



## Broadcasting Decision CRTC 2012-485

PDF version

Route reference: 2012-126

Additional references: 2012-126-1, 2012-126-2 and 2012-126-3

Ottawa, 11 September 2012

### Various applicants

Toronto, Ontario

*The application numbers are set out in the decision.*

*Public hearing in Toronto, Ontario*

*7 May 2012*

### Licensing of a new radio station to serve Toronto

*The Commission **approves**, by majority decision, the application by Rock 95 Broadcasting Ltd. for a broadcasting licence to operate a new commercial FM radio station in Toronto.*

*The Commission **denies** the other applications relating to broadcasting licences for radio stations in Toronto.*

### Introduction

1. At a public hearing which began on 7 May 2012 in Toronto, the Commission considered 17 applications for new radio stations in Toronto. The Commission also considered applications for technical changes, as well as for new transmitters. Details of the applications are set out in Appendix 1 to this decision.
2. The Commission notes that all the applications were for the same FM frequency, 88.1 MHz.
3. At the same hearing, the Commission also examined applications for new radio services in Brampton and Markham. Its decision on these applications is found in Broadcasting Decisions 2012-486 and 2012-487, also published today.
4. As part of this proceeding, the Commission received and considered interventions with respect to each application. The public record for this proceeding is available on the Commission's website at [www.crtc.gc.ca](http://www.crtc.gc.ca) under "Public Proceedings."
5. After reviewing the positions of the parties, the Commission is of the view that the primary issues to be considered are:
  - Can the Toronto radio market support new radio stations?
  - If so, which of the applications should be approved in light of the factors identified in Broadcasting Notice of Consultation 2011-625 (the Call)?

## **The ability of the Toronto radio market to support new radio stations**

6. According to Statistics Canada, the population of the Toronto central market area (CMA), Canada's largest, was 5.6 million in 2011, which represents an increase of 9.2% from its population of 5.1 million in 2006. Moreover, the Conference Board of Canada (CBOC) projects that Toronto's population will reach 6.4 million by 2016, a further increase of 14%.
7. The Commission notes the highly diverse nature of the Toronto market as, according to Statistics Canada 2006 Census data,<sup>1</sup> visible minorities account for approximately 43% of Toronto's population, with the South Asian and Chinese populations representing the CMA's largest visible minority communities, accounting for 13.5% and 9.6% of its total population respectively. Furthermore, according to Statistics Canada, robust population growth within these communities is expected to contribute to continued growth in the proportion of visible minorities in the Toronto market.
8. The Commission also notes the results of the Statistics Canada 2006 Census relating to the French-language population in the Toronto metropolitan area.<sup>2</sup> According to this survey, 72,590 people reported French as their mother tongue, 110,680 using French as their first official language, 35,010 speaking French the most frequently at home and 422,940 being Francophiles.
9. The Toronto radio market is Canada's largest market in terms of total revenues. It is currently served by 40 radio stations, including 20 commercial stations, 9 commercial ethnic stations, 4 public stations, 3 campus stations, 1 ethnic community station, 1 French-language community station, 1 Native station and one Other Special FM station (CJRT-FM). In 2011, Toronto's commercial radio market, which then comprised 28 stations (including ethnic commercial stations), recorded total revenues of \$272 million, representing a solid increase of 8% relative to the prior year. Furthermore, on an aggregate basis, the Toronto commercial radio market continues to record strong profitability, with a profit before interest and taxes rate of 32% in 2011, up slightly from 30% in 2010.
10. In terms of the economic performance of the market, according to the CBOC, retail sales in Toronto grew at a compound annual growth rate (CAGR) of 5.5% between 2009 and 2011, outpacing retail sales growth recorded in Ontario (4.2%) and Canada (4.6%) over the same period. Furthermore, the CBOC estimates that Toronto's retail sales will continue to grow at a CAGR of 4.5% between 2011 and 2016. While gross domestic product (GDP) growth in Toronto's economy slowed between 2009 and 2011, it nonetheless grew at a rate of 3.1%, surpassing the 2.8% growth rate recorded for the rest of Canada. Furthermore, the CBOC estimates that Toronto's GDP will continue to grow at a CAGR of 3% from 2011 to 2016, exceeding estimates for both Ontario and Canada over the same period.
11. Based on the evidence that the Toronto radio market is generally healthy and based

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<sup>1</sup> The Commission notes that 2011 Census data on ethnicity is not yet available.

