

Fredericton City Council Resolutions approved on September 22, 2025.

Resolution #1 – Authorizing the Preparation and Filing of a Notice of Intent to Expropriate a Leasehold Interest held by Fredericton Exhibition Limited

WHEREAS the City of Fredericton (the “City”) is the registered owner of the exhibition grounds, racetrack, and adjacent lands and premises located along Saunders Street and Smythe Street in Fredericton, New Brunswick, approximately 30 acres in size and currently identified as PIDs 1440825, 1440833, 75026641, 75262808, 75569566 and 75569574 (the “Property”);

AND WHEREAS Fredericton Exhibition Limited (“FEL”), having its registered office in the City of Fredericton, County of York and Province of New Brunswick, has a leasehold interest in the Property for a term of 21 years ending December 31, 2031, pursuant to a lease between the City and FEL dated June 12, 2013 (the “Leasehold Interest”);

AND WHEREAS the report prepared for the City by Turner Drake & Partners Ltd. titled “2025 Update, Housing Needs Assessment, City of Fredericton” identifies a rapid rise in population, worrisome low vacancy rates, and serious challenges for renters and low-income households in the City of Fredericton — and underscores an urgent need for the City to address ongoing challenges related to housing availability and affordability through the development of housing facilities;

AND WHEREAS housing is essential to the safety, sustainability and well-being of the community, and City Council considers it a priority and both necessary and desirable to develop additional housing in the City, particularly in its urban core, pursuant to paragraph 5(b) of the Local Governance Act, SNB 2017, c 18, as amended (the “LGA”);

AND WHEREAS the construction of a new school in Southwest Fredericton to replace George Street Middle School is necessary to meet the educational and other needs of the City’s current and growing population, contribute to the local economy, and promote the welfare and wellbeing of the community, and City Council considers it a priority and both necessary and desirable for the Province to develop a new school in Southwest Fredericton pursuant to paragraph 5(b) of the LGA;

AND WHEREAS since 1990, the Property has been identified by the City for redevelopment, and the City’s prior municipal plan included the objective to relocate the exhibition grounds from the Property to an alternate site and, in cooperation with FEL, to create a plan for higher density development at the Property;

AND WHEREAS following extensive negotiations, the City and FEL entered into a letter of intent in February 2019 to develop the Property jointly, through a Joint Land Development Committee (the “LOI”);

AND WHEREAS pursuant to the LOI, in July 2020 the City and FEL entered into an agreement to develop the Property (the “2020 Agreement”);

AND WHEREAS further to the 2020 Agreement and as contemplated by the LOI, in March 2021 City Council and FEL’s board of directors approved of the adoption of a Site Development Plan (developed over a two-year period at the City’s expense), which Plan outlined potential development scenarios for the Property, each of which included the creation of residential

housing and a school;

AND WHEREAS in April 2022, the City adopted a Secondary Municipal Plan, which Plan provided for the redevelopment of the Property and acknowledged the urgent need (expressly recognized by the City and FEL) for additional housing and a new school;

AND WHEREAS the Site Development Plan and the Secondary Municipal Plan were created with FEL's input and ultimately approved of by FEL;

AND WHEREAS in August 2023, the City and FEL formed a joint decision-making authority ("JDA") with five members from each of the City and FEL;

AND WHEREAS the JDA has met numerous times since August 2023, but no development proposals have been approved or implemented and no progress has been made toward implementation of the 2020 Agreement, the Site Development Plan and the Secondary Municipal Plan;

AND WHEREAS all efforts of the City to implement and advance the 2020 Agreement, the Site Development Plan and the Secondary Municipal Plan with FEL have been unsuccessful, and City Council has determined that any future efforts by the City in this regard will continue to be unsuccessful;

AND WHEREAS in light of the foregoing the City wishes to, and Council has determined it is in the best interests of the City to, acquire the Leasehold Interest, and take such subsequent actions as may be necessary in order to achieve the following municipal purposes:

