

**Planning Advisory Committee (PAC)
City of Fredericton**

Re: Zoning application – Fredericton Exhibition Ltd – 359 & 365 Smythe Street

We are writing in opposition to the proposed re-zoning slated to be discussed at the PAC meeting on November 17, 2021.

Our reasons for opposition are as follows:

- 1. The City of Fredericton and the NBEX agreed to the principles outlined in the Exhibition Grounds Site Development Plan dated April 2021. Within this document, three development options were outlined along with criteria which will guide the decision as to which scenario will eventually be implemented. Given the present status of the site remains unsettled as to future development priorities, it would seem imprudent to amend the zoning attached to the property for the sole purpose of reducing "red-tape" for the applicant, as the current leaseholder, without any consideration for the congruence of such a decision with the possible longer-term use of the property.**
- 2. The status-quo does not preclude the NBEX management from seeking licensing for each special event as they currently do. And the Special Events licensing process, which requires that such licenses be "conducted without the intention of commercial or personal gain or profit", seems in keeping with the mission-related special event activities of a non-profit organization such as NBEX. However, upon receipt of a Special Facilities Liquor License, it is our understanding that this would essentially allow the NBEX management to sell alcohol as part of business activities not necessarily connected with special community events or their non-profit mandate. The result would be a reduction in opportunities for citizens of the neighbourhood to monitor the activities at the city-owned site and to have an opportunity to have their objections heard on applications for licensing of events on the site which are not in keeping with the residential nature of the neighbourhood.**
- 3. The Neighbourhood Notification Development Proposal specifies that the applicant has applied for an amendment to the Institutional Exhibition Zone to "permit the serving of alcohol for special events hosted within the main Capital Exhibition Centre building." And that the "approval extends only to main Capital Exhibition Centre building at 359 and 365 Smythe Street, as identified (in the map included)." Furthermore, the stated purpose of the applicant for requesting the amendment is to eliminate the need to apply for a liquor license for each separate special event.**

As residents of this neighbourhood, this raises concerns of inconsistency in the application itself as we are aware that NBEX hosts multiple outdoor special events which include the sale of

alcohol. If the applicant's intention is indeed to restrict the sale and serving of alcohol to the inside of the Capital Exhibition Centre building, then it only stands to reason that they would understand that a Permanent Special Facilities Liquor license, limited to the inside of a building, would still necessitate additional special events licenses to be secured for outdoor events. Something here does not add up.

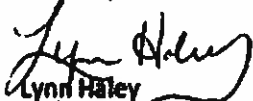
Upon examination of the Liquor Control Act, it seems there are allowances for the special facility license holder to extend the application of that license to "areas adjacent to and outside the licensed special facility, including an area on lands that are leased or owned by the licensee." (99.1(2.1) of the liquor control act). Furthermore, nothing in the Special Facilities Liquor License section of the Liquor Control Act would appear to limit the selling of liquor only at special events. We can only conclude that the applicant is aware of this provision and intends to apply for it as part of the Special Facilities Liquor License application process which would allow them to engage in the sale of alcohol anywhere on the property.

This raises a serious concern about the transparency of the application and a further concern that approval of the proposed amendment to the Institutional Exhibition Zone might allow for some unintended use of the property which could be highly disruptive to the residential neighbourhood in which it is situated.

4. The stated purpose of the NBEX is to run an annual agricultural fair. It is not clear why a permanent liquor license is required to do so. Also, running events where serving liquor is central to those events is not consistent with the residential nature of the neighbourhood. In the "Imagine Fredericton: the Municipal Plan" document that was adopted in February of 2020, the City of Fredericton stated in paragraph 18(ii) of section 2.2.1 that "The City shall support the stability of established neighbourhoods by: (ii) Discouraging the encroachment of incompatible uses". It is our position that this application for variance to the Institutional Exhibition Zone constitutes such an encroachment and we would ask the PAC members to recommend denial of the application as it goes before Council as a proposed zoning amendment.

We respectfully submit our opposition to the above-named zoning application;

Sincerely,


Lynn Haley


Claude Leger

126 Saunders Street

We, the undersigned, support the submission of Lynn Haley and Claude Leger, and share their opposition to the proposed re-zoning amendment to the Institutional Exhibition Zone slated to be discussed at the PAC meeting on November 17, 2021.

Ann Grossman

(Name)

102 Saunders Street

(Address)

Mathew Grossman

(Name)

102 Saunders St.

(Address)

November 17, 2021

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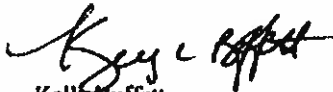
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We write in solidarity and support of the submissions made by Claude Leger and Lynn Haley. As newer members of this community, we also wish to express our surprise and disappointment with the amount of noise that emanates from the Exhibition Grounds in the evening on a nightly basis.

There are a significant number of people loitering in the area and apparent car clubs, with loud noises that can be heard within our home from both persons and vehicles throughout the evening. A permanent license is only expected to increase this noise, without oversight of whether the needs of this residential community are being factored into the decision of each event.

Again, the arguments in the submissions made by Mr. Leger and Ms. Haley are the main focus and should be crucial to your decision. We further ask that the noise issue raised above also be considered.

Sincerely,


Kelly Buffett


Timothy Carr
380 Smythe Street

Brown-Snook, Julie

From: Andrew Valeri <andrewjvaleri@gmail.com>
Sent: Thursday, November 4, 2021 4:14 PM
To: PLANNING AND DEVELOPMENT
Subject: 359 Smythe street z 42 2021.

External email:

Do not follow instructions, click links, open attachments, forward or respond to the email unless you recognize the sender and know the content is safe.

I live across from the exhibition grounds. I enjoy going to the events there and think this amendment would make the events there even better.

I support this rezoning.

Andrew