<sup>2</sup> The Commission notes that 2011 Census data on languages is not yet available.

on the positive economic outlook, the Commission is satisfied that the Toronto radio market could support the licensing of a new radio station.

### **Assessment of the applications**

12. Having determined that there is room in the Toronto radio market for an additional radio station, the Commission considered the applications for various types of services and technical amendments in light of the factors relevant to the evaluation of the applications outlined in the Call, which include the following factors:
  - the quality of the application in relation to the policy relevant to the type of service proposed;
  - the diversity of news voices; and
  - the level of market impact.
13. With respect to the proposed technical amendments, the Commission also evaluated the technical and economic need.
14. Having considered all of the applications in light of the above and having considered all of the policy objectives set out in section 3 of the Broadcasting Act (the Act), the Commission finds that the proposal by Rock 95 Broadcasting Ltd. (Rock 95) best meets the needs of the Toronto radio market. In the Commission's view, Rock 95's innovative proposal for an eclectic, Indie music format FM station focusing on emerging, independent artists from Canada and targeting a core audience of adults between the ages of 18 and 34 will add to the musical diversity of the market. Further, as a new entrant into the market, Rock 95 will enhance the diversity of news voices, while benefitting from synergies with its two stations in Barrie, CFJB-FM and CKMB-FM.
15. The applicant committed to devote, by condition of licence, 40% of its musical selections from category 2 (Popular Music) to Canadian selections over the broadcast week and in the evening broadcast period. Rock 95 further committed to devote, by condition of licence, 60% of these Canadian selections to music by emerging artists, the highest level of all applicants. The station would also broadcast 126 hours of local programming per broadcast week, including 10 hours and 48 minutes of spoken word programming, of which 2 hours and 50 minutes would consist of pure news.
16. All commercial radio licensees must adhere to the requirements relating to contributions to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time. The Commission notes that Rock 95 made a commitment to exceed the minimum contribution to CCD. Specifically, Rock 95 committed to devote by condition of licence, over and above the basic annual contribution to CCD, a total of \$2,045,000 to CCD over seven consecutive broadcast years upon commencement of operations. At least 20% of this amount will be devoted to FACTOR on an annual basis. The remainder will be directed to eligible initiatives as follows over seven years:

- \$275,000 to provide direct financial support for The Canadian Independent Music Awards known as “The Indies,” a component of Canadian Music Week;
- \$275,000 to Polaris Award to support this award, which also receives funding through FACTOR;
- \$275,000 to Indie Music Week, a Canadian Festival which showcases Canadian talent at various venues around Toronto;
- \$295,000 to North by Northeast to provide promotion, funding and on-air support for Canadian musicians who will receive exposure at the North by Northeast Music and Film festivals; and
- \$509,000 to a “Performer of the week” initiative, whereby Canadian Indie Bands will submit music to the station’s website and listeners and users of the site will be able to review the entries and vote on their favourite music. The total direct benefit claimed will be solely due to the payments going to each winning band.

### **Other matters**

17. According to Statistics Canada, the top 10 largest Canadian cities in 2006 were the following: Toronto, Montréal, Vancouver, Ottawa-Gatineau, Calgary, Edmonton, Québec, Winnipeg, Hamilton and London. Among those cities, Toronto, the largest, and Hamilton, ranked in ninth place, are the only ones where the Canadian Broadcasting Corporation (CBC) Première Chaîne service is not broadcast on the FM band. In the city of Montréal, the minority English-language community has access to an FM frequency, via CBME-FM, to counter the challenges of broadcasting on the AM band in an urban area.
18. With respect to the applications by La Coopérative Radiophonique de Toronto inc. (La Coopérative) and the CBC, the Commission has considered the need to serve the interests of the French-language minority community in Toronto pursuant to its obligations under the Act and section 41 of the *Official Languages Act*. As the Commission has previously noted, this statutory context requires it to balance all of the objectives of the Act, including the objective to take into account the needs of the French-language minority community.<sup>3</sup>
19. In this instance, the Commission notes that La Coopérative and the CBC already serve the French-language minority community in Toronto and that their applications proposed to improve the coverage of their services. In this context, the Commission considers that on balance the objectives of the Act are better fulfilled by enhancing diversity of voices through the introduction of a new service to the market rather than by increasing the coverage of existing stations already serving the French-language minority community in Toronto.

