



**GABRIOLA ISLAND
LOCAL TRUST COMMITTEE
AGENDA**

**REGULAR BUSINESS MEETING
OF THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE**
held at 10:15 AM on Thursday, July 26, 2012 at the Women's Institute,
476 South Road, Gabriola Island, BC

LATE ITEMS, ADDITIONS

**AMENDMENTS/ADDITIONS
TO ITEMS:**

13. APPLICATIONS AND PERMITS

13.2 Gabriola Radio Society Tower Application

13.2.4 Compilation of Correspondence – July 18 to July 25, 2012 - *attached*

13.2.5 Email response dated July 25, 2012 from Jeremy Holm, Regional District of
Nanaimo - *attached*

13.2.6 Email dated July 25, 2012 from Ken Zakreski - *attached*

13.2.7 Email dated July 23, 2012 from John Hague - *attached*

COMMUNITY INFORMATION MEETING
 Gabriola Radio Society Radio Tower Proposal
 Monday, June 25, 2012
 5:00pm to 9:00pm
 Gabriola Community Hall



Islands Trust

COMMENT FORM

Please share your comments on the Gabriola Radio Society's proposal to site a radio tower near the end of Chernoff Drive on Gabriola Island:

I support community radio, independent non-commercial radio. I do not support a radio tower located on Chernoff road. The drilling required potentially harms the nearby wetlands. The future ownership of the tower is dubious. It could easily become a very ugly, commercial entity, with light pollution and buzzing and humming. The radio waves are potentially harmful. It is visually not nice. Because of the views from that site ~~sight~~ and the rapidly decreasing access on Gabriola to the views from that ridge I feel this ~~area~~ site would be better suited to a public space. ~~that~~ I think the tower is a potential eyesore in the future, as well as immediately. Thank you for your participation!

WRITTEN COMMENTS WILL BE ACCEPTED UNTIL 4PM, WEDNESDAY, JULY 25, 2012

Because the Islands Trust's mandate is to 'protect and preserve' I don't see how this tower could possibly fall within 'preserve and protect.' I support for community radio should not blind the trust to its mandate. Eliminate this option and the CRS will find an alternative arrangement. On that note, if the CRS walks away from

Submit to:
 Chloe Fox, Island Planner
 Islands Trust Northern Office
 700 North Road, Gabriola Island BC V0R 1X3
 Email: cfox@islandstrust.bc.ca
 Fax: 250-247-7514

this location, what is to stop the landowner from seeing another use for a radio tower there?

Is there a creature way to prevent a tower or a garbage incinerator (once proposed for that site), or a nuclear waste dump being located at that site as the landowner is not gentle on his land.

Can we purchase this land for a public space? \$30,000.⁰⁰ for a 2 1/2 acre lease there might be something the public could ~~for~~ support.

I believe a tower there would be an error and the Trust's reputation would be harmed.

10-20 years down the road Gabriolans will wonder how Island Trustees ever thought it was a good idea, even within the Trust's mandate of 'preserving and protecting'.

~~The~~ ~~trust~~ ~~needs~~ ~~to~~ ~~be~~ ~~digital~~. Or it needs to await some wind tower that may eventually spring up somewhere in the RDV. Thank you Ed Howard

Chloe Fox

From: Mary Ann McDonald <mummy640@yahoo.ca>
Sent: Wednesday, July 18, 2012 3:42 PM
To: Chloe Fox
Subject: radio tower

Dear Ms Fox,

I am writing to oppose the installation of the proposed radio tower on Gabriola. I live about 1 km from the proposed site. I have heard enough anecdotal evidence on the health effects of radio frequency exposure to give me concern. Also there is another case on this island of a few guys with a hobby, who are negatively affecting the health and economic lives of their neighbours. I am talking about the gun club, which by the way is in the same area!

Why does the interest of a small group of people hold sway over the great majority once again.

There is already a radio service, CHLY, with local input that meets this islands needs. We do not need to disrupt the environment, and put peoples health at risk to satisfy these hobbyists. I would expect a responsible government to be less cavalier with it's citizens' wellbeing.

Yours
Mary Ann McDonald
Seymour Rd
Gabriola

Re: Gabriola Radio Society's proposal to site a radio tower near the end of Chernoff Drive on Gabriola Island.

Dear Islands Trust and Industry Canada,

I do not want the radio tower built on Gabriola. I believe the radio tower is counter to the way of life for me on this island. As a community member on Gabriola, I would not make use of this radio station. Please do not concur with this proposal on my behalf.

Sincerely,

Luanne McCollum

Address: 1055 Coats Drive

Phone number: 250 247 8873

Renée deJong
1575 South Road, Gabriola, BC V0R1X6
(250) 325-1675

sitka93111@yahoo.com

By e-mail:

cfox@islandstrust.bc.ca; smalcolmson@islandstrust.bc.ca;
grudischer@islandstrust.bc.ca; dgraham@islandstrust.bc.ca

July 25, 12

Islands Trust
700 North Road
Gabriola, BC V0R1X3

Attention: Chloe Fox, Sheila Malcolmson, Gisele Rudischer and David Graham

Re: Gabriola Radio Society (CKGI 98.7FM) (“GRS”) Application to
Industry Canada for proposed radio communication tower (the
“Application”)

Dear Chloe, Sheila, Gisele and David:

Thank you for hosting the June 25, 2012 informational meeting regarding the
Application.

While the Islands Trust (“IT”) stated at this meeting that it can only provide or
refuse to provide a letter of non-objection to Industry Canada, there is a third
option: there is no prohibition preventing Industry Canada from accepting a letter
of objection to the Application from IT.

I believe IT has legitimate grounds to provide a letter of objection to Industry
Canada based on: (i) a violation of Industry Canada’s own standards; and (ii) GRS’
refusal to provide IT with a survey so that IT to ascertain whether covenants
affecting the real property are complied with.

A. EXISTING INFRASTRUCTURE IS AVAILABLE.

Pursuant to Industry Canada's Client Procedure Circular CPC-2-0-03, the first item that Industry Canada considers is ***"investigating sharing or using existing infrastructure before before proposing new antenna-supporting structures."***

Industry Canada should know that better alternative options are available.

Gabrielans currently broadcast 3 different weekly programs from the community radio facility at CHLY 101.7 FM located in Nanaimo - about 5km away.

In discussion with CHLY, I have learned that: (i) CHLY would welcome more community programs from Gabrielans; (ii) unlike the radio tower proposed in the Application, which, by GRS' own admission, would require repeaters to cover Gabriola, CHLY can, and does, reach all of Gabriola from its existing transmission tower at Cottle Hill; and (iii) if CKGI 98.7 FM still prefers to broadcast community programs from its own frequency, CHLY could receive such programming and retransmit it through the Cottle Hill tower on GRS' behalf.

This would reach all of Gabriola, without the need for any radio tower or repeaters on Gabriola.

Therefore, existing infrastructure could be used. It appears that GRS has not considered this option. I urge IT to provide this information to Industry Canada so that Industry Canada can verify same with CHLY 101.7 FM.

B. WITHOUT A SURVEY ENVIRONMENTAL ISSUES CANNOT BE ADDRESSED. GRS REFUSES TO PROVIDE ONE

GRS is required to follow the local land use consultation process, which requires that it follow the consultation process outlined in IT Standing Resolution GB-025-2010. IT requires GRS to comply with covenants registered against the real property where the proposed radio tower is to be erected. This includes EN117467 and EN117468 which does not not permit human-induced changes within 15m of the natural boundary of McGuffies swamp and associated streams.

Industry Canada should be informed that other than a crudely drawn map, devoid of any measurement, GRS has not provided any evidence that it has complied with the any land use covenants. Despite many requests by IT and Gabriola residents, GRS has refused to provide a survey. How can IT assess environmental effects on McGuffies swamp and its wildlife, without a survey to determine the proximity of the proposed radio tower to McGuffies swamp?

It is clear from the comments made at the June 25, 2012 meeting, subsequent editorials and letters to the editors in the local newspapers, as well as the responses you have received through your offices that this project is not supported by Gabriolans.

By its own admission at the June 25, 2012 meeting, GRS membership consists only of 20 people who have paid a \$20 membership fee since inception of GRS in 2001.

I urge IT to submit a letter of objection to the Application and request that Industry Canada refuse the Application. GRS has admitted that its own engineering report has revealed that even with the proposed radio tower, it would need further repeaters to cover all of Gabriola.

Please feel free to contact me with any questions or comments.

Sincerely yours,

A handwritten signature in cursive script, appearing to read 'R deJong'.

Renée deJong

Chloe Fox

From: Sheila Malcolmson
Sent: Thursday, July 19, 2012 2:14 PM
To: Chloe Fox
Subject: FW: Radio Tower

From: bruceamcintyre@shaw.ca [<mailto:bruceamcintyre@shaw.ca>]
Sent: July-19-12 11:30 AM
To: Gisele Rudischer; Sheila Malcolmson
Subject: Radio Tower

Below is a copy of the feedback I have sent to Howard Houle on the radio tower matter for your information.

