

<b>TITLE:</b> <b>CONDITIONAL USE</b> <b>2310 – 49<sup>TH</sup> STREET EAST</b> <b>OWNER: 10145438 MANITOBA LTD.</b> <b>APPLICANT: FULL TILT TOWING AND TRANSPORT (JEFF HOGG)</b>		
<b>MEETING DATE:</b> January 7, 2026		<b>Page 1 of 3</b>
<b>DEPARTMENT:</b> Planning & Buildings		<b>ATTACHMENTS:</b> A. Application related documents B. Map, air photo & drawings
<b>PRESENTER:</b> Emmanuel Owusu Ansah, Community Planner		<b>MANAGER:</b> Andrew Mok, BES RPP MCIP, A/Principal Planner

### **RECOMMENDATIONS:**

That Conditional Use Application C-11-25 to allow for vehicle sales in the IH Industrial Heavy Zone be approved at 2310 – 49<sup>th</sup> Street East (Lot 4, Block 2, SP Plan 2147 BLTO Exc Road Plan 36987 BLTO) in accordance with the attached letter of intent “Attachment A-1”, and site plan “Attachment B-3”.

### **BACKGROUND:**

#### ***Request***

The applicant, Jeff Hogg of Full Tilt Towing and Transport, on behalf of the property owner, 10145438 Manitoba Ltd., is applying to allow for vehicle sales on property located at 2310 – 49<sup>th</sup> Street East in the IH Industrial Heavy Zone. Approval of this application will allow for the sale of abandoned and signed-over vehicles that have been towed and impounded.

#### ***Development Context***

The subject site contains an office building and a secured yard used for towing and storage of impounded vehicles and is located on northwest corner of the Patricia Avenue East/49<sup>th</sup> Street East intersection. The surrounding area is characterized by undeveloped and underdeveloped industrial lands to the north, east, and west, with mostly undeveloped lands except for a single dwelling on the south side within the RM of Cornwallis. 49<sup>th</sup> Street East provides access to the site.

#### ***History***

The site was previously undeveloped and used for minor agricultural purposes until it was rezoned to the IH Industrial Heavy zone in 2022. Since that time, the property has been used for towing, storage, and impoundment of vehicles.

**ANALYSIS:**

The applicant proposes adding sales of towed and impounded vehicles to the existing towing business.

***Consistency with Part 7, Section 106(1)(b) of The Planning Act and Demonstration that the Use:******1. Will be compatible with the general nature of the surrounding area;***

Commercial establishments are identified as conditional uses in the IH Industrial Heavy Zone to prioritize the IH Zone for industrial uses, especially uses that should be far from residential uses, but allow flexibility for site-specific commercial activities that are compatible with such industrial operations. The proposed use is compatible with the general nature of the surrounding area and the established function of the site itself. The vehicle sales activity does not introduce a new or unrelated commercial function but rather represents a logical extension of the existing use, utilizing vehicles already stored on-site as part of the towing and impoundment operation. The sale of abandoned and impounded vehicles is directly related to the existing towing and storage operations on the site.

***2. Will not be detrimental to the health or general welfare of people living or working in the surrounding area, or negatively affect other properties or potential development in the surrounding area;***

The proposed vehicle sales will occur within an existing secured yard and will not introduce additional impacts such as excessive noise or traffic beyond the current operations, and no new buildings or significant site alterations are proposed. Given the proposed scope of changes and absence of nearby sensitive land uses, the proposal is not expected to negatively affect the health or general welfare of people living or working in the surrounding area.

***3. Is generally consistent with the applicable provisions of the development plan by-law, the zoning by-law and any secondary plan by-law*****Consistency with the City Plan**

- 4.3(4)(a) – proposal drives economic growth by strengthening Brandon's Employment Areas as competitive business destinations
- 4.3(4)(a), (b) – supporting business expansion provides avenue for local entrepreneurs to start or retain business within the City
- 7.1.1(a) – site located within “Employment Area” under Map 3: Urban Structure

**Consistency with the East Brandon Industrial Area Secondary Plan (EBIASP)**

- The site is located within the Partial Service (PS) Area under the EBIASP
  - According to the PS designated area policies, industrial uses are considered as predominant land uses (Policy 3.3.2 of the Secondary Plan)

*Consistency with the Zoning By-law*

- The proposal conforms to all applicable Zoning By-law provisions, such as bulk and siting requirements

***Commenting Agencies***

All comments have been addressed.

**LEGISLATIVE REQUIREMENTS:*****Notification***

In accordance with and exceeding minimum requirements under Subsection 169(3) of The Planning Act, notice was sent to owners of property within 100 metres (328 feet) of the subject property, and also posted on the subject property.

***Public Outreach***

In accordance with Section 13 of the Zoning By-law, the applicant did not require a public outreach report as there is no increase in intensity or density of the site. As of the writing of this report, the Planning & Buildings Department has not received representation in favour of or in opposition to this application.