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<sup>3</sup> See, for example, *Report to the Governor in Council on English- and French-language broadcasting services in English and French linguistic minority communities in Canada*, 30 March 2009.

20. The Commission notes that new broadcasting technologies, such as digital radio (commonly referred to as HD Radio in the U.S.), could enable the CBC to offer additional services to Francophones and Francophiles in Toronto. Cable distribution and broadband Internet service also offer alternative means to access CBC services, but they may be more costly choices for some consumers due to the need for a subscription.
21. The Commission also notes that it carefully considered the multicultural and multiracial nature of Toronto, which was clearly demonstrated by the record of this proceeding. The Commission notes that the Toronto market's diverse population is currently well served by the existing nine commercial ethnic stations and one community ethnic station, which represent 25% of the stations operating in the market.

## **Conclusion**

22. Based on all of the foregoing, the Commission **approves**, by majority decision, the following application for a broadcasting licence to operate an English-language commercial FM radio programming undertaking in Toronto:

**Rock 95 Broadcasting Ltd.**

*Application 2011-1637-7, received 19 December 2011*

23. The terms and **conditions of licence** for this new service are set out in Appendix 2 to this decision.
24. In light of the above, the Commission **denies** the 21 remaining applications for broadcasting licences to operate radio programming undertakings in Toronto or for technical changes or the addition of new transmitters to existing stations in Toronto, as set out below:

**2308739 Ontario Inc.**

*Application 2011-1626-0, received 19 December 2011*

**7954689 Canada Inc.**

*Application 2011-1617-9, received 18 December 2011*

**Canadian Broadcasting Corporation**

*Application 2011-1619-5, received 19 December 2011*

**Dufferin Communications Inc.**

*Application 2011-1159-1, received 3 August 2011*

**Durham Radio Inc.**

*Application 2011-1633-5, received 19 December 2011*

**Family FM Inc.**

*Application 2011-1634-3, received 19 December 2011*

**Frank Torres, on behalf of a corporation to be incorporated**

*Application 2011-1628-6, received 19 December 2011*

**Intercity Broadcasting Network Inc.**

*Application 2011-1631-9, received 19 December 2011*

**La Coopérative Radiophonique de Toronto inc.**

*Application 2011-1652-5, received 19 December 2011*

**Larche Communications Inc.**

*Application 2011-1622-8, received 19 December 2011*

**Michael Wekerle, on behalf of a corporation to be incorporated**

*Application 2011-1630-2, received 19 December 2011*

**MTSD Broadcast Inc.**

*Application 2011-1640-1, received 19 December 2011*

**MZ Media Inc.**

*Application 2011-1614-5, received 17 December 2011*

**Newcap Inc.**

*Application 2011-1615-3, received 16 December 2011*

**Radio 1540 Limited**

*Application 2011-1638-5, received 19 December 2011*

**Radio Ryerson Inc.**

*Application 2011-1635-1, received 19 December 2011*

**Sivakkumaran Sivapathasundaram, on behalf of a corporation to be incorporated**

*Application 2011-1656-7, received 19 December 2011*

**Stanislaus Antony, on behalf of a corporation to be incorporated**

*Application 2011-1654-1, received 19 December 2011*

**Tosan Lee, on behalf of a corporation to be incorporated**

*Application 2011-1616-1, received 16 December 2011*

**Trust Communications Ministries**

*Application 2011-1573-3, received 2 December 2011*

**WorldBand Media Inc., on behalf of a corporation to be incorporated**

*Application 2011-1657-5, received 19 December 2011*

Secretary General

**Related documents**

- *Community AM radio station in Brampton*, Broadcasting Decision CRTC 2012-486, 11 September 2012
- *Licensing of new radio stations to serve Markham*, Broadcasting Decision CRTC 2012-487, 11 September 2012
- *Call for applications – Radio stations to serve Toronto*, Broadcasting Notice of Consultation CRTC 2011-625, 28 September 2011