Name: Bruce McIntyre

Email: bruceamcintyre@shaw.ca

Website:

Message: Subject: Radio Tower Hi Howard, I would like to register my rejection of the tower for the radio station. In these times of restraint we should be practicing some common sense and fiscal intelligence. In my mind the only people benefiting from this project will be the Lorettes and Ken with his dream of a radio station. I for one do not need more taxes. We have satellite radio, local radio, the CBC and the internet, why a Gabriola station for the benefit of a handful of individuals? Sincerely, Bruce McIntyre

Chloe Fox

From: Sheila Malcolmson
Sent: Thursday, July 19, 2012 4:05 PM
To: Chloe Fox; Gisele Rudischer
Subject: FW: Just say NO to GRS

From: Victor Anthony [<mailto:victorsez@gmail.com>]
Sent: July-09-12 3:57 PM
To: Sheila Malcolmson; Howard Houle
Subject: Just say NO to GRS

Dear Sheila and Howard,

I am writing today to add my voice to the chorus of dissent regarding Gabriola Radio Society's application to construct a tower at the end of Chernoff Drive. As Kit Szanto has suggested in her letter to the local papers, the endeavour very likely violates the covenant on the property. But the main thing is the will of the people. A "community" radio station without the support of the community is not really a very "community-minded" undertaking is it? To the contrary, pretty much everything I've read and heard about GRS leads me to believe that this very small group has their own agenda, quite possibly profit-oriented, and they appear to have little or no genuine interest in or respect for the community which they seek to serve. Equally obvious is the near total lack of support GRS has amongst their fellow Gabriolans. I hope that as our elected representatives, you will withhold support for this venture and urge Industry Canada to deny the Gabriola Radio Society's application to build the tower on Chernoff. Thank you for your consideration.

Sincerely,

Victor Anthony
340 Stephens Rd.
Gabriola, BC V0R 1X2

From: Judith Graham [<mailto:judith48@live.ca>]

Sent: July-15-12 1:32 AM

To: Sheila Malcolmson;

Subject: GRS app

Hello Sheila,

Thanks for all your work on this application. The Gabriola Community continues to have concerns and queries as to the protocols and process with respect to this application. Here follows a few questions which Mr. Zakreski proposed to the CRTC with respect to the Rogers Application to expand their service back in 2010. I likewise believe these same questions should be put forward by the Islands Trust to the GRS.

- Did the licensee demonstrate compelling evidence of a technical or economic need for the proposed licence amendment?
- Does the present proposal represent the optimum use of the frequency?
- Are there other technical solutions that would resolve reception deficiencies within CIOC-FM's currently authorized contours

I am guessing you might say that these sorts of questions are outside of the strict guidelines created by the Islands Trust. Based upon the documents readily available online at Industry Canada and my conversations with a Senior Deputy Minister at Industry Canada, a long conversation with Mr. Laursen, our local contact person, and our attendance at a Board Meeting with CHLY Community Radio in Nanaimo, along with a lengthy subsequent very informative and relevant conversation with them, I submit that these sorts of questions are vital to any sort of resolution to an issue of concern to Gabriola residents and, in terms of policy, if you so choose, the whole Islands Trust Federation.

I propose we turn this ship around and attempt to get to the heart of this issue.

My Deep concern is that the Gabriola LTC is, *by omission*, enabling this application.

I would appreciate an opportunity to have a conversation with you with respect to the above noted, and other issues, at your convenience.

Thanks ~ Judith Graham

July 20,2012

Dear Islands Trust and Industry Canada,

I do not want the radio tower built on Gabriola Island. I believe the radio tower is counter to the way of life for me on this island. As a community member on Gabriola, I would not make use of this radio station. Please do not concur with this proposal on my behalf.

Sincerely,

A. *Harrison*

Anne Harrison

1141 Berry Pt. Rd.

250-247-8701

Chloe Fox

From: Sheila Malcolmson
Sent: Friday, July 20, 2012 9:45 AM
To: Gisele Rudischer; Chloe Fox
Subject: FW: Radio Gabriola

-----Original Message-----

From: ajadamson69 [<mailto:ajadamson69@gmail.com>]
Sent: July-20-12 9:19 AM
To: Sheila Malcolmson
Subject: Radio Gabriola

Please note, as a tax payer I am totally opposed to any public money being given to start or maintain a tower/ radio on Gabriola. This hobby/ dream of a few individuals has no specific benefits to the community as a whole

Tony Adamson
1090 Sansom Road
247 7925

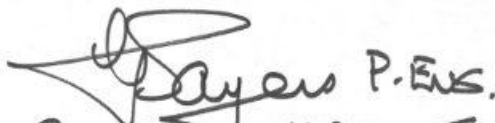
Sent from my iPad

Re: Gabriola Radio Society's proposal to site a radio tower near the end of Chernoff Drive on Gabriola Island.

Dear Islands Trust and Industry Canada,

I do not want the radio tower built on Gabriola. I believe the radio tower is counter to the way of life for me on this island. As a community member on Gabriola, I would not make use of this radio station. Please do not concur with this proposal on my behalf.

Sincerely,

A handwritten signature in black ink, appearing to read "P. ENS.", with a large, stylized flourish above it.

Address:

Phone number:

200 DANIEL WAY, GABRIOLA
(250) 247-2022

Email TO CFOX@ISLANDSTRUST.BC.CA
JIM.LAURSEN@IC.GC.CA

Chloe Fox

From: Sheila Malcolmson
Sent: Friday, July 20, 2012 2:11 PM
To: Gisele Rudischer; Chloe Fox
Subject: Fw: Gabriola Radio Tower

From: Neil Aitken [<mailto:neilaitken@shaw.ca>]
Sent: Friday, July 20, 2012 01:21 PM
To: Sheila Malcolmson
Subject: Gabriola Radio Tower

Dear Sheila,

We want to express our support for the Gabriola Radio Society and the proposed tower for the following reasons:

First, the tower and radio station will provide an essential service in the event of any emergency that might cut off or diminish communications between Gabriola and Vancouver Island. We are, of course, referring to power cut-off and ferry cut off. These emergencies could be caused by disasters such as earthquake or forest fire. It is true that the current emergency plan involves the use of ham radio operators, but that only involves ham-to-ham operators; there is no other way to directly contact islanders than through independent generator-powered transmitters and battery powered receivers.

In a widespread emergency we can not rely on local directions from Nanaimo or Parksville radio stations. They would be busy providing information to the mid-island population of over 100,000 people and unlikely able to provide direction to 4000 Gabriolans. That is something only a Gabriola station can do.

Consider, for example, the confusion and panic resulting from earthquake or forest fire. Without direction from a local radio station, people would be flooding North and South roads going in both directions while nearby evacuation points are ignored.

Second, please consider the cultural and educational value of our own radio station. Not only would it provide an outlet for our talented musicians, writers, and playwrights, it would also provide valuable outlets for our elementary and secondary school students as writers, commentators, reporters and studio technicians. Also, it would provide opportunities for seniors to share their wisdom and memories.

Some of the people expressing opposition to the tower and station are speculating on tax increases, leasing of tower space, and having to share the advertising dollar (Shingle editorial 2 July 2012). They are throwing out red herrings to kill a very worthwhile project. If we do not want to pay the construction and operating costs from our taxes, we only need to tell our regional director. If advertisers do not see value in radio ads, they need not buy them.

If Gabriola Radio Society fails in its objective to provide a local station, the owner of the tower site may still be open to leasing it to another tenant who may or may not have our interests in mind.

Sincerely,
Neil Aitken & Ruth Loomis
1775 Mussel Hts.
Gabriola BC V0R 1X6

-----Original Message-----

From: Craig Tapping [\[mailto:CRAIGTAPPING@SHAW.CA\]](mailto:CRAIGTAPPING@SHAW.CA)

Sent: July-21-12 1:17 PM

To: Sheila Malcolmson

Cc: howardhoule@yahoo.ca

Subject: the radio tower and station

Dear Sheila Malcolmson and Howard Houle:

I am writing to you--at the Islands Trust and at the Regional District--to express my TOTAL OPPOSITION TO THE PROPOSED RADIO TOWER AND STATION which Mr. Zakreski and his friends wish to establish here on Gabriola Island.

In these times of economic shrinkage, it's very difficult to even conceive how these twenty-odd people can imagine the rest of the island's population agreeing to support the radio station and tower through increased taxation. And the effrontery with which he argues that it doesn't matter what Gabriolans think, but that a federal government authority can impose this tax on the rest of us, is appalling.