- (a) acquire and dispose of part of the Property, currently anticipated to consist of a portion of PID 1440825 and approximately 11.9 acres in size (the "School Portion"), to the Province of New Brunswick, as represented by the Minister of Transportation and Infrastructure, for the development of a new school in Southwest Fredericton to replace George Street Middle School (the "School Project"); and
- (b) acquire and use, lease, sell or otherwise dispose of the remainder of the Property, being for greater certainty approximately 18.1 acres in size (the "Housing and Community Portion") for:
 - (i) the development of high-density and other housing and/or mixed-use buildings (including housing) thereon (the "Housing Project"); and
 - (ii) such community uses compatible with the School Project and the Housing Project as may be identified by the City for the economic, social and/or environmental well-being of the community and its residents (the "Community Project"; together with the School Project and the Housing Project, the "Project");

AND WHEREAS under the LGA, and the Expropriation Act, RSNB 1973, c E-14, as amended (the "EA"), the City has the authority to expropriate property to carry out any of its powers or provide any of its services;

AND WHEREAS section 5 of the LGA provides that the purposes of a local government include the provision of services, facilities and things deemed necessary or desirable by City Council, the development of safe and viable communities, and the promotion of the economic, social,

and environmental well-being of the community;

AND WHEREAS City Council supports the promotion of education in the community, the promotion of the welfare and wellbeing of the community, and economic development;

AND WHEREAS City Council has determined that the expropriation of the Leasehold Interest is a priority and both necessary and desirable for the following municipal purposes, in accordance with sections 5 and 184 of the LGA:

- (a) with respect to the School Project, the provision of necessary schooling facilities in Southwest Fredericton and, by extension, the promotion of education and of the social well-being and viability of the community and its residents;
- (b) with respect to the Housing Project, the provision of much-needed housing in the City of Fredericton and, by extension, the promotion of the social well-being and the safety and viability of the community and its residents;
- (c) with respect to the Community Project, the provision of community space and the promotion of the economic, social, and/or environmental well-being and the safety and viability of the community and its residents; and
- (d) with respect to the Project as a whole, the provision of educational, housing and other community-enriching services, facilities and things deemed necessary and desirable by City Council and the promotion of the safety, well-being and viability of the City and its residents;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Council of the City of Fredericton hereby authorizes and directs City staff and the City's external legal counsel to take any and all necessary actions to commence the expropriation process with respect to the Leasehold Interest under the EA, including without limitation sections 5, 6 and 8 thereof;
2. Without in any way limiting the generality of the foregoing paragraph 1, the Council of the City of Fredericton hereby authorizes and directs City staff to:
 - (a) enter onto the Property as and to the extent required for the purpose of ascertaining its suitability for the purposes for which expropriation of the Leasehold Interest is required;
 - (b) prepare, in such form as may be required under the EA, a Notice of Intention to Expropriate the Leasehold Interest (the "Notice of Intention") for the municipal purposes identified in the recitals above;
 - (c) file the Notice of Intention with the Expropriations Advisory Officer appointed under the EA (the "Officer");
 - (d) serve the Notice of Intention on the persons and in the manner required by the EA;
 - (e) publish the Notice of Intention in the manner required by the EA;
 - (f) register a notice in respect of the Notice of Intention in the Registry Office for York County;
 - (g) deliver to the Officer proof of completion of the service, publication and registration requirements of the EA, in such form as may be required under the EA; and
 - (h) take any and all steps and enter into any agreements City staff deem necessary to facilitate the expropriation of the Leasehold Interest;

3. The Mayor and City Clerk are hereby authorized and directed to execute all documents and take all actions necessary to initiate the expropriation process in accordance with the EA, including compliance with the notice and publication requirements set out above;
 4. City staff are hereby authorized and directed;
 - (a) to report back to City Council with any objections or other communications received from the Officer or from anybody else in connection with the expropriation authorized herein;
 - (b) to provide recommendations regarding the continuation of the expropriation process; and
 - (c) to engage, or continue to engage, external legal counsel and other professional advisors as needed in connection with this resolution and the expropriation authorized herein; and
 5. This resolution shall take effect immediately upon its adoption.
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Resolution #2 – Authorizing the City to Negotiate with Fredericton Exhibition Limited

