

**MINUTES OF THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE
SPECIAL MEETING
TO HOLD A COMMUNITY INFORMATION MEETING
HELD AT 5:00 PM ON MONDAY, JUNE 25, 2012
AT THE COMMUNITY HALL
2200 SOUTH ROAD, GABRIOLA ISLAND, BC**

PRESENT:

David Graham	Chair
Sheila Malcolmson	Local Trustee
Gisele Rudischer	Local Trustee
Chloe Fox	Island Planner
Ken Zakreski	President, Gabriola Radio Society
Stephen Orgill	Recorder

There were forty-one (41) members of the public and two (2) local media representatives present.

1. INTRODUCTION

The Gabriola Radio Society has submitted an application to the federal government (Industry Canada) to erect a radio communication tower on a property near Chernoff Drive on Gabriola Island. As part of Industry Canada's application process, the Gabriola Radio Society is required to consult with the local land use authority. The Gabriola Local Trust Committee is holding the community information meeting to hear public feedback on the Gabriola Radio Society's application. Notification of the meeting was published in both weekly newspapers one week prior to the meeting.

2. OPEN HOUSE

The Open House was scheduled from 5:00 to 6:00 pm with the Gabriola Radio Society's displays and demonstrations setup on tables inside the Community Hall. An ad hoc community group display outside the entrance of the Community Hall presented the position that the proposed transmission tower is not a public necessity and that Gabriola is well covered for emergency broadcasts. The group's position extended to include the statement that; "The tower application is a commercial venture, not a community venture."

Chair Graham called the meeting to order at 6:04 pm and introduced the Local Trust Committee, Islands Trust staff and the Gabriola Radio Society President Ken Zakreski to the public. He explained the purpose of the meeting and stated that the Local Trust Committee was not making the final decision on the application but was here to receive community input on the land use implications of the application and would make a final recommendation to Industry Canada.

3. PRESENTATIONS

3.1 Proponent Presentation

Gabriola Radio Society President Ken Zakreski addressed the public with a summary of the application. He described the mandate of the Gabriola Radio Society. He said that the Canadian Radio-television and Telecommunications Commission had recently awarded the society 98.7 FM and the CKGI call letters and the society has two years to establish its service as a broadcasting radio station.

Ken Zakreski reviewed the letters of support the Gabriola Radio Society had received and noted that to date the society had raised \$20,000 to secure the broadcast license. He continued his presentation with a description of the difference between commercial and community media. Ken Zakreski described the proposed facilities at the site that includes a small building to house the transmitting equipment and a 40-metre high mono-pole transmitting tower. He concluded by reviewing the expressed concern about electromagnetic radiation emitted from the tower and assured the public that the limits of human exposure to radiofrequency electromagnetic fields is 2400 times below the most stringent safety code requirement. Mr. Zakreski also noted that there is no evidence to support the notion that the siting of the tower at this location would cause a drop in property values. He concluded by requesting a letter of no objection from the Local Trust Committee for siting the transmission tower on the proposed land.

3.2 Staff Presentation

Planner Fox explained the Islands Trust process for reviewing the application. She explained Industry Canada's role in regulating radio transmitting towers and the application process, saying that the ultimate authority on approving the tower siting lies with Industry Canada. She explained that public consultation is delegated to local land use authorities and that the local government does not have the authority to approve or deny an application. She said that proponents are required to contact local government and arrange for public consultation.

Planner Fox reviewed the application received from the Gabriola Radio Society and explained the Local Trust Committee's standing resolution concerning transmission towers. She explained what Industry Canada considers "reasonable and relevant" concerns that the community may have. She also outlined issues not considered relevant with respect to the application.

4. QUESTIONS AND ANSWERS

Lucy Hebda, Hess Road, said that she is proposing to build a second house on her property but it would have a view of the tower and she would not be in favor of the application.

Lesley Hazeldine, Coats Road, said there could be an impression that a tower on this corner of the island won't be noticed but the tower will be noticed by the local residents as a monstrosity. She expressed concerns about damaging radiation that could shrink fruit yields. She asked if that is the case, who will be responsible for the shortfall.

Steve Livie, Hess Road, said he is concerned with financial depreciation of property surrounding a transmission tower. He concluded that he is not in favor of the application for the tower on this location.

Susan Crean, Fern Road, did not receive a notification letter of the application and asked when the Canadian Radio-television and Telecommunications Commission hearing for the application would be held.

Ken Zakreski said that the Canadian Radio-television and Telecommunications Commission hearing concluded in November of last year and provided Ms. Crean with information on the hearing in Ottawa.

George Szanto, Chernoff Drive, lives 85 metres from the proposed site and is worried about health issues. He pointed out that less than 100 metres from site is McGuffie's Swamp and listed some of the habitat at this location. Mr. Szanto reviewed the applicant's description of the tower pointing out their admission that the visual appeal would not be desirable. He invited the trustees to visit the site in his company.