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

## Appendix 1 to Broadcasting Decision CRTC 2012-485

### Details from the applications relating to broadcasting licences for radio programming undertakings in Toronto, Ontario

Applicant	Details from the application
<p><b>2308739 Ontario Inc.</b> Application 2011-1626-0</p>	<p><b>Type:</b> English-language commercial specialty FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201B1), average effective radiated power (ERP) of 501 watts (maximum ERP of 975 watts with an effective height of antenna above average terrain of 271.3 metres)</p> <p><b>Format:</b> Specialty (all business news and information)</p> <p><b>Target audience:</b> baby boomers, small to mid-size business and the financial sector</p> <p><b>Canadian content (music):</b> n/a (all talk station)</p> <p><b>Local programming per broadcast week***:</b> 94 hours</p> <p><b>Spoken word programming per broadcast week:</b> all talk station</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$1,225,000 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> n/a (all talk station)</p>
<p><b>7954689 Canada Inc.</b> Application 2011-1617-9</p>	<p><b>Type:</b> English-language commercial specialty FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201B), average effective radiated power (ERP) of 1,530 watts (maximum ERP of 4,000 watts with an effective height of antenna above average terrain of 265.8 metres)</p> <p><b>Format:</b> Specialty (talk and information)</p> <p><b>Target audience:</b> new, younger demographic; audiences not normally considered News/Talk radio listeners and ethnic communities looking for an alternative</p> <p><b>Canadian content (music):</b> n/a (all talk station)</p> <p><b>Local programming per broadcast week:</b> 113 hours</p> <p><b>Spoken word programming per broadcast week:</b> all talk station</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$1,034,434 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> n/a (all talk station)</p>
<p><b>Canadian Broadcasting Corporation</b> Application 2011-1619-5</p>	<p><b>Type:</b> nested FM transmitter to broadcast the programming of the French-language AM radio programming undertaking CJBC Toronto</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201A) with an average effective radiated power (ERP) of 98 watts (maximum ERP of 188 watts with an effective height of antenna above average terrain of 303.4 metres)</p>

<p><b>Dufferin Communications Inc.</b> Application 2011-1159-1</p>	<p><b>Type:</b> English-language radio programming undertaking</p> <p><b>Technical parameters:</b> change the frequency of CIRR-FM from 103.9 MHz (channel 280A1) to 88.1 MHz (channel 201A). The licensee also proposes to relocate its transmitter and to change the authorized contours by increasing the average effective radiated power (ERP) from 128<sup>4</sup> to 477 watts (maximum ERP from 250 to 800 watts with an effective height of antenna above average terrain from 156 to 272 metres) and by changing its class from A1 to A.</p>
<p><b>Durham Radio Inc.</b> Application 2011-1633-5</p>	<p><b>Type:</b> English-language FM commercial radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201A), average effective radiated power (ERP) of 477 watts (maximum ERP of 800 watts with an effective height of antenna above average terrain of 272 metres)</p> <p><b>Format:</b> New Easy Listening (30% of musical selections to be instrumental music)</p> <p><b>Target audience:</b> Adults 45-64 years</p> <p><b>Canadian content (music):</b> 35% category 2*; 35% category 3**</p> <p><b>Local programming per broadcast week:</b> 110 hours</p> <p><b>Spoken word programming per broadcast week:</b> 20 hours 18.5 minutes, of which 10 hours 20.5 minutes will be devoted to pure news</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$700,000 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> 10%</p>
<p><b>Family FM Inc.</b> Application 2011-1634-3</p>	<p><b>Type:</b> English-language commercial FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201B), average effective radiated power (ERP) of 1,530 watts (maximum ERP of 4,000 watts with an effective height of antenna above average terrain of 265.8 metres)</p> <p><b>Format:</b> family-friendly (eclectic music mix: Folk, Country, AC, R&amp;B, Blues, etc.)</p> <p><b>Target audience:</b> adults 25-64 years who have children</p> <p><b>Canadian content (music):</b> 40% category 2; 10% category 3; 7% of musical selections during ethnic programming periods</p> <p><b>Local programming per broadcast week:</b> 63 hours</p> <p><b>Spoken word programming per broadcast week:</b> 35 hours 9 minutes of spoken word of which 3 hours 6 minutes will be devoted to pure news. Will offer 18 hours of ethnic programming in the English-language targeting South Asian and Chinese communities.</p>

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<sup>4</sup> These technical parameters reflect those currently authorized by the Commission and the Department of Industry.