I realize that you, as Trustee and as Director, have little power to stop such a maniacal push for personal aggrandisement (what else can it be?); but I do believe that all of us must now stand firm and object strenuously. This whole plan must be grounded now: it must be stopped by all and any means available to us.

Therefore, as a resident and taxpayer, I am asking you both to act for the community and against this small group of radio-fanatics who think that their plan is for our good. It is not.

Stop the radio tower by every legislative and bureaucratic method available to you both, please.

Mr. Zakresky's character is beside the point, but his carry-on in the press and at public meetings over the past few years is reprehensible and suggests that the man does not understand how a small community must work together. This time, the residents of this island have to agree: the tower and the station must be stopped.

Craig Tapping
1225 North Road
Gabriola Island

(250) 247-9857

Chloe Fox

From: Sheila Malcolmson
Sent: Sunday, July 22, 2012 10:48 PM
To: Gisele Rudischer
Cc: Chloe Fox
Subject: FW: Gabriola radio

-----Original Message-----

From: Fergus Foley [\[mailto:pinkflag@shaw.ca\]](mailto:pinkflag@shaw.ca)
Sent: July-21-12 2:46 PM
To: Sheila Malcolmson
Cc: howardhoule@yahoo.ca
Subject: Fwd: Gabriola radio

>
> Dear Sheila and Howard, I'm writing to you both to express my TOTAL OPPOSITION to the proposed tower and radio station here on Gabriola island. There are many, many good reasons why this project should not proceed. Here are just a few, from my point of view:
>
> Gabriola Island does not need a community radio station because Radio Malaspina (CHLY 101.7FM) in Nanaimo already does a very good job of serving Gabriola. There are public service announcements and advertisements, played daily, concerning and supporting our businesses and our community.
>
> Dozens of Gabriolans are fully paid-up members of Radio Malaspina (I was the membership secretary at CHLY for 5 years and I can testify to that fact), and it is hard to imagine that those same community radio supporters are also going to support yet another community radio station. As for the rest of the community, it is doubtful that there are dozens more who will suddenly become interested in community radio simply because it is on this island.
>
> It is extremely UN-community-minded for the board of Radio Gabriola to suggest that we may have to pay for the station whether we want to pay for it or not. (This seems to be Ken Zakreski's implied threat, when he invokes Industry Canada in his arguments). And I really don't believe that the Gabriola community would be willing to support a project that has no obvious or real value to us at all.
>
> And lastly, I believe that this is a foolhardy and quite reckless venture, since it's success depends entirely on the full support, financial and moral, of people of this island. There is absolutely no evidence of this kind of willingness, or support, to be found.
>
> I encourage you to do all that you can to stop this before it goes any further.
>
> Fergus Foley
> 1225 North Road
> Gabriola Island
> (250) 247-9857

Chloe Fox

From: Noni Fidler <nkfidler@gmail.com>
Sent: Monday, July 23, 2012 8:43 AM
To: Chloe Fox
Cc: jim.laursen@ic.gc.ca
Subject: Radio tower on Chernoff Road, GRS Application

Re: Gabriola Radio Society's proposal to site a radio tower near the end of Chernoff Drive on Gabriola Island.

Dear Islands Trust and Industry Canada,

I do not want the radio tower built on Gabriola. I believe the radio tower is counter to the way of life for me on this island. As a community member on Gabriola, I would not make use of this radio station. Please do not concur with this proposal on my behalf.

Sincerely,

Noni Fidler

Address: 1440 Barrett Road

Phone number: 250-325-8533

Chloe Fox

From: Sheila Malcolmson
Sent: Monday, July 23, 2012 4:25 PM
To: Chloe Fox; Gisele Rudischer
Subject: Fw: GRS proposal

From: MARGARET DAVIDSON [<mailto:msmad@shaw.ca>]
Sent: Monday, July 23, 2012 04:11 PM
To: Sheila Malcolmson
Cc: howardhoule@yahoo.ca <howardhoule@yahoo.ca>
Subject: GRS proposal

Hello Sheila and Howard,

I want to add my voice in opposition to the GRS erecting a radio tower on Gabriola. This proposal benefits only a very small special interest group and the landowner, who has to date has shown little interest in 'preserving and protecting' his land. I will not ever listen to a Gabriola radio station but I haven't been concerned or particularly opposed until now because I thought an existing tower would be used and there would be no impacts from this special interest group's project. Since finding out that a new, expensive very high tower is proposed, visible from numerous places on the island (it is laughable that they suggest disguising it to look like a tree struck by lightning⁰, with no guarantees that it can pay for itself without leasing to other companies such as Telus, Shaw etc. or adding to our taxes, I cannot support the idea. I am totally opposed to any tax increase as a result of the project as it is not an essential service.

Thanks for your attention to this matter.

Yours truly,

Margaret Davidson
2255 Shaw Road, Gabriola, V0R 1X7
(250) 247-9199

From: Boswell M. Malcolm [<mailto:BosMalcolm@shaw.ca>]
Sent: Monday, July 23, 2012 09:27 PM
To: 'MARGARET DAVIDSON' <msmad@shaw.ca>; Sheila Malcolmson
Cc: howardhoule@yahoo.ca <howardhoule@yahoo.ca>
Subject: RE: GRS proposal

Sheila and Howard,

I fully support Margaret's position on this matter and am completely opposed to the subject.

Sincerely,

*Bos Malcolm
2255 Shaw Road, Gabriola, bc v0r1x7*

From: marie6mead@gmail.com [<mailto:marie6mead@gmail.com>]

Sent: July-24-12 1:54 PM

To: glltcwebmail

Cc: marie6mead@gmail.com

Subject: Galiano Island Local Trust Committee



Islands Trust

Preserving **island** communities, culture and environment.

July 24, 2012

From: Marie Mead

Email: marie6mead@gmail.com

Subject: Galiano Island Local Trust Committee

I feel that the Gabriola public radio station is an unnecessary, extravagant expense. I DO NOT want my tax dollars going to pay for this.

www.islandstrust.bc.ca

From: workingwestcoast@shaw.ca [mailto:workingwestcoast@shaw.ca]

Sent: July-24-12 1:51 PM

To: gbltcwebmail

Cc: workingwestcoast@shaw.ca

Subject: Gabriola Island Local Trust Committee



Islands Trust

Preserving **island** communities, culture and environment.

July 24, 2012

From: Doug Harrison

Email: workingwestcoast@shaw.ca

Subject: Gabriola Island Local Trust Committee

I feel that all taxpayers on Gabriola should have the opportunity to vote on the proposed Gabriola radio station through a referendum process. I realize CRTC is a regulatory body however, the taxpayers on Gabriola will have to pay for this service and must have the opportunity to vote on it's benefits and costs. The CRTC is a federal agency and they are NOT aware of our needs.

www.islandstrust.bc.ca

From: wcaron@shaw.ca [mailto:wcaron@shaw.ca]

Sent: July-24-12 10:44 AM

To: gbltcwebmail

Cc: wcaron@shaw.ca

Subject: Gabriola Island Local Trust Committee



Islands Trust

Preserving **island** communities, culture and environment.

July 24, 2012

From: Isabel Caron

Email: wcaron@shaw.ca

Subject: Gabriola Island Local Trust Committee

I just want to state my objection to the proposed Gabriola Radio station.

www.islandstrust.bc.ca

Chloe Fox

From: Sheila Malcolmson
Sent: Tuesday, July 24, 2012 3:36 PM
To: Gisele Rudischer; Chloe Fox
Subject: FW: radio tower

-----Original Message-----

From: allen darling [<mailto:alldar@shaw.ca>]
Sent: July-24-12 10:07 AM
To: Sheila Malcolmson
Subject: radio tower

Hi again Trustees ,

With regrets to my friend Ken Z, it's important to note that, if after 10 + years of persistent lobbying, promoting, defining and redefining, the GRS has amassed a total membership of 20 (really?) and funding base of zero one has to question the value and viability of this idea. And after consistently stating that public funding is NOT needed, we find that public funding was needed and used for hall rental for an info meeting and now is being requested for a land survey. Though these may be inconsequential amounts so far it can surely be seen as an example of the proverbial "slippery slope" and of GRS' willingness and agenda to rely on public funds to meet costs when needed.

Like other recent issues we and you have been asked to deal with (pole painting and noisy gun clubs come to mind among other things) the GRS is :

a pet project of a few, foisted on the many, without identified need, of questionable benefit, without legitimate mandate or authority (other then registering itself as a society), without broad based support and against the objection of many friends and neighbours,

All this considered I'd say this about the radio tower/station :
DON'T NEED IT. WON'T MISS IT. DEFINITELY DON'T WANT TO PAY FOR IT.

Thanks, Allen

Chloe Fox

From: Kerry and Karen Owen <k2owen@hotmail.com>
Sent: Tuesday, July 24, 2012 4:14 PM
To: Chloe Fox; Sheila Malcolmson; Gisele Rudischer; David Graham
Subject: Proposed GRS Radio Tower

July 23, 2012

Re: Gabriola Radio Society's Proposed Radio Communication Tower.

