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**TO:** GENERAL COMMITTEE

**SUBJECT:** GREY AND SIMCOE FORESTERS LEASE

**WARD:** 2

**PREPARED BY AND KEY CONTACT:** O. GROVES, MANAGER OF CULTURE, Ext. 4794

**GENERAL MANAGER APPROVAL:** Z. LIFSHIZ, EXECUTIVE DIRECTOR, INVEST BARRIE

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** C. LADD, CHIEF ADMINISTRATIVE OFFICER

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**RECOMMENDED MOTION**

1. That Staff Report DOC006-16 be received for information.

**PURPOSE & BACKGROUND**

Historical Context

2. On February 29, 2016, City Council adopted Motion 16-G-023 regarding the investigation of a perpetual lease with the Grey and Simcoe Foresters as follows:  
  
"That staff in the Facilities and Culture Departments provide a report to General Committee regarding the implications of providing perpetual occupancy of the 36 Mulcaster Street Armoury to the Grey and Simcoe Foresters Regimental Museum, as long as it is operated as a museum and heritage centre".
3. Up until the late 1990's the Grey and Simcoe Foresters operated a small museum in a wing of the building at 36 Mulcaster Street, as the other part of the building was occupied by former M.P.P. Joe Tascona. When Mr. Tascona moved out of the location the opportunity arose for the City of Barrie to assist the Foresters in occupying the entire building in order to have a greater presence in the community as a military museum. This was in line with the City's desire to revitalize the downtown, encourage culture as an economic driver and enhance public spaces throughout the City.
4. As per Council Motion 09-G-078 in relation to Staff Report DOC001-09 the Mayor and City Clerk were authorized to enter into an agreement with The Barrie Historical Association and the Grey & Simcoe Foresters Foundation for the development of a Heritage Site at 36 Mulcaster Street under the following terms and conditions:
  - a) That the agreement be for a term of 5 years at the rate of \$1.00 per year commencing at a date agreed upon with The Barrie Historical Association and the Grey & Simcoe Foresters Foundation;
  - b) That the City agrees to renovate the building to accommodate public assembly use and compliance with the City's Accessibility Plan to a maximum of \$125,000;
  - c) That the City agrees to pay for the annual operating costs of the building including hydro, gas, electricity, water and general building maintenance;

- d) That on January 1st of each year during the five year term, the Grey & Simcoe Foresters Regimental Museum and Barrie Heritage Centre provide the City with Certificates of Insurance in the amount of \$5 million, with the Corporation of the City of Barrie as named additional insured. The parties will also provide copies of Tenant Insurance (proof of liability and content insurance for their operations) and agree to indemnify the City;
  - e) That the Barrie Historical Association and the Grey & Simcoe Foresters Foundation be requested to provide an annual report to the City including but not limited to a statement of operating expenses, visitorship, special events, fundraising activities, and updated strategic plans for the sustainability of their operations, for the following calendar year no later than December 31 of each year;
  - f) That the Barrie Historical Association and the Grey & Simcoe Foresters Foundation work with available Heritage consultant(s) in the development of the 36 Mulcaster Street site as a Heritage Site; and,
  - g) That \$100,000 of the cost associated with the renovating of 36 Mulcaster Street be funded from the General Capital Reserve. (DOC001-09) (File: R01-MUL)
5. In April of 2010 a memo was sent to City Council noting that the lease agreement had been signed and that the necessary alterations and upgrades were completed in the building.
  6. In June of 2014 as per Motion 14-G-161, City Council entered into a new lease agreement with the Grey and Simcoe Foresters Foundation for the continuation of the Heritage Site for 5 years with an option to renew for a further 5 years.
  7. It is important to note that the Grey and Simcoe Foresters requested an early renewal with a firm term so when they are approaching funding organizations such as the Ontario Trillium Foundation, they can confirm that their museum operations have a stable location.
  8. In December of 2015, Brigadier General (ret'd) John C. Hayter wrote to Mayor Lehman following a meeting they held in September of 2015, requesting that the City of Barrie consider granting the Grey and Simcoe Foresters perpetual occupancy for the Regimental Museum. The letter noted that a longer lease agreement would permit a more viable and long range financial, artifact acquisition and staffing plan, which in turn would pave the way to an enhanced public experience. The letter is attached as Appendix "A".
  9. On Friday March 4, 2016, members of the Grey and Simcoe Foresters met with City Staff from both the Department of Culture and the Facilities Departments to discuss their request. The meeting was informative in providing City staff with a better understanding of the Grey and Simcoe Foresters organization and how it is supported.
  10. Since the 1860's the City of Barrie has enjoyed a long and close relationship with the Grey and Simcoe Foresters. The Foresters are the founding regiment of Camp Borden, now known as CFB Borden.
  11. Members of the Regiment have served in the South African War, both World Wars, Korea, the Middle East, Germany, the former Yugoslavia, and they are currently serving in Afghanistan and the far north. The Regiments history also includes swift aid to civilians in natural disasters such as Hurricane Hazel in 1952, The Barrie Tornado in 1985, the Manitoba Flood of 1997 and the great ice storm in Eastern Ontario in 1998.
  12. The Museum was established under the authority of the Grey and Simcoe Foresters Foundation and it is managed under the control of a Board of Governors, each of whom is appointed by the Senate of the Regiment in consultation with the Foundation.