	<p><b>Canadian content development contribution (over the basic annual contribution):</b> \$5,032,000 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> 15%</p>
<p><b>Frank Torres, on behalf of a corporation to be incorporated</b> Application 2011-1628-6</p>	<p><b>Type:</b> English-language commercial FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201B), average effective radiated power (ERP) of 2,000 watts (maximum ERP of 8,000 watts with an effective height of antenna above average terrain of 282.2 metres)</p> <p><b>Format:</b> Blues/Rock (20% of all musical selections from subcategory 34 Jazz and blues)</p> <p><b>Target audience:</b> males 25-54 years; core: males 35-54 years</p> <p><b>Canadian content (music):</b> 40% category 2 over the broadcast week; 35% category 2 between 6 a.m. and 6 p.m. Monday to Friday; 20% subcategory 34 (Jazz and blues) over the broadcast week</p> <p><b>Local programming per broadcast week:</b> 126 hours</p> <p><b>Spoken word programming per broadcast week:</b> 16 hours 58 minutes, of which 2 hours 47 minutes will be devoted to pure news</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$996,055 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> 30%</p>
<p><b>Intercity Broadcasting Network Inc.</b> Application 2011-1631-9</p>	<p><b>Type:</b> English-language FM radio programming undertaking</p> <p><b>Technical parameters:</b> change the frequency of CKFG-FM from 98.7 MHz to 88.1 MHz (channel 254B1 to 201B) and to modify the authorized contours by increasing the average effective radiated power (ERP) from 446 to 1,530 watts (maximum ERP from 1,000 to 4,000 watts) and by decreasing the effective height of antenna above average terrain from 276.8 to 265.8 metres. All other technical parameters would remain unchanged.</p>
<p><b>La Coopérative Radiophonique de Toronto inc.</b> Application 2011-1652-5</p>	<p><b>Type:</b> French-language FM community radio programming undertaking</p> <p><b>Technical parameters:</b> change the frequency of CHOQ-FM from 105.1 MHz (channel 286A) to 88.1 MHz (channel 201A). The licensee also proposes to relocate its transmitter and to change the authorized contours by decreasing the average effective radiated power (ERP) from 570 to 477 watts (maximum ERP from 1,000 to 800 watts) and by increasing the effective height of antenna above average terrain from 103 to 272 metres.</p>
<p><b>Larche Communications Inc.</b> Application 2011-1622-8</p>	<p><b>Type:</b> English-language commercial FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201A), average effective radiated power (ERP) of 477 watts (maximum ERP of 800 watts with an effective height of antenna above average terrain of 272 metres)</p>

	<p><b>Format:</b> Rock-based Adult Album Alternative</p> <p><b>Target audience:</b> adults 25-49 years; core: adults 25-34 years</p> <p><b>Canadian content (music):</b> 40% category 2</p> <p><b>Local programming per broadcast week:</b> 126 hours</p> <p><b>Spoken word programming per broadcast week:</b> 24 hours, of which 3 hours and 28 minutes will be devoted to pure news</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$4,970,000 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> 10%</p>
<p><b>Michael Wekerle, on behalf of a corporation to be incorporated</b> Application 2011-1630-2</p>	<p><b>Type:</b> English-language commercial FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201B), average effective radiated power (ERP) of 1,530 watts (maximum ERP of 4,000 watts with an effective height of antenna above average terrain of 265.8 metres)</p> <p><b>Format:</b> Adult Album Alternative</p> <p><b>Target audience:</b> adults 25-53 years; core: adults 35-44 years</p> <p><b>Canadian content (music):</b> 45% category 2</p> <p><b>Local programming per broadcast week:</b> 126 hours</p> <p><b>Spoken word programming per broadcast week:</b> not specified</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$4,846,585 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> 15%</p>
<p><b>MTSD Broadcast Inc.</b> Application 2011-1640-1</p>	<p><b>Type:</b> ethnic commercial FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201A), average effective radiated power (ERP) of 477 watts (maximum ERP of 800 watts with an effective height of antenna above average terrain of 272 metres)</p> <p><b>Format:</b> 100% ethnic third-language programming directed to a minimum of 8 cultural groups in a minimum of 10 different languages</p> <p><b>Target audience:</b> South Asian, Filipino, Russian, Korean</p> <p><b>Canadian content (music):</b> 35% category 2; 10% category 3; 7% of musical selections during ethnic programming periods</p> <p><b>Local programming per broadcast week:</b> 105 hours</p> <p><b>Spoken word programming per broadcast week:</b> In addition to news, weather, sports and traffic, will offer spoken word programming addressing matters of immigration, health, business and technology.</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$103,000 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> n/a (ethnic station)</p>