Dear Cloe Fox, Sheila Malcolmson, Gisele Rudisher & David Graham,

We are Gabriola residents and we are opposed to the proposed tower by Gabriola Radio Society (GRS) for the many reasons that were brought forward to you at the community meeting. GRS should broadcast on-line or work with CHLY 101.7 in Nanaimo to have their programs transmitted through CHLY's Cottle Hill tower. It would be a better option than GRS's proposed tower and additional repeaters. There is no need for the emotional distress caused to the residents of Gabriola Island or the environmental disruption that will be inflicted on this beautiful island.

Sincerely,

Kerry & Karen Owen

Chloe Fox

From: jennifer elsey <jjelsey@hotmail.com>
Sent: Wednesday, July 25, 2012 8:05 AM
To: Sheila Malcolmson; Gisele Rudischer; Chloe Fox
Subject: NO Radio Tower

To Whom It May Concern,

Please use whatever tools you have at your disposal to stop the erection of a Radio Tower on Gabriola Island.

The area selected for the tower is primarily a residential area where virtually everyone, except the owner of the land where the tower would be located, is vehemently opposed to a radio tower in their midst.

The residents have chosen to live here in order to experience a peaceful and natural existence, not to have a massive tower topped with a red light thrust into their midst, destroying the peace, the view, and the general wellbeing of the neighbourhood.

The construction of this tower will cause a destructive rift between Gabriola Radio Society, the land owner, and the residents of the neighbourhood further undermining all residents enjoyment of home and property. This resentment will be difficult to put aside as all will be perpetually reminded by the view of the tower through the day and the glowing red reminder throughout the night.

The site of the proposed tower lies right on the edge of a protected wetland and there is great concern that the building of the tower in such close proximity will adversely affect the ecological balance of this protected wetland.

Please understand that the individual proffering this tower has no regard for the community in which this 'community' radio tower will sit. There will be little or no support from the Gabriola community and if the letters in the paper are any indication they will receive no financial support from Gabriola's through donation or tax revenue.

Gabriola Radio could offer a digital radio service which would be well received, but they will not consider this option.

I strongly urge you **not** to allow the building of the Radio Tower on Gabriola and therefore help maintain the peace and harmony expected and deserved from Island living.

Sincerely

Jennifer Elsey
2120 South Road
Gabriola Island B.C.
V0R 1X6

Chloe Fox

From: Mike Phillips <mike-phillips@shaw.ca>
Sent: Monday, July 23, 2012 3:22 PM
To: Chloe Fox; Gisele Rudischer; Sheila Malcomson
Subject: Gabriola Radio Society

Follow Up Flag: Follow up
Flag Status: Completed

I regret having to write to you on this issue for a second time. However, I note that John Hague, a director of the Gabriola Radio Society has sent you a note requesting that the Island Trust assist the Society in paying for its site survey required in conjunction with its radio tower application.

Rather than sending in a rough map with "X" marks the spot, any other applicant would have already provided a survey. This is a routine cost borne by anyone developing a site. It is acceptable to help a non profit with a reduction in direct Trust costs, as I believe you have considered. It is unacceptable to help a developer with a routine cost that must be incurred anyway, with or without Trust input. If taxpayer support is required for this survey, where does the line get drawn in terms of everyone else?

More seriously, needing as little as they do, but don't have, casts huge doubt on the applicants planning and ability to get the job done when, as the Trust was advised, \$320,000 plus lease a cost of \$30,000 are needed. You should point this out to Industry Canada. There appears to be no accountability on the part of Gabriola Radio.

I suggest you rapidly say no to the request. Let the property owners pay, after all they will earn \$30,000 on this deal. Let the directors make a donation to their Society, anything but force the taxpayers to pay.

Furthermore, you should advise Industry Canada about the applicant's behaviour in this matter as it relates to the Trust and the Community. You need to advise them of the shouted attempts by Mr. Hague to stop his President from answering legitimate questions at the Community meeting. You should also advise Industry Canada that the President was several times unwilling to answer reasonable questions. Furthermore you should advise Industry Canada that the applicant's conduct in frequently reminding the Trust that it has no power in deciding the matter is not conducive to good public process. Finally, the Society President, when asked if the applicant would withdraw the application if the Trust has concerns or if community support is lacking, had a belligerent but perhaps technically correct answer. He said the Industry Minister would decide. End of story. That level of respect for the community's wishes is shocking.

Chloe Fox

From: Sheila Malcolmson
Sent: Tuesday, July 24, 2012 3:51 PM
To: Gisele Rudischer; Chloe Fox
Subject: FW: john hague_request for funds

Follow Up Flag: Follow up
Flag Status: Completed

-----Original Message-----

From: Craig Tapping [\[mailto:CraigTapping@shaw.ca\]](mailto:CraigTapping@shaw.ca)
Sent: July-24-12 3:37 PM
To: Sheila Malcolmson
Subject: john hague_request for funds

dear Sheila

this is my 2nd letter about Radio Gabriola's petition to be allowed to erect the tower.

i am deeply opposed to the rudeness of this small group of islanders who assume the rest of us must march to their tune.

and now, in The Sounder (July 23, 2012: article by Derek Kilbourn on p. 5), John Hague--identified as "director" of the GRS--is said to have requested that the Islands Trust help cover the costs of a legal land survey necessary to the GRS's petition. Hague is reported to say that this "would be reasonable".

Kilbourn reports on the costs already met by the Trust.

The problem as I read it lies with the word "reasonable" -- a habit of thought that the GRS (as represented by Hague now and Zakreski in previous reports) fails to attain.

in The Shingle, Hague writes a letter (23 July, 2012: p. 5) but does not declare his position within the GRS. In it, he says Gabriolans have been "generous" at fundraisers and in paying to get the license. I know that few attended said fundraisers. He then divides the population into what he describes as predictable nay-sayers and those who "have something worthwhile to contribute" to the debate.

When I was a member of the APC, we regularly encountered islanders who believed adamantly that their beliefs were widely held and beneficial to the vast majority of the rest of us. Often, both mindsets were proven false, based on factual surveys. Furthermore, the Trust did not undertake to pay any costs--legal, survey, reports, and so on--which petitioners might need to press their case.

It would be a dangerous precedent to fund, however partially, Mr. Hague's request, as it would leave the Trust open to future demands for funding from other groups, factions and "societies". Please say NO loudly and clearly.

Hague and Zakreski are being petulant.

Please let them know that they cannot order us into submission, or threaten us with Industry Canada's overpowering abilities to impose this on Gabriola.

There is also an unanswered question that, perhaps, is best left to the 20 or so members of GRS: how much money have they raised in all this time, and how has it been spent? Let them be accountable instead of asking for unspecified and, it would appear, unjustified amounts of public monies--both now for the tower, and in the future for their astronomical cost projections.

Craig Tapping
1225 North Road

247-9857

Chloe Fox

From: Eric Moeller <emoeller@telus.net>
Sent: Tuesday, July 24, 2012 7:29 PM
To: Chloe Fox
Subject: Opposition to the Radio Station

Follow Up Flag: Follow up
Flag Status: Completed

GABRIOLA ISLAND LOCAL TRUST COMMITTEE

RESOLUTION *GB-025-2010*

REGARDING COMMUNICATION TOWERS

AND ANTENNAE

Gabriola Island Local Trust Committee Resolution GB-025-2010 contains the following clause at the end of the Resolution "the proponent may be required to enter into a cost recovery agreement with the Islands Trust, in order to offset application processing costs incurred".

The Gabriola Sounder July 23, 2012 edition reflects an article called 'GRS director asks Trust to help fund local land survey'.

I find the request fro GRS for taxpayer funding to be objectionable. Every house and property I have ever owned in my life (Including this one on Gabriola) included a need for a 'property survey'. The tax payer has never footed the bill for any of the surveys I have provided. I am not prepared to pay for the GRS survey.

This email is to record my objection to the 'Trust' funding the GRS. The subject "Trust" Resolution, in my view, suggests cost recovery from GRS (not GRS claiming money from the Trust).

I also oppose the Radio Station believing the taxpayer should not be funding a private business. As a minimum, the GRS application would need to be voted on by the general public (taxpayer) at a referendum.

Respectfully

Eric P. Moeller

940 Horseshoe Road, Gabriola

Chloe Fox

From: Lesley Hazeldine <lhazeldine@hotmail.com>
Sent: Tuesday, July 24, 2012 9:52 PM
To: Chloe Fox; Gisele Rudischer; smalcomson@islandstrust.bc.ca
Subject: Gabriola Radio Tower

Follow Up Flag: Follow up
Flag Status: Completed

Islands Trust,

I read with great dismay the article in the Gabriola Sounder dated July 23rd, 2012 where GRS requests financial aid for their required radio tower survey. John Hague says there are three parties intimately interested in the completion of this survey, the GRS, Mr. Lorette and the Islands Trusts, who in essence is the taxpayer. I cannot believe the Islands Trust would even consider this application. The GRS request indicates how poor their financial situation and how weak their support. In view of this, we trust that you will have enough foresight to deny this application and recommend against the radio tower to Industry Canada .

