time spent by our consultant team which is outside of the original scope of the project. We have recorded our staff time and the structural engineer as follows:

- GRA: Principal Architect (41 hours @\$180.00/hour = \$7,380.00)
- GRA: Production Architect (20 hours @\$100.00/hour = \$2,000.00)
- JKA: Structural Engineer (36 hours @\$150.00 = \$5,400.00)

The total consultant costs incurred reviewing options, preparing for and attending the four follow-up meetings would be \$14,780.00. We will present this as a separate cost from the fees associated with the preparation of the final working drawings and specifications for the approved scope of work.

## Final Scope of Work

Our original professional fees for this project were presented as a percentage fee based on the cost of the work as outlined in the original assessment report completed on July 25<sup>th</sup>, 2022.

The scope of work has been reduced to include the south foundation wall of the house, the repairs, reconstruction and restoration of the south porch enclosure including the porch, soffit, liner and steps, and the reinforcement of the three principal roofs at the West Annex, Centre Pavilion and East Annex (Excluding the East Office Addition). The East and West Annex also include the restoration of the attic Storage Room and the Servant's Quarters. Separate Prices are also being included to outline the cost to restore Windows W1, W2, W15 and W21, the replacement of the southwest decorative roof return, and a percentage of the existing wooden eavestrough and associated downspouts.

The preliminary estimate of the construction cost for the purpose of calculating the professional fees is being carried at \$449,746.00. The increase in the overall percentage fee will be \$24,580.50. This increases the original construction cost of \$285,876.00 by \$163,870.00.

## Revisions to the Existing Working Drawing Set

At the time that we halted work on the original working drawing set we were about 75% complete. Following from our meeting on May 26<sup>th</sup>, 2023, we agreed to the scope changes for the overall project that would eliminate the following areas of the original scope of work:

- Foundations on East and West Sides of the House
- Three exterior chimney repairs (Kitchen, Dining Room & Parlour)
- Interior firebrick liner repairs at the Kitchen fireplace
- Wood Siding Renewal at Lower Level of House (Retain Renewal within the South Porch Area)
- Wood Siding Renewal at the Upper Pavilion

- Southwest roof edge return reconstruction (To be carried as a Separate Price in the Tender)
- Painting Siding at Upper and Lower Level following repairs (Retain South Porch Area)
- Window Renewal for Window W1 & W2 at Basement (To be carried as a Separate Price in the Tender)
- Window Renewal for Window W5
- Door D4 repairs to address leak to interior
- East Porch and Stair renewal at the Northeast corner of the house
- Interior repairs to Dining Room ceiling with water staining.

Our staff has already been working on updating and revising the overall drawing set to remove these areas of the work and rearrange the drawing sheets as required. This is an extra area of work that is not addressed by the current fee structure. We are allocating four days to correct the drawing set at a cost of \$3,000.00 (30 hours @ \$100.00/hour).

## Professional Fees

The professional fees are based on a percentage fee of 15%. This is fixed to the end of the Tender Phase based on the initial value as outlined by the cost estimate and adjusted during the Contract Administration Phase to reflect the final construction value of the work as executed by the General Contractor. The increase in the fee is based on the increase in the preliminary estimate of construction cost of \$163,870.00, which is the difference between the current construction estimate of \$449,746.00 and the original construction estimate of \$285,876.00. The chart below also includes the additional fees for the structural options review undertaken between February 24<sup>th</sup>, 2023 and May 17<sup>th</sup>, 2023 and the additional cost to revise the drawing set.

<b>Additional Consultant Fees: J. R. Park House</b>		<b>Fees</b>
<b>Phase of the Work</b>		
<b>Schematic Design Phase</b>		<b>\$1,843.54</b>
7.5% of Overall Fee	$\$163,870.00 \times 15\% = \$24,580.50 \times 7.5\% = \$1,843.54$	
<b>Developed Design Phase</b>		<b>\$1,843.54</b>
7.5% of Overall Fee	$\$163,870.00 \times 15\% = \$24,580.50 \times 7.5\% = \$1,843.54$	
<b>Contract Document Phase</b>		<b>\$12,290.25</b>
50.0% of Overall Fee	$\$163,870.00 \times 15\% = \$24,580.50 \times 50\% = \$12,290.25$	
<b>Tender Phase</b>		<b>\$1,229.02</b>
5.0% of Overall Fee	$\$163,870.00 \times 15\% = \$24,580.50 \times 5\% = \$1,229.02$	
<b>Contract Administration Phase</b>		<b>\$7,374.15</b>
30.0% of Overall Fee	$\$163,870.00 \times 15\% = \$24,580.50 \times 30\% = \$7,374.15$	
<b>Subtotal of Fees</b>		<b>\$24,580.50</b>
<b>Structural Review Follow-up, Meetings, Options &amp; Site Input (Feb. 24/23 to May 17/23)</b>		<b>\$14,780.00</b>
GRA: Principal Architect	41.00 hours @ \$180.00/hour = \$7,380.00	
GRA: Senior Architect	20.00 hours @ \$100.00/hour = \$2,000.00	
JKA: Structural Engineer	36.00 hours @ \$150.00/hour = \$5,400.00	
<b>Revisions to Existing Working Drawing Set</b>		<b>\$3,000.00</b>
GRA: Senior Architect	30.00 hours @ \$100.00/hour = \$3,000.00	
<b>Subtotal of Fees</b>		<b>\$42,360.50</b>
13% Harmonized Sales Tax		\$5,506.87
<b>Total Fees, Disbursements and 13% HST</b>		<b>\$47,867.37</b>
<b>Note:</b> The additional costs as indicated here will be incorporated into the overall fees already approved for this project.		