13. The museum is important in providing visitors with the opportunity to view historically significant artifacts including examples of period uniforms, medals, field gear, official recognitions and documentation collected over the Regiment's long history, that are of local significance.

#### Financial Resources

14. The City of Barrie has agreed to pay for annual operating costs of the building including hydro, gas, electricity, water and general building maintenance. In 2016 the City's Facilities Department allocated a total of \$11,404.87 for these purposes.
15. In addition to operating costs of the building, Council Motion 09-G-015 directed that the Leisure, Transit and Facilities Department budget \$104,950 to renovate the facility and convert the building so that it was suitable for public assembly. This meant meeting barrier free requirements, installing panic hardware and adding accessible washrooms.
16. The Department of National Defense provides funding through the Directorate of History and Heritage for display cabinets, printing and picture-framing and digital hardware upon request.
17. The costs of operating the museum include liability insurance, telephone, internet, volunteer supplies and the purchase of artifacts. These costs are met by an annual donation from the Honourable Guard of the Regiment.
18. The Grey and Simcoe Foresters also have income from invested funds that originated with the Molson Foundation. The aforementioned income covers the necessary expenses of approximately \$2,600 annually.

#### Business Model

19. The museum is open from May to November from 10:00 am until 3:00 pm Wednesdays to Saturday, with guided group tours provided upon request, e.g. school groups. The museum is also open for special events, such as Winterfest and Culture Days. There is no charge to visit the museum.
20. The museum is staffed for the summer and fall months by a Volunteer Curator and a team of volunteers.

#### ANALYSIS

21. City staff met with the Grey and Simcoe Foresters in March of 2016 to review their progress and discuss their goals for the future.
22. In discussions with staff the members of the Grey and Simcoe Foresters noted that the Regiment is a family. In the Grey and Simcoe Foresters, as in most regiments, there are several components: the officers and soldiers; the Senate, a group of 32 ladies and gentlemen who volunteer to assist the regiment when necessary; the Regimental Foundation, a small Board of Trustees organized under Letters Patent issued by the Provincial Government to administer the non-public funds of the Regiment; the Association, former serving members of the regiment; and, the Honourable Guard - a group of ladies and gentlemen who are active in projects that create and maintain the regimental footprint in the communities of Grey and Simcoe. In addition there is the group of dedicated volunteers who work as administrators and guides in the museum.
23. Currently there are no paid staff at the museum and the museum is operated by a part time Volunteer Curator with the assistance of volunteers. Most of the volunteers have previous military experience however there are also several civilians who volunteer.

24. The Foresters have noted that the majority of their volunteers have retired from regular work which allows them time to serve as guides, administrators and researchers. Volunteers are utilized to maintain the integrity of the exhibits and the building in general.