Thank you,
Bob Hazeldine
1495 Coats Drive

Chloe Fox

From: Drew Staniland <cathartist@juno.com>
Sent: Wednesday, July 25, 2012 11:37 AM
To: Chloe Fox
Subject: Proposed Radio Tower

Ms. Chloe Fox, MCIP
Island Planner
Islands Trust Northern Office
700 North Road
Gabriola, BC V0R 1X3

Dear Ms. Fox,

I am writing regarding the proposed radio tower on Chernoff Drive. I live on Hess Road, very close to where the tower has been proposed to be placed. I have followed this proposition since I moved here six years ago and it seems clear to me that the tower and radio station are unnecessary and could, in fact, be potentially harmful to the residents of Gabriola. The only person who would benefit from this tower, would be its main proponents; Mr. Ken Zakreski and the owner of the land on which it could be placed. I do not support this proposal in any way, shape or form and I believe Mr. Zakreski is only looking out for his own financial interests on this, his "pet project". It also seems clear to me that he cares little about the opinion of the people in the neighborhood close to where he has proposed the tower be placed as he has done little to solicit their opinion, let alone their support. I doubt he would be so eager to put up a tower in his own neighborhood. I believe the majority of the neighbors in the Hess/Chernoff/Coats/Seymour area do not support this proposal and I, for one, agree with them. Property values have already, in my opinion, dropped significantly in the neighborhood, due to the increased activity at the Gabriola Gun Club. I believe that this proposal, should it be accepted and implemented, would further decrease the value of properties in the surrounding area. This, along with the potential health risks, particularly to those who are sensitive to EMF radiation should be enough to veto the entire project as far as I'm concerned. I ask that you support the neighbours opposed to this proposal and do everything in your power to stop this proposal from being implemented.

Sincerely,

Drew Staniland
1435 Hess Road
Gabriola, BC V0R 1X6
(250)797-2730

Woman is 53 But Looks 25

Mom reveals 1 simple wrinkle trick that has angered doctors...

<http://thirdpartyoffers.juno.com/TGL3131/50103d028f47c3d025d70st53vuc>

The Islands Trust
Gabriola Island, B.C.

July 24, 2012



To the local Trust,

We do not support the Gabriola Radio Society's Proposal for a radio station and tower for the following reasons.

There are not enough people on the island to support it. The Society say they have 20 members, they will need a lot more than that to get this huge project off the ground.

In case of an emergency, we have several groups on the island, who have a plan to inform and help us. Mike Phillips' letter in the last paper states all of the problems with this application and we are in agreement with his view.

Yours Truly

Maxine McRae . J.L. McRae

501 North Road Gabriola Island

July 25, 2012

Islands Trust,
Northern Planning Office,
Gabriola Island, B.C.

Trustee Sheila Malcolmson

Trustee Gisele Rudischer

Subject-----Radio Tower on Gabriola Island



Dear Trustees;

From a financial viewpoint, I am concerned with the way in which the Gabriola Radio Society wishes to finance their project. There seems to be no business plan where there are assets of any type to balance or offset the proposed costs and expenses.

The Society has now started to appeal to the public tax base to help with just the initial costs and I strongly urge you to deny their request for funding. There appears to be a strong public feeling against the need and necessity for an island radio station and I would suggest that in light of funding cuts to real needs such as the school lunch program, that we examine our spending priorities and put tax dollars where they are really needed.

Phil Marchant
950 Carmen Crescent
Gabriola Island

COMMUNITY INFORMATION MEETING
Gabriola Radio Society Radio Tower Proposal
Monday, June 25, 2012
5:00pm to 9:00pm
Gabriola Community Hall



Islands Trust

COMMENT FORM

Please share your comments on the Gabriola Radio Society's proposal to site a radio tower near the end of Chernoff Drive on Gabriola Island:

- We are opposed to the Radio Tower for the following reasons:
- Documented Health Concerns, Why add more??
 - Concerns for the environment and McBuffies Swamp.
 - Eye sore it will create in our neighbourhood and our Back yards
 - Can not be hidden in area as GRS says it will
 - Will it require a huge Security Fence??
 - Once one tower is allowed, how many more can be allowed?? Who would be able to erect one??
 - On a News special on T.V recently the topic was how towers are a "Huge Money making Market"
 - GRS has not proven to be successful as they now want tax payers to foot the Bill. GRS has been together 12 years with 20 members and 0 cash. Ken Zakrest stated "we only want to play music!"

Thank you for your participation!

→ over please

WRITTEN COMMENTS WILL BE ACCEPTED UNTIL 4PM, WEDNESDAY, JULY 25, 2012

Submit to:
Chloe Fox, Island Planner
Islands Trust Northern Office
700 North Road, Gabriola Island BC V0R 1X3
Email: cfox@islandstrust.bc.ca
Fax: 250-247-7514

- as a Tax payers We Say NO, NO, NO
- GRS has other options - ① Mount Benson, tower placement
② Programs on the internet or Chilly Radio Station already in place for examples
- Thus not requiring approx. \$250,000. for tower erection plus approx. \$60,000. yearly to operate.
- GRS has made their #1 reason for the tower is Safety and Fire Dept use.
- GRS states they will NOT Be able to Broadcast to all Sabriola areas. Does that mean Safety for some??
- Howard Hulse stated at the Community Hall meeting 1 the Fire Dept uses a tower at present and any future changes if needed would Be using a tower already in place at Mount Benson as it would Be a far Better choice than the GRS tower.
- I have never seen or read any information from the fire Dept regarding the tower's necessity.
- GRS has said the commons would probably Be their choice for a Studio, but information given at the community Hall, was that GRS would not comply with commons process. The concern that the Studio would Be Beside a school was addressed with no reply from GRS.
- Fire Dept has already (~~stat~~) said No to a proposed tower several years ago.
- GRS information seems to Be ever changing and evasive
- Thank you S. Shackleton / B. Markle - Hess Rd Sabriola

From: Wcaron@shaw.ca [mailto:Wcaron@shaw.ca]

Sent: July-24-12 8:53 PM

To: gbltcwebmail

Cc: Wcaron@shaw.ca

Subject: Gabriola Island Local Trust Committee



Islands Trust

Preserving **island** communities, culture and environment.

July 24, 2012

From: Wilf Caron

Email: Wcaron@shaw.ca

Subject: Gabriola Island Local Trust Committee

I am not opposed to to a private radio system on Gabriola. But don't expect me to pay a tax levy for a private salary . No more bureaucrats! There is an EMS extant in this country already and it comes out of taxes already.

www.islandstrust.bc.ca

From: emoeller@telus.net [mailto:emoeller@telus.net]
Sent: July-24-12 7:36 PM
To: gbltcwebmail
Cc: emoeller@telus.net
Subject: Gabriola Island Local Trust Committee



Islands Trust

Preserving **island** communities, culture and environment.

July 24, 2012

From: Eric Moeller
Email: emoeller@telus.net

Subject: Gabriola Island Local Trust Committee

Trust Committee Resolution GB-025-2010 contains the following clause "the proponent may be required to enter into a cost recovery agreement with the Islands Trust, in order to offset application processing costs incurred".

The Gabriola Sounder July 23, 2012 reflects an article called 'GRS director asks Trust to help fund local land survey'.

The request from GRS for taxpayer funding is objectionable. Every property I have ever owned (Including this one) included a need for a 'property survey'. The tax payer has never paid for any of the surveys I provided. I am not prepared to pay for the GRS survey.

The subject "Trust" Resolution, to me, suggests cost recovery from GRS (not GRS claiming money from the Trust).

I oppose the Radio Station believing the taxpayer should not be funding a private business. The GRS application would need to be voted on by the general public (taxpayer) at a referendum.

Respectfully

Eric P. Moeller

940 Horseshoe Road, Gabriola

www.islandstrust.bc.ca

Islands Trust,
700 North Road,
Gabriola, B.C.
(by hand)

July 25, 2012.

The Islands Trust,

GABRIOLA RADIO SOCIETY

I oppose the radio tower as proposed by the Gabriola Radio Society and any support for it by the Islands Trust.

We do not need such a large tower for a radio station and there are other appropriate towers in the area that Gabriola Radio station can be attached to.

Such a tall tower, as proposed, affects a large area of land and is visible for miles. I have looked at the towers in Surrey BC and they use the entire area where they are located. They take over the landscape in size and appearance.