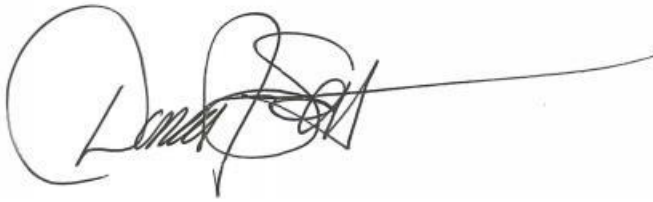
# GEORGE ROBB ARCHITECT

Category of Professional Hourly Rates	
Principal Architect	\$180.00/hour
Architect: Sen. Professional	\$120.00/hour
Architect: Int. Professional	\$100.00/hour
Structural Engineer	\$150.00/hour

Disbursements	
Travel Time: Yes (50% of Rates)	
Mileage: Yes	\$0.61/km.
Photocopies: Yes (B & W)	\$0.10/copy
Photocopies: Yes (Colour)	\$0.25/copy
Binding of Reports: Yes	\$10.00/copy
Courier: Yes	At Cost

If there are any questions regarding this overall proposal, please do not hesitate to contact our office.

Yours truly,

A handwritten signature in black ink, appearing to read 'Donald F. Scott', with a long horizontal flourish extending to the right.

Donald F. Scott [barch](#) [CAA](#) [CAHP](#) [LEED AP](#)



**Acceptance of the Proposal:**

To indicate your acceptance of this fee proposal for the additional areas of work required to include the design, detailing and documentation of working drawings and specification as required to the revised scope of work that has in part been completed and is currently underway, please sign where indicated below.

We look forward to working with the Essex Region Conservation Authority to complete the revised scope of work for the J.R Park Home as outlined by the Condition Assessment and as amended by the subsequent structural investigation and meeting sessions with the Essex Region Conservation Authority's staff.

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Date:

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Print Name:

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Signature:



## Essex Region Conservation Authority

### Executive Committee

EC05/23

From: Kevin Money, Director of Conservation Services

Date: Friday, August 25, 2023

**Subject: Survey Services for Land Registration for the Former CASO Railway Corridor**

Legislation: Conservation Authorities Act Mandatory Programs Section 21.1(1)(ii) Programs and services related to the conservation and management of lands owned or controlled by the authority

**Recommendation:** THAT additional professional fees of \$23,000, to complete four land surveys, currently being undertaken by Verhaegen Land Surveyors, be approved.

### Summary

- At the time the CASO rail line was acquired, 12 parcels of property were not fully properly identified by existing surveys to allow for full identification, necessary to complete final ownership registration with the Province. Due to limited local legal surveying capacity being available, this project was divided into three proposed stages occurring in 2023, 2024 and 2025.
- ERCA was provided preliminary estimates for undertaking surveys for four of the most challenging properties identified for completion in 2023. Verhaegen Land Surveyors provided an initial quote to undertake four surveys in the amount of \$23,000 and the quote was awarded in compliance with ERCA's purchasing policy.
- Verhaegen Land Surveyors has since completed approximately one half of the initial four properties and has requested an additional \$23,000 to complete the work due to unforeseen challenges related to lack of existing historical survey information, unknown encroachments, unlawful occupations, and significant underbrush and vegetation.

### Discussion

The now defunct CASO rail line was originally constructed in approximately 1875 and was acquired by CN/CP in 1983. The existing land registry title documents are dated and many of the original land descriptions were not able to be submitted to the Provincial Land Registry system as the property descriptions did not meet current standards. Administration was aware of this when the purchase was finalized in December 2022 and relates to 12 parcels that required updated land descriptions and/or surveys to complete Land Registry requirements.