Ken Zakreski responded that the tower is not unsightly and explained the design for the tower. He stressed that there is no intent to mislead.

Bob Hazeldine, Coats Road, asked how the radio station intends to be funded and Ken Zakreski replied that the last resort option of selling commercials would have to be pursued if the community doesn't assist in fund raising or provide support from the tax base.

Regional District of Nanaimo Director Howard Houle clarified the discussion by reporting that the Gabriola Radio Society had approached the board for funding, which is a possibility according to the Local Government Act. He said that the board will have to decide whether it is in favor of supporting radio on Gabriola Island. Director Houle advised that his survey of public opinion has only generated two positive responses from 24 emails received to date. He summarized that the community does not support funding for the station from taxes.

Theresa Beers, Hess Road, asked who would be responsible in the event of legal action brought against the Gabriola Radio Society.

Ken Zakreski said that he would assume that the federal government would be responsible based on the science provided by the government on radio waves.

Linnet Kartar, Rickie Avenue, asked about the standing resolution covering all proposed transmission towers. Trustee Malcolmson explained. Ms. Kartar said that she feels that there is not enough protection on McGuffie's Swamp. Discussion continued concerning the potential environmental impact on the swamp.

Nancy Heatherington-Peirce, South Road, asked for more detail on the process and whether the trustees are obliged to provide a letter of concurrence. Planner Fox explained that the Local Trust Committee is required to provide a response, work with

the applicant, and in the event that discussions break down then one party can request Industry Canada to step in.

Bart Jessup, Roxanne Boulevard, had provided a written submission and said that the main point is that the Gabriola Radio Society is a partisan organization and provided some illustrations from the Gabriola Radio Society's mission statement. He said that control of public security should not be entrusted to the Gabriola Radio Society. He asked why a community would hand over its security to a group like this. He added his comments on the funding proposal of the society. He concluded that the Gabriola Radio Society is a partisan organization and is in violation of the Canadian Charter of Rights.

Ken Zakreski replied to Mr. Jessup's points to clarify

Kit Szanto is concerned with the control of the tower once it is been built, since Industry Canada doesn't care how many transmitting devices are located on the tower.

Mike Phillips, Coats Drive, read a brief indicating his opposition to constructing the radio transmission tower. The brief raised many questions that were not answered during his reading. After expending the time allotment, Chair Graham requested that Mr. Phillips continue reading his brief after other participants had been heard.

Phil Marchant, Carmen Cr., said his main concern is the health issue and Industry Canada and Health Canada do not have accurate science. He asked if the Local Trust Committee had plans to consult with experts. Chair Graham reiterated that the Local Trust Committee is only concerned with the land use issues and not whether microwave emission is harmful on this tower.

René Jean asked what lighting would be on the top of the tower. Ken Zakreski replied that specifications for lighting are determined by Navigation Canada and that the radio society is not proposing any light. He said that it would be up to Navigation Canada to require lighting.

Craig Worthing, Canso Road, asked the trustees, from their experience on other islands, what had been learned about community involvement in towers and what cautions this community should look at. Trustee Malcolmson responded that cell towers have been opposed on other islands and that she had no experience with radio transmission towers.

Bob Hazeldine, Coats Drive asked Ken Zakreski how the radio station was going to be financed. Mr. Zakreski said that the not for profit society will be funded as others (*community radio stations*) are in different parts of Canada. He said that the proposal is to be funded by the community being serviced. There was additional discussion about funding of community radio stations.

Director Houle, , said that he had reviewed the application as had been received by the Regional District of Nanaimo Board. He explained the process the region would follow.

Nancy Heatherington-Peirce asked what the timeframe was for a decision to be made. Chair Graham explained the role of the Local Trust Committee and that consideration of the radio society's request could be at the next Local Trust Committee meeting. Nancy

Heatherington-Peirce asked Ken Zakreski about the status of the society and whether asked Mr. Zakreski if it could withdraw the application.

Claude Renault, Hess Road, asked if it is the intention of the Local Trust Committee to request another information meeting to reflect on the public's comments. Chair Graham explained the Local Trust Committee meeting protocol and that it would be considered on a meeting agenda. Mr. Renault also asked if the authority of Industry Canada could override the Local Trust Committee decision.

Theresa Beers said that she is concerned that the land owner is not present at this meeting and asked what financial arrangement the radio society had with the landowner. Ken Zakreski said that the landowner had provided a right-of-way on the land to locate the tower and building for \$30,000 per year.

Ode Howard, Seymour Road, said that he was in support of community radio and asked why the radio station couldn't be digital. Ken Zakreski explained that there is no way to fund an internet-only station.