Gabriola Radio is not coming clean with the community and I can't help but notice there seems to be no documents or engineering for the tower, only for the antenna, to inform the community what is being proposed. I doubt Gabriola Radio has any real idea what the tower will eventually look like. In any case their story seems to change all the time, depending on whom they are trying to convince.

I oppose this plan and I hope the Islands Trust rejects the plan in its entirety.

Sincerely


Judith Madsen
1415 Coats Drive
Gabriola, BC

C:
Howard Houle,
Regional District of Nanaimo.



Gabriola Island Local Trust Committee

700 North Road

Gabriola Island



We support a radio station and attendant mast here on Gabriola. We do not feel that the perceived disadvantages outweigh the advantages of a local community station. We listen to radio a lot and we like the idea of yet another choice on the dial.

We went and looked at the proposed site of the mast. We may be mistaken, but it seemed that the mast would not be visible from any dwelling we could see. It certainly would be if you went for a walk with your dog. The trees in this area seem to be 100 to 110 ft. high. The mast is 131 ft. high (not, as mentioned, 15 storeys) and if this were sited in a copse of trees as it seems to be implied, we don't think it would be very obtrusive.

Doubtless over time the tower would fade into the background and would cease to be noticed; much like we don't take note of ugly telephone poles lining the roads. A mast is a mast, but not a 15 storey highrise.

It is difficult to see how an unguyed mast would have any impact on McGuffey's swamp. This area has been excavated for aggregates for quite awhile and many have made use of these materials for years. We don't recall any screams of outrage over the disturbance of these wetlands because of this. Siting seems to be the only criterion that would matter and this seems to have already been realized by Trust staff.

We reject the notion that radio waves pose a biohazard. We are at this very moment being bombarded by AM and FM waves from everywhere. A small radio station of 60 watts (that's right bud) isn't going to make any difference. There are many small radio stations now in B.C. To our knowledge, no one anywhere else has raised the spectre of EMF's in this regard. In Nelson, B.C. for example, a 70 watt radio station has been operating for 12 years and has enormous popular support. It, in its turn, has spawned 3 or 4 other smaller stations of 5 watts in smaller communities. You can't get any more environmentally correct than the West Kootenays. If it's good enough for them, it's good enough for us.

The question of other things being put on the mast is a question of what they may or may not do. This is much akin to assuming your new neighbours will be starting a grow-op. At the present time, the Radio Society say they have no plans to add to the tower. It seems to us that rather than throwing a tantrum, it would be better if the vocal opponents of this application get involved with the GRS to mitigate or prevent this perceived likelihood. It is, after all, a community radio station; and at every turn in the past 10 years, the society has stated their eagerness of be inclusive.

Although we do not agree with tax supported radio, from what we know, all other co-op radio stations are self-supporting. We think this is something the society needs to sort out. We know this last item is not germane to the deliberations of the LTC, but we mention this because we agree with Ruth Loomis in her letter to the editor in the Souder of July 23rd when she says that there have been many red herrings raised in regard to this application.

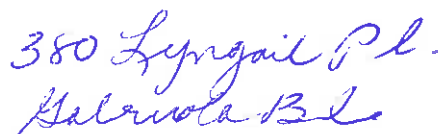
We can honestly say that we would not have any problem with this in our neighbourhood. As it happens, we have been considering the purchase of property in the immediate vicinity of the proposed mast, and our decision whether to buy or not to buy in this area would not be influenced by its existence. We feel that Gabriela can only benefit from having a community radio station, reasons for which have been well described by others.

Yours sincerely,



Anne Douglas

Steve Watters



Chloe Fox

From: Nancy Hetherington Peirce <nhpeirce@gmail.com>
Sent: Wednesday, July 25, 2012 1:48 PM
To: Chloe Fox
Subject: Fwd: Gabriola Island Local Trust Committee

Hello Chloe -

Please add our e-mail letter below to correspondence received by July 25th re the Gabriola Radio Society application.

Thanks -
Nancy and John Peirce

----- Original Message -----

Subject: Gabriola Island Local Trust Committee
Date: Wed, 25 Jul 2012 14:35:17 -0700
From: <nhpeirce@gmail.com>
To: <gbltcwebmail@islandstrust.bc.ca>
CC: <nhpeirce@gmail.com>



Islands Trust

Preserving **island** communities, culture and environment.

July 25, 2012

From: Nancy and John Peirce
Email: nhpeirce@gmail.com

Subject: Gabriola Island Local Trust Committee

Hello Shelia and Giselle -

We are writing to say that we do not support the current application by the Gabriola Radio Society for their stated location of a broadcasting tower.

Our reason is that we believe the significant disadvantages of unsightly visual impact, lowering of local property values, and uncertainty re need for future public financing, far outweigh the GRS-claimed advantage of being the best location for a broadcasting tower.

We encourage the GRS to find an "adequate" location, instead of the "best" location, in order to address the significant level of community concerns re the proposed location.

Sincerely,
Nancy and John Peirce

www.islandstrust.bc.ca

Chloe Fox

From: linnet <linnet@shaw.ca>
Sent: Wednesday, July 25, 2012 3:40 PM
To: Sheila Malcolmson; 'Gisele Rudischer'
Cc: Chloe Fox
Subject: No Radio Tower needed for Gabriola Radio to broadcast

Importance: High

Chloe: please can you circulate to our LTC - I can't find e-address for Chair

Dear Sheila, Gisele and David,
As was stated at the Information Meeting on 25th June there really is no need for Gabriola Radio Society to introduce a 40 metre tower to be of service to our community as a radio station.

There is a general lack of awareness around the technical terms, and, due to the manner in which the proponent has described the project, it is difficult for people to understand that GRS does not *need* a tower to broadcast.

Neighbours of the proposed tower site are adamant that they do not want to live with it.

There are options other than endorsing a communication tower with a future commercial potential, viz:
CHLY would receive a community program for Gabriola with open arms,
or,
Internet streaming could be all that is required.

I really urge you as our closest level of government to take a stand for no-more communication towers on our island.
Resolution GB-025-2010 regarding Communication Towers and Antennae has outlined a process of consultation with community members which could perhaps be deepened in its scope to protect our island way of life.

Just because IC will make that final decision does not mean the LTC cannot add their advocacy to turn down this application, which is what I hope you will find yourselves able to do.

Linnet Kartar

Chloe Fox

From: Holm, Jeremy <JHolm@rdn.bc.ca>
Sent: Wednesday, July 25, 2012 2:46 PM
To: Chloe Fox
Subject: RE: Gabriola Radio Society - Chernoff Drive (1400 South Road) - Referral Response RDN

Chloe,

In response to your recent referral to the RDN regarding the Gabriola Radio Society proposed radio tower, I can advise of the following in relation to the RDN's interests in the property as per the referenced covenants:

- Charge EN117465 & EN1177466 - additional information in the way of survey confirmation of location and elevation of proposed structures in relation to McGuffies Swamp is required in order to consider the proposal's potential impact on the RDN's interest in this covenant.
- Charge EN117467 & EN117468 - additional information in the way of survey confirmation of location of proposed structures in relation to McGuffies Swamp and associated watercourses is required in order to consider the proposal's potential impact on the RDN's interest in this covenant.
- Charge EN117469 & EN117470 - based on the location of the proposed tower provided on the referral, it appears that the proposed tower is outside the slope hazard area. As per the covenant, the property may only be used in a manner as determined in the geotechnical report Attached as covenant Schedule 'A'.

Please advise if you have any questions or require anything further on the above.

Regards,
Jeremy

Jeremy Holm, MCIP

Manager, Current Planning
Regional District of Nanaimo
jholm@rdn.bc.ca
250-390-6510

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Chloe Fox

From: Ken Zakreski <ken.zakreski@gmail.com>
Sent: Wednesday, July 25, 2012 9:29 AM
To: Sheila Malcolmson; David Beeston; Gisele Rudischer
Cc: Chloe Fox; staff@ckgi.ca
Subject: Urgent and time sensitive - Tower proposal

Follow Up Flag: Follow up
Flag Status: Completed

Dear Trustees,

I personally and on behalf of the Gabriola Radio Society (GRS), want to thank you for your work on this file, which can be described as involving a complex series of issues, at least for us. The Trust involved itself with the best interests of the public and its mandate. Staff work on this file has been exceptional.

Overview

We have done our best to work within the guidelines, respond accurately and timely to inquiries from the Trust. We made every effort to respond to questions from the public, that in many cases, fell out of the scope of the realm of public consultation on the issue of siting a tower on a Gulf Island in the Salish Sea.

For example, the issue of the whether or not CKGI 98.7FM should be issued a CRTC license has been resolved by the CRTC and Industry Canada. It was distracting and burdensome to keep responding to issues of this nature, however, we felt it was important to respond as fully as possible to any and all inquiries from the public so as to not only appear transparent, but actual be transparent in our information disclosures. The CRTC reviews issues of Governance, Marketing, Finance, and Programming. The public had ample opportunity to comment during a very public CRTC process and did. The CRTC granted GRS a license to broadcast.