WHEREAS the Council of the City of Fredericton (the “City”) adopted a resolution on September 22, 2025, authorizing and directing City staff to, among other things, commence the expropriation process with respect to the leasehold interest held by Fredericton Exhibition Limited (“FEL”) in the exhibition grounds, racetrack, and adjacent lands and premises located along Saunders Street and Smythe Street in Fredericton, New Brunswick, approximately 30 acres in size and currently identified as PIDs 1440825, 1440833, 75026641, 75262808, 75569566 and 75569574 (the “Property”);

AND WHEREAS pursuant to the Expropriation Act, RSNB 1973, c E-14, as amended (the “EA”), the City as expropriating authority must compensate owners whose land or interest therein is expropriated by the City and the City has obtained an appraisal of FEL’s leasehold interest in the entirety of the Property (the “Leasehold Interest”) indicating a value of \$3,450,000 (the “Appraisal Report”);

AND WHEREAS on June 23, 2025, the City presented FEL two alternate offers to create the school site and to develop housing;

- (a) that the City and FEL jointly dispose of part of the Property, currently anticipated to consist of a portion of PID 1440825 approximately 11.9 acres in size (the “School Portion”), to the Province of New Brunswick, as represented by the Minister of Transportation and Infrastructure, for the development of a new school in Southwest Fredericton to replace George Street Middle School (the “School Project”); or
- (b) that the City buy out FEL’s leasehold interest in PID 1440825 and enter into a new lease with FEL for the balance of the Property for housing and mixed-use development;

AND WHEREAS on August 27, 2025, the City presented a third offer to FEL to acquire the Leasehold Interest;

AND WHEREAS FEL did not provide a substantive response to any of the offers made;

AND WHEREAS the City's approach to expropriation is guided by the principles of transparency and good faith negotiation (Operating Procedure No. COR-OP-033), among others;

AND WHEREAS City Council deems it desirable for the City to continue negotiating with FEL throughout the expropriation process to provide the City and FEL with the opportunity to reach agreement by negotiation;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. Notwithstanding the commencement of expropriation proceedings, the Council of the City of Fredericton hereby authorizes and directs City staff and external counsel to continue negotiating with FEL in good faith in respect of:
 - (a) the purchase of the entire Leasehold Interest in the Property; and/or
 - (b) the agreement by the City and FEL to permit the development of:
 - (i) the School Portion in connection with the School Project; and
 - (ii) the remainder of the Property, being for greater certainty approximately 18.1 acres in size, for (A) the development of high-density and other housing and/or mixed-use buildings (including housing) thereon (the "Housing Project"), and/or (B) such community uses as may be identified by the City for the economic, social and/or environmental well-being of the community and its residents (the "Community Project");
2. The Council of the City of Fredericton hereby further authorizes City staff to release the Appraisal Report to FEL should City staff determine in their discretion that such release may aid in the negotiations authorized herein;
3. For purposes of the negotiations as authorized herein, and for greater certainty, City Council hereby confirms that the City may negotiate to:
 - (a) lease a portion of the Property back to FEL, pursuant to a new lease agreement (the terms of which shall be subject to the approval of City Council), until such time as the City determines that such portion of the Property is required in connection with the Housing Project and/or the Community Project; and/or
 - (b) assist FEL with the acquisition of an alternate site for FEL's agricultural/exhibition-related activities and purposes;
4. The Mayor and City Clerk are hereby authorized and directed to execute all documents and take all actions necessary in connection with the foregoing;
5. City staff are hereby authorized and directed;
 - (a) to report back to City Council as considered necessary by City staff with any relevant or communications in connection with the foregoing; and
 - (b) to engage, or continue to engage, external legal counsel and other professional advisors as needed in connection with this resolution and the actions authorized herein; and

6. This resolution shall take effect immediately upon its adoption.