

To: Mayor and Council
From: Paul Gipps, CAO
Meeting Date: November 18, 2025
Meeting Type: Regular Council Meeting

Prepared by: Jason Tran, Planner
Department: Planning and Development

Title: Agricultural Land Reserve | ALR00197 | 12363 Pixton Rd
Description: Agricultural Land Commission application for the placement of fill as a part of required agricultural remediation on an A1 - Agriculture 1 parcel.

RECOMMENDATION

THAT the Agricultural Land Reserve application, ALR00197, for Soil Use for Placement of Fill on the property located at 12363 Pixton Rd, legally described as PARCEL A (PLAN B1518) OF THE NORTH EAST 1/4 OF SECTION 20 AND THE NORTH WEST 1/4 OF SECTION 21 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT EXCEPT PLAN H15053 (PID 013-537-521), as a part of an agricultural and environmental remediation project, be supported;

AND THAT the Soil Use for Placement of Fill application, ALR00197, be forwarded to the Agricultural Land Commission.

EXECUTIVE SUMMARY

The property is adjacent and located on the east side of the Okanagan Lake. Its primary access is via an easement, which then goes north to Pixton Rd. Further to that, the property touches a small bit of Carrs Landing Rd and the rest touches Okanagan Centre Rd W. The property is zoned A1 – Agriculture 1, and it is within the Agricultural Land Reserve.

Previous owners disturbed the land significantly, resulting in a significant impact on both the property's agricultural and environmental functions. The applicant, on behalf of the current owner, would like to request Council support for this soil use to place a fill application as part of an agricultural remediation and restore riparian and slope conditions.

Staff support and recommend that Council support the application and forward it to the Agricultural Land Commission (ALC) for decision.

BACKGROUND

Application Information			
Application Type	Agricultural Land Commission	Application Date:	Sep 2, 2025
Applicant:	Alpine Civil Engineering Consultants Ltd.	Owner:	Carlson, Darlene C
Application Description	Request to permit soil fill placement as a part of agricultural remediation and a new single-family residence on an A1 – Agriculture 1 parcel.		

Property Information: General	
Folio/Roll #:	02729.000
Legal Description	Parcel A (Plan B1518) Of The North East 1/4 Of Section 20 And The North West 1/4 Of Section 21 Township 20 Osoyoos Division Yale District Except Plan H15053
PID	013-537-521
Civic Address:	12363 Pixton Rd

Property Information: Land Use		
OCP Designation:	Agricultural	
Zoning Designation:	A1 – Agriculture 1	
ALR:	Yes	
Parcel Size:	~4.02 ha/9.95 ac	
Development Permit Areas:	Drainage (Riparian) & Natural Environment (Lakes Riparian Area – 30m Buffer)	
Adjacent Land Summary:	Zoning:	Use:
<i>North:</i>	A1 – Agriculture 1	Agriculture
<i>East:</i>	A1 – Agriculture 1	OK Centre Rd W / Pixton Rd & Agriculture
<i>South:</i>	A1 – Agriculture 1	Residential & Agriculture
<i>West:</i>	W1 – Recreational Water Use	Okanagan Lake

Property Information: Infrastructure and Development Engineering	
Road Network	Minor Connector (Existing Residential Street)
Driveway Access	Will be required at building permit phase
Water Supply:	Private – Pumped from Okanagan Lake
Sewer:	Private – on-site septic
Drainage / Stormwater	Ditch drainage
Comments:	Must follow remediation plan which details restoration within the road right of way area

The subject property, located at 12363 Pixton Road, encompasses approximately 4.0 hectares (9.9 acres) and features 242.3 metres (795 feet) of frontage along Okanagan Lake (Attachment A). The land future land use is Agricultural (Attachment E) and is currently zoned A1 – Agriculture 1 (Attachment F) and lies within the Agricultural Land Reserve (ALR) as shown in Attachment C.

Access to the property is from Pixton Road via an easement over the property to the north. (Attachment B) The land has frontage on both Carrs Landing Rd and Okanagan Centre Rd W. A riparian area and drainage corridor runs adjacent to the north property boundary (Attachment D).

Historically part of the Rainbow Ranche, the site holds significance as one of the earliest large-scale fruit-growing acreages in the Okanagan Valley. Land disturbance from previous years has impacted both the agricultural productivity and environmental integrity of the property. Specifically, the previous owner cleared the majority of the natural vegetation from the property resulting in a substantial impact on both the property's agricultural and environmental functions.

The current owner purchased the property in its current condition and is working on both the environmental and agricultural remediation of the property. To facilitate this, the applicant, on behalf of the current owner, would like to request Council support to place fill on the property as part of the agricultural remediation and riparian restoration. Construction of a single family dwelling is also proposed.

ANALYSIS

The proposed remediation and development works, described in the applicants rationale letter (Attachment G) aim to:

- Remediate degraded soils to support long-term sustainable cultivation,
- Re-establish the orchard use, consistent with the property's principal use in the A1 – Agriculture 1 zone,
- Restore riparian areas and slope stability to enhance ecological function and comply with environmental standards.