We were put at a disadvantage in the public consultation process (under CPC 2-0-03) as we were not clear as to whether *"the local land-use authority does not have an established and documented public consultation process applicable to antenna siting."* The Trust proposed process does not include a time line and so we were not sure if it meets the criteria for a "documented public consultation" but GRS felt it was in the public interest to participate as fully as we could in the Trust process, given the resources we had.

Response to the Staff Report included in the Agenda Package**Our responses are included in bold.**

GRS would like to submit the following comments as a response to the Islands Trust Staff report from Chloe. It was nice to see the Friends of Broadcasting send a note.

GRS could did not find any opposition from other covenant holders in the letter section. As to the issue of extending the deadline for comment from referred agencies that is a decision for the Islands Trust Committee to make. We would like to say the information we provided clearly outlines the property lines, right of way lines and location of the tower, exactly.

Response

John Hague will lead our delegation to the Trust meeting on Thursday, July 26th and can respond to any additional requests for information.

From Islands Trust Staff Report...

Referrals

As mentioned in previous sections of this report, referrals have been sent to the indicated agencies with a response deadline of Wednesday, July 25, 2012. To date, no responses have been received by staff. Referral responses will greatly assist the LTC in developing a response to the applicant and Industry Canada on this application and, as such, staff recommend following up with each of these agencies and extending the response deadline to ensure that adequate input is received by the LTC.

Our position based on the information we have to date:

The issue of siting a tower may be of great concern to those that have been misinformed about health effects by a few neighbours, but in the context of real life and more important issues, unimportant.

If the referred agencies need more time to comment they would have asked for it. We ask you concur with the proposal as presented.

Tower Location

At the June 28, 2012 meeting, the LTC again requested that the Gabriola Radio Society provide a legal survey showing the proposed tower location, and structure location and dimensions, in relation to the exiting covenants and setbacks from property lines. To date, this information has not been provided by the applicant. An accurate picture of the proposed tower location in relation to covenants and property lines will assist the LTC in assessing potential tower impacts. As such, staff recommend deferring consideration of concluding consultation on this proposal until the September 6, 2012 LTC meeting to allow the applicant additional time to complete the requested legal survey.

Our position based on the information we have to date:

We are proposing a monopole construction without guy wires so setbacks to guywire anchors do not apply as per letter by Doug Cavill dated June 29th, 2012.

The legal survey may be required as per the land titles process for registering the right of way and if it is we will undertake the cost and resources to comply. The goal of the Trust Resolution # GB-067-2012 included in the DRAFT minutes, requiring the survey is to ensure sufficient distances to other covenants. Trust staff indicated other covenants don't provide clear boundaries so GRS providing a survey won't solve the issue. What is clear is the size of the proposed right of way 1 hectare, the map provided is to scale and the corners have a lat, long. The tower location is provided as a lat, long. We ask you concur with the proposal as presented. Further, we agree to comply with all setbacks and property line allowances. We are not seeking any variances.

Environmental Impacts & Mitigation

The applicant has stated in the submitted application materials that no adverse environmental

impact is anticipated from the development of the proposed radio tower. Islands Trust Sensitive Ecosystem Mapping shows areas of mature Douglas Fir forest and wetland ecosystems (McGuffies Swamp) within the vicinity of the proposed tower. Despite numerous requests by staff, how the proposed tower would affect these ecosystems has not been addressed in the materials submitted by the applicant, nor have any mitigation measures been identified. Although Industry Canada's process does take into consideration the requirements of the Canadian Environmental Assessment Act, staff recommend that in considering conclusion of the consultation process on the proposal, the LTC be cognizant of local Official Community Plan policies that relate to environmental protection and consider the proposal against furthering the Islands Trust preserve and protect object. Environmental impacts must be taken with earnest. One mechanism for achieving greater environmental review of the proposal is its referral to the Islands Trust Fund for comment. As previously noted, to date, no comments have been received from the Islands Trust Fund. Again, staff recommend following up with the Islands Trust Fund and extending the deadline for comments to ensure that adequate input is received. In addition, staff recommend that the LTC request, by resolution that additional environmental information and proposed mitigation measures be provided by the applicant.

Our position based on the information we have to date:

We have replied that the proposal will have NO Environmental Impact. That is from a Professional engineer, familiar with these types of projects. Further the existing site is a gravel pit, subject to less environmental considerations. We take the lack of comment from the ITF as lack of concern for the proposal.

Reasonable and Relevant Concerns

"Reasonable and relevant" concerns are considered by Industry Canada to include:

- *Why is the use of an existing antenna system or structure not possible?*

The tower sites zoned for on Gabriola are NOT suitable to broadcast to Gabriola, but are designed to broadcast off Gabriola.

Other sites offer interference with incumbent broadcasters, and do NOT improve coverage on Gabriola. Not accessible following a disaster or emergency event.

- *Why is an alternate site not possible?*

No other site provides supporting infrastructure and the resulting coverage to Gabriola is not suitable. Other sites offer interference with incumbent broadcasters, and do NOT improve coverage on Gabriola. Not accessible following a disaster or emergency event.

- *What is the proponent doing to ensure that the antenna system is not accessible to the general public?*

Monopole construction without installed access at the base. Typical mitigation methods for a rural area.

- *How is the proponent trying to integrate the antenna into local surroundings?*

As far as Nav Canada will permit the monopole will be painted to appear as a Old Growth Douglas Fir struct by lighting.

- *What options are available to satisfy aeronautical obstruction marking requirements?*

All options are available as far as aesthetic guidelines permit. We will pursue a fully painted monopole with Nav Canada.

- *What are the steps the proponent took to ensure compliance with Industry Canada's following general requirements?*

- o *Health Canada's radio frequency exposure guidelines (Safety Code 6)*
- o *Radio Frequency Interference and Immunity*
- o *Canadian Environmental Assessment Act*
- o *Aeronautical Safety – Transport Canada and NAV CANADA requirements*

Proponent agrees to follow compliance with general requirements. Specifically we would like to mention we are at 60 watts and will be well below exposure limits at the base of the tower.

In considering how to proceed in concluding the consultation process, the LTC should consider whether or not all "reasonable and relevant" concerns, as expressed above, have been satisfactorily addressed by the applicant. Many of these questions were raised during the June 25, 2012 public meeting and responses will be recorded in the meeting minutes. Again, staff anticipate that these minutes will be available for the September 6, 2012 meeting of the LTC and recommend deferring consideration of a resolution on the proposal to conclude the consultation period until such time as this information is available.

OPTIONS:

The LTC has the following options with respect to this application:

- 1. Pass a resolution supporting the proposal and instruct staff to forward this resolution to the applicant and Industry Canada;*
- 2. Pass a resolution opposing the proposal, including reasons for the opposition, and instruct staff to forward this resolution to the applicant and Industry Canada; or*
- 3. Defer consideration of a resolution on this proposal until the September 6, 2012 LTC meeting to allow additional time for submission of the following materials:*
 - a. A legal survey, as per resolution GB-067-2012*
 - b. Minutes of the June 25, 2012 Community Information Meeting*
 - c. Additional information on environmental impacts and mitigation*
 - d. Responses from referral agencies.*

Staff recommend proceeding with Option 3.

RECOMMENDATION:

Staff recommends:

THAT the Gabriola Island Local Trust Committee defer consideration of the Gabriola Radio Society radio tower proposal until the September 6, 2012 meeting, to allow additional time for the submission of a legal survey, as per Gabriola Island Local Trust Committee Resolution GB-067-2012, by the applicant;

THAT the Gabriola Island Local Trust Committee request again that the applicant for the

*Gabriola Radio Society radio tower proposal submit a description of the natural environment, any sensitive ecosystems or other important habitat areas within 120 metres of the subject property and mitigation of impacts to such areas; and
THAT the Gabriola Island Local Trust Committee extend the deadline for public and agency comment on the Gabriola Radio Society radio tower proposal until 4pm Friday, August 24, 2012.*

Our Draft Position:

We ask Islands Trust concur with our choice of a tower site based on the rationale provided.

Response to Public Concerns summarized in the Trust Staff report

- Environmental concerns

- o The proposed radio tower appears to be located less than 100m from McGuffies Swamp, a large, sensitive wetland that is home to a diverse collection of flora and fauna. Many expressed concerns over the potential impacts to this area due to the construction and maintenance of the proposed radio tower.