Mike Phillips, Coats Drive continued reading from his brief providing opinions of the consequences of having a radio tower on Gabriola.

A participant asked if dynamite would be required in the construction of the tower and if this would be adverse to the swamp. Ken Zakreski replied that the engineer would determine construction techniques. He continued that there would probably be drilling but no blasting.

Lesley Hazeldine said that the Gabriola Radio Society is intending to ruin the neighbourhood by building the monstrosity of a tower.

René Jean asked if the society could enter into a covenant that restricts the number of things hung on the tower. Ken Zakreski said that the radio society had considered the tower being used by emergency services such as local fire, ambulance, coast guard, etc. He said that the intention is that it will definitely not be commercial.

Sharon Shackleton, Hess Road, contributed her opinion on how the society could find alternatives that don't require siting a tower on this location. There was a discussion between several participants and Ken Zakreski regarding the site location and the consideration of alternatives that include Mt. Benson near Nanaimo.

Claude Renault suggested that the society should explore other alternatives such as internet radio.

Bob Markle asked if the zoning would have to be changed to accommodate the tower. Planner Fox replied that it was beyond the jurisdiction of zoning regulations and explained the process Industry Canada follows.

An unidentified participant said she was worried about people, animals and kids who would be subjected to emissions from the tower.

George Szanto said that there is very little chance that the radio society will have offices at the Commons.

Bob Markle asked if a majority vote would influence the radio society to withdraw their application for the tower on this site. Discussion continued concerning the cost of a referendum.

Nancy Hetherington-Peirce asked if the trustees have authority to request an island-wide referendum. Chair Graham replied that a referendum wouldn't be binding.

Planner Fox reminded the participants that the Local Trust Committee could receive written comments at the Islands Trust office until July 25, 2012.

Tammy Hudgeon, Sea Urchin End, said she totally supports community radio but not in her neighbourhood and advised the Local Trust Committee that everyone is concerned about the environmental impact that a transmission tower could have.

Ode Howard would like to see Gabriola with community radio. He said that he thinks that it's too high a cost with all of the neighbours in opposition to locating the broadcast tower in this location. He speculated on several alternatives.

Theresa Beers appreciates that there will be more time to submit comments. She asked if it is possible to let people know there is access to the Canadian Radio-television and Telecommunications Commission application at the Islands Trust office. She also requested that all of the correspondence should be made available for the public.

Tammy Hudgeon asked if it is possible to rework the plan to have something on Mt. Benson that serves Gabriola or other options. Ken Zakreski explained the details of the site at Mt. Benson and its difficulties. Mt. Benson is not suitable as a broadcast site with the channels that are left.

Nick Doe commented on the technical details of the application. He discussed with Ken Zakreski why the vertically polarized design had been chosen.

Theresa Beers asked why the Gabriola Radio Society hadn't partnered with the Vancouver Island University CHLY to provide content. Ken Zakreski remarked that the radio station mandate was to be located on Gabriola Island to broadcast to the Gabriola community.

Mike Phillips continued reading his brief by addressing the issue that the site location is in a high fire zone and that the radio station concentrating on emergency safety could not possibly provide it in the event of a fire. He asked if the Gabriola Radio Society would withdraw the application if the community will is not in favor. Ken Zakreski responded that the Gabriola Radio Society would abide by the decision of the Minister of Industry Canada.

At 8:26 pm David Graham passed the Chair to Trustee Malcolmson and left the meeting.

A participant asked what the consequences were for not providing radio service within two years of having received the license. Ken Zakreski responded that extensions to the deadline are available.

Bob Hazeldine asked about ownership of the transmission tower. Chair Malcolmson explained that the decision to support siting a communications tower is solely based on land use policy and public opinion and not on ownership of the tower or the land.

Stuart Denholm asked if the Islands Trust could write Industry Canada to say that we are nervous about what is going to occur on this property but don't know what subsequent owners might do. Planner Fox responded that she hadn't heard of any Local Trust Committee doing such a thing.

Kit Szanto commented that Mr. Denholm's question is shared by many of the people who are present. She said that it is too obvious a danger over the control of the land once the tower goes up.

A participant asked if the trustees would be visiting the site. Trustee Rudischer said they intended to make a site visit.

Susan Crean suggested that the only way for a resolution is to go to the Canadian Radio-television and Telecommunications Commission.

Deborah Ferens questioned the Local Trust Committee about consideration of the revised Official Community Plan and Land Use Bylaw.

5. CLOSING REMARKS AND ADJOURNMENT

Chair Malcolmson welcomed any comments from the public and advised that forms had been provided. She commented on several other issues that had been raised with respect to the process and reiterated the Islands Trust procedure when receiving a referral from Industry Canada.

The meeting concluded at 8:45 pm.

Recorder

Chair