<p><b>MZ Media Inc.</b> Application 2011-1614-5</p>	<p><b>Type:</b> nested FM transmitter in Toronto to broadcast the programming of the English-language AM radio programming undertaking CFZM</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201A) with an effective radiated power of 225 watts (non-directional antenna with an effective height of antenna above average terrain of 264 metres)<sup>5</sup></p>
<p><b>Newcap Inc.</b> Application 2011-1615-3</p>	<p><b>Type:</b> English-language commercial FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201B), average effective radiated power (ERP) of 1,800 watts (maximum ERP of 7,000 watts with an effective height of antenna above average terrain of 273.1 metres)</p> <p><b>Format:</b> Modern Adult</p> <p><b>Target audience:</b> adults 18-44 years; core: females 25-44 years</p> <p><b>Canadian content (music):</b> 40% category 2</p> <p><b>Local programming per broadcast week:</b> 126 hours</p> <p><b>Spoken word programming per broadcast week:</b> 18 hours 35 minutes (+/- 15%)</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$12,000,000 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> 4%</p>
<p><b>Radio 1540 Limited</b> Application 2011-1638-5</p>	<p><b>Type:</b> ethnic commercial FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201B), average effective radiated power (ERP) of 1,530 watts (maximum ERP of 4,000 watts with an effective height of antenna above average terrain of 265.8 metres)</p> <p><b>Format:</b> 99.9% ethnic and 84% third-language programming; programming directed to a minimum of 17 cultural groups in a minimum of 9 different languages</p> <p><b>Target audience:</b> Filipino, Tagalog, Russian, Spanish, Arabic, Farsi</p> <p><b>Canadian content (music):</b> 35% category 2; 10% category 3; 10% of musical selections during ethnic programming periods</p> <p><b>Local programming per broadcast week:</b> 90 hours</p> <p><b>Spoken word programming per broadcast week:</b> In addition to news, weather, sports and traffic, will offer spoken word programming addressing community news, local talent, health, financial advice, local heroes and family/social issues</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$315,000 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> n/a (ethnic station)</p>

<sup>5</sup> These technical parameters reflect those approved by the Department of Industry.

<p><b>Radio Ryerson Inc.</b> Application 2011-1635-1</p>	<p><b>Type:</b> English-language FM community-based campus radio programming undertaking in Toronto</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201B), average effective radiated power (ERP) of 1,530 watts (maximum ERP of 4,000 watts with an effective height of antenna above antenna terrain of 265.8 metres)</p> <p><b>Target audience:</b> adults 18-34</p> <p><b>Canadian content (music):</b> 45% category 2 and 12% category 3 over the broadcast week; 7% of musical selections during ethnic programming periods</p> <p><b>Local programming per broadcast week:</b> not specified</p> <p><b>Spoken word programming per broadcast week:</b> Will devote a minimum of 20% of its programming per broadcast week to spoken word programming, which will consist of newscasts, a morning show, ethnocultural programming primarily in English, sports, comedy programs, political coverage, student-produced programs focusing on their area of study, Ryerson University lectures and a daily events calendar.</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> n/a (campus station)</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> 16 time slots totalling 32 hours of programming</p>
<p><b>Rock 95 Broadcasting Ltd.</b> Application 2011-1637-7</p>	<p><b>Type:</b> English-language commercial FM radio undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201A), average effective radiated power (ERP) of 532 watts (maximum ERP of 875 watts with an effective height of antenna above average terrain of 328.4 metres)</p> <p><b>Format:</b> Indie</p> <p><b>Target audience:</b> adults 18-49 years; core: adults 18-34 years</p> <p><b>Canadian content (music):</b> 40% category 2</p> <p><b>Local programming per broadcast week:</b> 126 hours</p> <p><b>Spoken word programming per broadcast week:</b> 10 hours 48 minutes of spoken word, of which 2 hours 50 minutes will be devoted to pure news</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$2,045,000 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> 60%</p>
<p><b>Sivakkumaran Sivapathasundaram, on behalf of a corporation to be incorporated</b> Application 2011-1656-7</p>	<p><b>Type:</b> ethnic commercial FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201A), average effective radiated power (ERP) of 477 watts (maximum ERP of 800 watts with an effective height of antenna above average terrain of 272 metres)</p> <p><b>Format:</b> 81% ethnic and 70% third-language programming; programming directed to a minimum of 12 cultural groups in a minimum of 8 different languages</p> <p><b>Target audience:</b> South Asian, Filipino, Urdu, Tamil, Farsi, Arabic, African, Turkish</p>