Our position based on the information we have to date:

The requirement is for McGuffie swamp to be protected and the right of way to be 15 metres from the swamp. The proposal meets those requirements. Further the slope of the terrain at the tower base is away from the swamp. Further the slope from the swamp to the right of way is toward the swamp should water levels reach 200 year flood plains. As the current permitted use of the site is as a gravel extraction pit we feel this use, the proposed tower site, will have less impact on the nearby swamp and surrounding environment. The nearby swamp area is mapped with the Islands Trust Sensitive Ecosystem Mapping (SEM) and is described as #50336 SEM Class and SubClass: Wetland: Swamp, Site Unit: Hardback (pink spirea) Sitka Sedge swamp. Structural Stage: Shrub Herb.

The proposed tower site area is generally included in SEM area 50328 described as Ecosystem Section: Southern gulf Islands, BioClimactic zone : Coastal Douglas Fir, BioClimactic Subzone: Dry Maritime. The Primary Ecosystem coverage is 60% SEM Class and SubClass: Seasonally Flooded, Site series: Douglas Fir-salal. Site unit: Cultivated field. Structural Stage: Herb. The remainder is excavated gravel pit.

- Aesthetic concerns

- o Concern was expressed by many attendees that the proposed 40m radio tower would be visually intrusive to neighbouring residential properties.

Outside scope of the public consultation.

The tower will be placed in an snag of existing tall trees and placed so as to be not visible while driving up Chernoff Drive from Lockwood Drive.

We propose the structure appear as "*an old fir struck by lightning, backset over scarred earth healing from human consumption, to suggest the power struggle between the Earth and the Air.*"

- Concerns over potential future tower uses

- o Concern was expressed by many attendees over the potential, once erected, for the tower to support additional antennae.

GRS is unsure why this issue is relevant. However the Trust does offer some guidance for resolving future transmitting antennae (not proposed) in its RESOLUTION GB-025-2010 REGARDING COMMUNICATION TOWERS AND ANTENNAE. We did mention and confirm we intend to install a studio to transmitter loop using wireless as resources permit.

- **Health concerns**

- o Concern was expressed by many attendees over the potential health effects of living and farming in proximity to the proposed tower.

Outside scope of the public consultation. Proponent will adhere to Safety Code 6. Health concerns should be addressed to Health Canada.

We are proposing a 60 watt service.

- **Concerns over a lack of available information**

- o Concern was expressed by many over a lack of information made available by the applicant, including the location of the tower with respect to covenants registered against the subject property

None were expressed by the nearby covenant holders. GRS acknowledges the untimely construction of the new VIRL Gabriola library branch (where the copy of the CRTC application was held) resulted in some delay to access of information. Luckily the CRTC maintained a copy of the electronic version and we were able to provide a link to that copy of the CRTC application which held information requested. Further requests for information that required information not included in the CRTC application were responded to. We acknowledge inquiries not relevant to these proceeding may not have been answered and I personally will look to responding to them when I return from holiday.

Regarding the Chris Walker letter (Flying Shingle July 16th, 2012) to the editor concerning the Cortes Community Radio service which concluded we should "keep it simple stupid".

The Gabriola Radio Society (GRS) position was to follow a process of public involvement which (like poking a stick in a wasp nest) may be uncomfortable for us and more time consuming, but will improve the end result. Quietly setting up a pirate station might be the easy way to go yes, and fine for the community of Cortes, but our signal reaches outside of the community, the province and the country so requires more consideration and public process. Further, our community knows well how to engage in passionate discourse, and fully examine an issue of this importance. We know our community can handle the heat. What works on Cortes is fine. We will do what we feel is in the best interest of our community of service. GRS followed a open public process, and I hope we continue to do so after I am no longer president of the society.

Ken Zakreski, developer
president and CEO
gabriolaradio@shaw.ca
CKGI 98.7 fm,
Gabriola Radio Society

PO Box 98, Gabriola Island, BC, V0R 1X0

Ph: 250-247-9891, Fax: 250-247-9852

<http://www.ckgi.ca/>

FACEBOOK: Gabriola Co-opRadio

coHost

NCRC2010 Gabriola

Working group member

NCRA/ANREC Journal Project (hiatus)

The Canadian Journal of Community Communications

<http://cjcc.ncra.ca/>

reporting: <http://staticreporting.blogspot.com/>

Late Item

13.2.7

Subject Fwd: Re: Water use Covenant EN 11467 & Chernoff Drive, McGuffies Swamp et al
 From John Hague <sealoverslane@shaw.ca>
 Date Monday, July 23, 2012 4:39 pm
 To <editor@flyingshingle.com> , <derek@soundernews.com> , <news@islandtides.com>

FYI

— Original Message —

From: John Hague <sealoverslane@shaw.ca>
 Date: Monday, July 23, 2012 10:17 am
 Subject: Fwd: Re: Water use Covenant EN 11467 & Chernoff Drive, McGuffies Swamp et al
 To: <smalcolmson@islandstrust.bc.ca>

>
 >
 > — Original Message —
 > From: John Hague <sealoverslane@shaw.ca>
 > Date: Saturday, July 21, 2012 12:31 pm
 > Subject: Fwd: Re: Water use Covenant EN 11467 & Chernoff Drive,
 > McGuffies Swamp et al
 > To: Gisele Rudischer <grudischer@islandstrust.bc.ca>, Sheila
 > Malcolmson <smalcolmson@islandstrust.bc.ca>, David Graham
 > <dgraham@islandstrust.bc.ca>Cc: Ken
 > Zakreski <ken.zakreski@gmail.com>, Chloe Fox
 > <cfox@islandstrust.bc.ca>
 >> Trustees, Staff, GRS:
 >>
 >> It is possible that the reason this communication was not
 >> included in the staff report, is that it never did reach the
 >> Islands Trust Office.
 >>
 >> This response is dated May 16, 2012 and my request of the Fire
 >> Chief was made on behalf of GRS at the request of Ken
 >> Zakreski for the express purpose of responding to the Islands
 >> Trust concern about the specified covenant.
 >>
 >> Please make sure that ample quantities of copies of this
 >> information are distributed at or before the July 26, 2012
 >> meeting.
 >>
 >> As you will see in my note to the Fire Chief, the specific
 >> latitudes and longitudes of our tower, as embodied in our
 >> Broadcast License, are mentioned as well. The longitude and
 >> latitude for McGuffies' Swamp is also referenced in response to
 >> concerns about other applicable covenants. This information
 >> was included in my request for quotes from various legal land
 >> surveyors.
 >> Comments in the staff report and elsewhere that GRS has not
 > been
 >> responsive to requests for this kind of information, has
 >> prompted me to reiterate this evidence for the record. And
 > for
 >> all that, we are not holding anyone to blame for the failure
 > of
 >> the mail.
 >>
 >> Thank you for your immediate response.
 >>
 >> John Hague,
 >> Director, GRS dba CKGI 98.7 FM
 >>

> > — Original Message —

> > From: Gabfire <gabfire@shaw.ca>

> > Date: Wednesday, May 16, 2012 3:13 pm

> > Subject: Re: Water use Covenant EN 11467 & Chernoff Drive,

> > McGuffies Swamp et al

> > To: John Hague <sealoverslane@shaw.ca>

> >

> > > Dear Mr. Hague:

> > >

> > > Further to our telephone conversation, our covenant covers
> the

> > > pipe line buried from the south side of the swamp down the
> > hill

> > > to Lockwood. My understanding is you are asking

> > > about the north side of the swamp by Chernoff, therefore

> > > this tower site does not appear to interfere with the Gabriola

> > > Fire Protection Improvement District Right of Way.

> > >

> > > Yours truly,

> > > Rick Jackson,

> > > Fire Chief

> > >

> > > From: John Hague

> > > Sent: Sunday, May 06, 2012 2:09 PM

> > > To: gabfire@shaw.ca

> > > Cc: Ken.Zakreski@gmail.com

> > > Subject: Water use Covenant EN 11467 & Chernoff Drive, McGuffies

> > > Swamp et al

> > >

> > > Dear Fire Department,

> > >

> > > I have been tasked with finding out if our proposed radio

> > > broadcast tower site, off Chernoff Drive on the property

> > > owned

> > > by Dave Lorette, complies with the above land use covenant.

> > >

> > > Our lat and long are:

> > >

> > >

> > > 49° 08' 52" N. Lat

> > > 123° 47' 14" W. Long

> > >

> > >

> > > And the right of way site is 100 m sq.

> > >

> > >

> > >

> > >

> > > <http://www.nickdoe.ca/pdfs/Webp661.pdf>

> > > MAP: 5.3

> > > 49° 8.79'N, 123°47.32'W

> > > McGuffies Swamp

> > >

> > >

> > >

> > >

> > > Could you please provide a confirmation letter stating that

> > > our

> > > site is in compliance.

> > > Thank you very much.

Best personal regards,

John Hague

NewOld Media Communications Services
podcasting and broadcasting on local public radio
"Voices From the Salish Sea"
on CKGI.ca, Gabriola Community Radio at 98.7 FM

"In the Public Interest, In the Public Domain"