These efforts are intended to align with both agricultural and environmental objectives, ensuring long-term viability and stewardship of the land. A professional agrologist has provided a letter of support for the proposal (Attachment I).

A Notice of Intent (NOI) application (ALC File: 103081) for soil placement was submitted to the Agricultural Land Commission in January 2025 was declined by the Commission. The ALC noted that the proposal was beyond the scope of a NOI and that a Soil Use for Placement of Fill or Removal of Soil application to the ALC was necessary.

On August 29, 2025, the applicant submitted this Placement of Fill application to the ALC (ALC File: 105546) for a volume of 3,758m³ over an area of 16,459m². Material proposed to be placed on the property is:

- rock to construct the retaining walls,
- sand for the utility trench backfill,
- 1" clear gravel to be used behind the retaining walls,
- ¾" minus crusher chip for constructing the driveway, headland base, and concrete base prep, and
- planting medium (i.e., Nature's Gold planting medium and Better Earth Compost planting medium).

Site development would include two structures, the principal residence and a farm garage (primarily for the secure storage of farm equipment). The proposed remediation and site plan (Attachment H) includes 1.9 acres of land for agricultural production (vegetable garden, ambrosia apples, cherries and mixed stone fruits). Further expansion is limited by the Streamside Protection and Enhancement Area (SPEA), creek and lake setbacks, and steep topography.

Fill Transportation:

Access to the property is through an easement over the adjacent northern property to Pixton Road. Delivery of soil and other materials to the site must be coordinated with adjacent property owners to ensure that access to their property is not impeded. If soil deliveries cause interruptions to normal traffic flow on District roads, a traffic management plan may be required.

The applicant must adhere to load restrictions as set by the District, including the 70% load restriction on the axle weight loads during spring thaw. Additionally, no deliveries are to be made between 9:00 p.m. and 7:00 a.m., as per Soil Regulation Bylaw 95-015. The applicant will be responsible for applying for any necessary permits with the ALC regarding soil deliveries to the property.

District staff are supportive of the proposed soil placement for site remediation and development as it restores riparian areas, provides slope stability, and would enhance ecological function.

FINANCIAL IMPLICATIONS

- None Budget Previously Approved Other (see below)

COMMUNICATION

- This application was referred to internal departments and comments were provided and shared with the applicant through the Comprehensive Letter.
- The Ministry of Agriculture and Food has no objection to the application being forwarded to the Agricultural Land Commission for decision.

ALTERNATE RESOLUTION OPTION(S)

1. THAT the Agricultural Land Reserve application, ALR00197, for Soil Use for Placement of Fill on the property located at 12363 Pixton Rd, legally described as PARCEL A (PLAN B1518) OF THE NORTH EAST 1/4 OF SECTION 20 AND THE NORTH WEST 1/4 OF SECTION 21 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT EXCEPT PLANH15053 (PID 013-537-521), as a part of an agricultural and environmental remediation project, be not supported;

AND THAT Soil Use to Place Fill application ALR00197 not be forwarded to the Agricultural Land Commission.

2. THAT the Agricultural Land Reserve application, ALR00197, for Soil Use for Placement of Fill on the property located at 12363 Pixton Rd, legally described as PARCEL A (PLAN B1518) OF THE NORTH EAST 1/4 OF SECTION 20 AND THE NORTH WEST 1/4 OF SECTION 21 TOWNSHIP 20 OSOYOOS DIVISION YALE DISTRICT EXCEPT PLANH15053 (PID 013-537-521), as a part of an agricultural and environmental remediation project be deferred pending receipt of additional information as identified by Council.

Respectfully Submitted,
Jason Tran, Planner

Report Approval Details

Document Title:	ALR00197 - 12363 PIXTON RD.docx
Attachments:	<ul style="list-style-type: none"> - Attachment A - Location Map.pdf - Attachment B - Orthophoto.pdf - Attachment C - ALR Map.pdf - Attachment D - Riparian Map.pdf - Attachment E - OCP Future Land Use Map.pdf - Attachment F - Zoning Map.pdf - Attachment G - Rationale Letter.pdf - Attachment H - Remediation and Site Plan.pdf - Attachment I - Agrologist Report.pdf
Final Approval Date:	Nov 13, 2025

This report and all of its attachments were approved and signed as outlined below:

Scott Unser, Public Works Manager - Nov 12, 2025 - 3:09 PM

Matthew Salmon, Infrastructure & Development Engineering Director - Nov 12, 2025 - 4:37 PM

Carie Liefke, Manager of Current Planning - Nov 12, 2025 - 4:42 PM

Jeremy Frick, Director of Development Approvals - Nov 13, 2025 - 11:04 AM

Reyna Seabrook, Director of Corporate Services - Nov 13, 2025 - 1:25 PM

Paul Gipps, Chief Administrative Officer - Nov 13, 2025 - 1:39 PM

Makayla Ablitt, Manager of Corporate Administration - Nov 13, 2025 - 1:55 PM