



Broadcasting Decision CRTC 2011-679

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Ottawa, 2 November 2011

Gabriola Radio Society

Gabriola Island, British Columbia

Application 2010-1554-5, received 14 October 2010

Public hearing in the National Capital Region

18 July 2011

English-language community FM radio station in Gabriola Island

*The Commission **approves** an application for a broadcasting licence to operate an English-language community FM radio station in Gabriola Island, British Columbia.*

The application

1. The Commission received an application by Gabriola Radio Society (GRS) for a broadcasting licence to operate an English-language community FM radio programming undertaking in Gabriola Island, British Columbia.
2. GRS is a not-for-profit organization controlled by its board of directors.
3. In *Campus and community radio policy*, Broadcasting Regulatory Policy CRTC [2010-499](#), 22 July 2010 (Broadcasting Regulatory Policy [2010-499](#)), the Commission announced a number of changes to the regulatory framework for campus and community radio stations. GRS confirmed that it would adhere to the revised policy.
4. The station would operate at 98.7 MHz (channel 254A1) with an effective radiated power of 60 watts (non-directional antenna with an effective height of antenna above average terrain of 178 metres).¹
5. The applicant indicated that the station would broadcast 101 hours of programming each broadcast week, of which 95 hours and 15 minutes would be station-produced programming consisting of news, the promotion of community

¹ These technical parameters reflect those approved by the Department of Industry and set out in Broadcasting Notice of Consultation 2011-336-1.

events, spoken word features and music. The remainder of the programming would be acquired.

6. The station's musical programming would be drawn from a range of content from category 2 (Popular Music) and category 3 (Special Interest Music), including specialty music programs.
7. In the area of promoting local talent, the applicant stated that it was committed to the development of local and Canadian talent and would promote and feature music by new and emerging artists through regular airplay, featured exposure on its programs, in-studio appearances and the promotion of live appearances.
8. With respect to volunteers, GRS stated that the primary role for its volunteers would be to create high-quality programming. Additionally, volunteers would be trained in the different facets of the station's operation, including programming, content production, editing and interview techniques. The volunteers would be trained by those members of GRS who have had previous on-air experience.

Interventions

9. The Commission received interventions in support of the application, as well as interventions in opposition. The complete record of this proceeding is available on the Commission's website at www.crtc.gc.ca under "Public Proceedings."
10. In opposition to the application, Mr. Mike Phillips submitted that the financial information reported in the application and elsewhere in communications with the Commission seemed to be contradictory and incomplete. Mr. Phillips further submitted that there was no substantial demand for the community radio station proposed by GRS and that its projection of employing 200 volunteers in Gabriola Island was unrealistic.
11. A number of opposing interveners also expressed concern regarding the potential health risks associated with emanating radiation from the broadcast tower. Parties further submitted that Gabriola Island was already served by other radio stations, including the campus station CHLY-FM Nanaimo.

Applicant's reply

12. In reply to the concerns raised by Mr. Phillips, GRS stated that it had applied for a broadcasting licence using complete financials and that its most up-to-date financial and year-end reports would be available at its annual general meeting in October 2011. Further, while acknowledging that the number of supporting interventions for its current application was low, GRS submitted that the support for its proposal had not changed since its 2008 application, for which it received over 50 supporting interventions. As regards volunteers, GRS stated that it currently had 20 active volunteers, as well as on-call volunteers who worked towards completing the application and registering its by-laws with the

province. GRS submitted that the level of community involvement to date suggested that it would not encounter difficulties attracting a number of volunteers similar to that of other small community stations in rural locations.

13. In reply to the concerns raised regarding the potential health risks associated with emanating radiation from the broadcast tower, GRS submitted that radiation levels and safety were within the jurisdiction of the Department of Industry (the Department), not the Commission.
14. With respect to the submission that Gabriola Island is already served by CHLY-FM, GRS indicated that CHLY-FM was not received in all areas of Gabriola Island.

Commission's analysis and decisions

15. The Commission expects community-based radio stations to provide programming differing in style and substance from that provided by other elements of the broadcasting system, particularly commercial radio stations and the Canadian Broadcasting Corporation. Such programming should consist of music, especially Canadian music, not generally heard on commercial stations (including special interest music, as well as styles of popular music seldom broadcast), in-depth spoken word programming and programming targeted to specific groups within the community.
16. With respect to the concerns raised regarding the quality of the application, the Commission is satisfied that the application is complete and that its range of programming and music and its plans for volunteer access to the station are reflective of the objectives for community radio stations set out in Broadcasting Regulatory Policy 2010-499. As regards the concerns expressed over the potential effects of emanating radiation from the proposed broadcast tower, the Commission notes that determinations in this area are the purview of the Department.
17. In light of all of the above, the Commission is satisfied that the application is consistent with the provisions for community radio stations set out in Broadcasting Regulatory Policy 2010-499. Accordingly, the Commission **approves** the application by Gabriola Radio Society for a broadcasting licence to operate an English-language community FM radio programming undertaking in Gabriola Island, British Columbia. The terms and **conditions of licence** are set out in the appendix to this decision.

Secretary General

**This decision is to be appended to the licence.*

Appendix to Broadcasting Decision CRTC 2011-679

Terms, conditions of licence, expectation and encouragement

Terms

Issuance of the broadcasting licence to operate an English-language community FM radio programming undertaking in Gabriola Island, British Columbia

The licence will expire 31 August 2018.

The station will operate at 98.7 MHz (channel 254A1) with an effective radiated power of 60 watts (non-directional antenna with an effective height of antenna above average terrain of 178 metres).

The Department of Industry (the Department) has advised the Commission that while this application is conditionally technically acceptable, it will only issue a broadcasting certificate when it has determined that the proposed technical parameters will not create any unacceptable interference with aeronautical NAV/COM services.

The Commission reminds the applicant that pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.

Furthermore, the licence for this undertaking will be issued once the applicant has informed the Commission in writing that it is prepared to commence operations. The undertaking must be operational at the earliest possible date and in any event no later than 24 months from the date of this decision, unless a request for an extension of time is approved by the Commission before 2 November 2013. In order to ensure that such a request is processed in a timely manner, it should be submitted at least 60 days before this date.

In order to ensure that the applicant is in compliance at all times with the *Direction to the CRTC (Ineligibility of non-Canadians)*, the Commission requires the applicant to file a copy of its amended and executed by-laws within 12 months of the date of this decision.

Conditions of licence

1. The licence will be subject to the conditions set out in *New licence form for community radio stations*, Public Notice CRTC [2000-157](#), 16 November 2000, with the exception of conditions of licence 1 and 9.
2. During each broadcast week, the licensee shall devote at least 15% of its programming to content category 1 (Spoken Word), as defined in *Revised content categories and subcategories for radio*, Public Notice CRTC [2000-14](#), 28 January 2000, as amended from time to time. All of this spoken word

programming shall be locally produced (that is, produced by or exclusively for the licensee).

3. The licensee shall adhere to the *Equitable Portrayal Code*, as amended from time to time and approved by the Commission.

Expectation

Filing of ownership information

The Commission expects all community and campus licensees to file yearly updates on the composition of their boards of directors. These annual updates can be submitted at the time of filing of annual returns, following annual board of directors' elections or at any other time. Licensees may submit such documentation via the Commission's website.

Encouragement

Employment equity

The Commission considers that community radio stations should be particularly sensitive to employment equity issues in order to reflect fully the communities they serve. It encourages the licensee to consider these issues in its hiring practices and in all other aspects of its management of human resources.