Once the sale was completed, Administration sought quotes to proceed with four of the twelve surveys to be finalized in 2023. These four initial surveys were anticipated to be the most complex, time consuming and require the most effort to complete. The remaining eight surveys were anticipated to be

undertaken over the course of the next two years in 2024 and 2025 and are primarily located within rural/agricultural extents. Additional quotes for completing future land surveys will be sought from survey firms which may have the capacity to undertake these works at the that time.

Verhaegen Land Surveyors provided a quote for \$23,000 to undertake this work and the contract was awarded by our CAO in compliance with ERCA's purchasing policy.

Verhaegen Land Surveyors have since encountered a significant number of issues on the above referenced properties that have led to an increase in the costs associated with completing these four surveys. The primary issues they have encountered relate to documenting existing encroachments and unlawful occupations, dealing with overgrown vegetation along the property boundaries, and ensuring clear title is established by reviewing historical documents for adjacent surveys and deeds. As a result, Verhaegen Land Surveyors is seeking additional funds to complete this work and has reduced their anticipated fees as a professional courtesy. In total, the additional amount to complete the project amounts to an additional \$23,000, which brings the total budget for this project to \$46,000 plus non-recoverable HST.

Consistent with past practice, additional costs associated with land surveys are financed through ERCA's Land Acquisition Fund.

To support transparency and accountability and compliance with ERCA's purchasing policy, Administration is seeking approval from the Executive Committee for the revised quote as it now exceeds \$25,000.

**Approved By:**

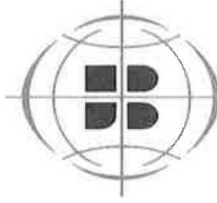


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Tim Byrne  
CAO/Secretary Treasurer

**Attachments:**

- Verhaegen Land Surveyors, Quote March 22, 2023
- Verhaegen Land Surveyors, Updated Quote August 22, 2023



**VERHAEGEN**  
LAND SURVEYORS  
A DIVISION OF J.D. BARNES LTD.

March 1, 2023

Essex Region Conservation Authority  
360 Fairview Avenue West, Suite 311  
Essex, ON NSM 1Y6

Attn: Mr. Kevin Money

**Re: Essex Railway Acquisition - Maidstone Avenue, Essex  
PINs 75225-0002; 75224-0082; 75224-0015; 75226-0024  
Estimate for Survey Service**

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The cost to provide a reference plan to clarify the description of the above noted PINs, according to your e-mail dated February 17, 2023, would be based on **Time and Material**.

For budgeting purposes only the costs should not exceed **\$23000.00 + HST**.

The above costs will include field work, drafting, administrative and profession fees, research and disbursements.

We trust you will find the foregoing to be in order and if any further information is required, please contact us.

Yours truly,  
Verhaegen Land Surveyors, a Division of J. D. Barnes Ltd.

Brian Coad, O.L.S.



**VERHAEGEN**  
LAND SURVEYORS  
A DIVISION OF J.D. BARNES LTD.

August 22, 2023

**Essex Region Conservation Authority**  
360 Fairview Avenue West  
ESSEX, ON N8M 1Y6

**ATTENTION: MR. KEVIN MONEY**

Hello Kevin,

**RE: MAIDSTONE AVENUE PROJECT**

**ORDER NUMBER: 23-47-101-00**

We have been working on the ERCA Maidstone Avenue Reference Plans and have run into quite a few unforeseen circumstances which we did not budget for in our original estimate. Specifically, we have run into the following:

- Heavy overgrowth within the former Canadian Railroad lands.
  - This has made it difficult to cut site lines to establish property corners and measure encroachments.
- A significant number of encroachments along the property lines which need to be surveyed.
  - Various houses, fences, sheds, and even airplane monuments were found partially within the ERCA lands.
- Overlapping property descriptions and unclear ownership title.
  - Many of the properties are under the Registry Act so ownership is not guaranteed by the Land Registry Office. We have found multiple examples of the ownership overlapping which has taken time to parse through and submit correction requests to the Land Registry Office.

Due to the above-mentioned circumstances, our costs are coming in significantly higher than the quoted \$23,000 + HST. With our full hourly rates with markups the costs are projected to come in at \$56,888 + HST. We are asking for \$46,000 + HST to cover our costs on this project.

Please advise if we can receive an additional budget for this project.

Yours truly,  
Verhaegen Land Surveyors  
a division of J.D. Barnes Limited

Alec S. Mantha, P.Eng., O.L.S.  
ASM/lh  
encl.

**The Leamington Office has now relocated to:  
944 Ottawa Street  
Windsor, On N8X 2E1**