Site Issues

25. Based on a recent facility condition assessment provided by the City's Facilities Staff, there are several building components that will need to be addressed. For example, the rubble foundation underwent some repairs in the early 1990's, but it will require additional work in the future particularly if adjacent soils become disturbed. The windows are beginning to fail and as the building is a heritage facility, the replacement will need to be managed with a specialized approach. These items will need to be addressed by current and future City Councils.
26. It is also important to note that another staff report will be coming forward in the near future from the Planning Department that will include a heritage assessment and a more thorough facility condition assessment, which will speak to a new development scheduled for the corner of Mulcaster and Collier Streets and its impact on the Grey and Simcoe Foresters Museum.
27. In researching other municipalities there was a large variety of practices pertaining to lease agreements as per the following:
- Canadian Clay and Glass Gallery, Waterloo – 50 years at \$1.00 per year
  - Button Factory Arts Centre, Waterloo – 5 years
  - Orillia Museum, 20 years for \$1.00 per year
  - Richmond Hill – various agreements and their standard lease length is 4 years
  - Kingston – leases range between 3 and 10 years
28. The conclusion drawn from the high level research conducted is that there really are no best practices for lease agreements. In speaking with municipal staff from various cities it was highly recommended that the City keep the term as short as possible, and include a clause that encourages discussions prior to the renewal of the lease to identify how well the agreement has worked to date.
29. In consultation with the City's Legal Department, it was noted that there are some legal and practical disadvantages to a perpetual lease. From a landlord's perspective a perpetual lease does not provide flexibility to align the use of the property with the potentially changing nature of the surrounding location – the downtown, which can be impacted by new residential development, new tourism sites and hotels. They suggest that a shorter term lease with a renewal option which provides more flexibility should the City wish to end the relationship, and it forces the landlord and tenant to revisit the terms on a more regular basis.
30. In looking back the City of Barrie previously entered into a 100 year lease with the Sea Cadets for the location at the foot of Bayfield Street, along our most valuable asset – the waterfront. This lease has proven to be challenging for both parties as it is often difficult to adequately identify and address issues such as the responsibilities of the partners if and when the building deterioration occurs, changes to the lands or adjacent properties that may impact the property, organizational changes etc. over such a long term.
31. While the Grey and Simcoe Foresters museum is currently a significant benefit to the City and the downtown, given the potential drawbacks and limited benefits of a long lease, staff do not recommend entering into a perpetual lease with the Grey and Simcoe Foresters or with any organization. Staff view the periodic lease discussions as a benefit that allow the parties to align and discuss mutual goals, and this would be lost should a perpetual lease be in existence. Furthermore, given the adjacent residential development and the potential impact on the building, as well as the tenant occupancy in the near future of the office and residential development

diagonally across the street, staff believe that having the ability to assess the impacts of these developments is important.

32. While a perpetual lease is not recommended, the existing lease agreement can be revisited at a future date when all construction and development on the corner of Mulcaster and Collier Streets are concluded. The current lease expires in 2019 at which time staff will engage the Foresters in a review of the lease agreement.

#### ENVIRONMENTAL MATTERS

33. There are no environmental matters to consider.

#### ALTERNATIVES

34. The following alternatives are available for consideration by General Committee:

Alternative #1 General Committee could alter the proposed recommendation by recommending a longer lease agreement be negotiated.

This alternative is not recommended as it could potentially restrict future Councils to an agreement that is based on current conditions.

#### FINANCIAL

35. There are no financial implications for the Corporation resulting from the proposed recommendation.

#### LINKAGE TO 2014-2018 STRATEGIC PLAN

36. The recommendations included in this Staff Report are not specifically related to the goals identified in the 2014-2018 Strategic Plan.

Attachments: Appendix A John Hayter's Letter to Mayor

**The Grey & Simcoe Foresters  
Regimental Museum  
The Armoury, 37 Parkside Drive, Barrie, Ontario, L4N 1W8**



Chairman, Board of Trustees  
Brigadier General J.C. Hayter, KStJ, CD

Curator  
Major P.B. Litster, CD

Lieutenant Colonel L.E. Williams, MMM, CD  
Major J.R. Fisher, CD

Trustees

Legal Council - Captain D. K. Carroll, QC  
Captain E.J. Fuller, CD

His Worship Mayor Jeff Lehman  
City of Barrie, Barrie City Hall  
70 Collier Street  
BARRIE, ON, L4M 4Z2

10 December, 2015

Your Worship,

When we last met in your office on 15 September 2015, we discussed, inter alia, the possibility of a more long range agreement of occupancy for the Regimental Museum of the Grey & Simcoe Foresters Regiment. Such an agreement would permit a more viable and long range financial, artifact acquisition, and staffing plan, which in turn would pave the way to an enhanced public experience when on a visit to our Museum.

Our museum exists as a window into the Regiment for the Communities from which it was born. The Museum, now residing in a building that of itself has a significant historical link to the Regiment, is tasked, through its leadership and volunteers, with the acquisition and preservation of a collection of military artifacts and with the research and dissemination of the preserved knowledge of the history and ongoing activities of the Regiment. Thus, through the presentation of the past and current record of its citizen soldiers, the Museum connects its founding communities with an important part of their historical military involvement in local, provincial, national and world affairs.

We request that Council consideration be given to an agreement of perpetual occupancy of the 36 Mulcaster Street Armoury by the Grey & Simcoe Foresters Regimental Museum, so long as the purpose remains to operate the premises jointly as a museum and heritage centre.

John C. Hayter  
Brigadier General (ret'd)  
Chairman