	<p><b>Canadian content (music):</b> 35% category 2; 10% category 3; 15% of musical selections during ethnic programming periods</p> <p><b>Local programming per broadcast week:</b> 114 hours</p> <p><b>Spoken word programming per broadcast week:</b> In addition to news, weather, sports and traffic, will offer spoken word programming consisting of talk shows, documentaries, interviews and discussion segments.</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$326,273 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> n/a (ethnic station)</p>
<p><b>Stanislaus Antony, on behalf of a corporation to be incorporated</b> Application 2011-1654-1</p>	<p><b>Type:</b> English-language commercial FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201A), average effective radiated power (ERP) of 225 watts (non-directional antenna with an effective height of antenna above average terrain of 271.7 metres)</p> <p><b>Format:</b> Emerging genres</p> <p><b>Target audience:</b> adults 18-34 years</p> <p><b>Canadian content (music):</b> 35% category 2</p> <p><b>Local programming per broadcast week:</b> 126 hours</p> <p><b>Spoken word programming per broadcast week:</b> 16.6 hours of spoken word, of which 3 hours 10 minutes will be devoted to news and sports</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$700,000 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> 5%</p>
<p><b>Tosan Lee, on behalf of a corporation to be incorporated</b> Application 2011-1616-1</p>	<p><b>Type:</b> English-language commercial specialty FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201A), average effective radiated power (ERP) of 477 watts (maximum ERP of 800 watts with an effective height of antenna above average terrain of 272 metres)</p> <p><b>Format:</b> Specialty (40% subcategory 33 – World beat and international)</p> <p><b>Target audience:</b> English-speaking Asian community</p> <p><b>Canadian content (music):</b> 35% category 2; 10% category 3</p> <p><b>Local programming per broadcast week:</b> 42 hours</p> <p><b>Spoken word programming per broadcast week:</b> 35 hours 17 minutes</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$189,000 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> 10%</p>

<p><b>Trust Communications Ministries</b> Application 2011-1573-3</p>	<p><b>Type:</b> English-language specialty FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201A), average effective radiated power (ERP) of 477 watts (maximum ERP of 800 watts with an effective height of antenna above average terrain of 272 metres)</p> <p><b>Format:</b> Specialty (90% subcategory 35 – Non-classic religious)</p> <p><b>Target audience:</b> adults 25-54 years during the day; youth 12-24 years in the evening</p> <p><b>Canadian content (music):</b> 35% category 2; 12% category 3</p> <p><b>Local programming per broadcast week:</b> 42 hours</p> <p><b>Spoken word programming per broadcast week:</b> 9 hours 12 minutes, of which 2 hours 42 minutes will be devoted to news, sports and public service announcements</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> Not required but committed to \$97,500 over seven consecutive broadcast years.</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> 90%</p>
<p><b>WorldBand Media Inc., on behalf of a corporation to be incorporated</b> Application 2011-1657-5</p>	<p><b>Type:</b> English-language commercial specialty FM radio programming undertaking</p> <p><b>Technical parameters:</b> 88.1 MHz (channel 201B), average effective radiated power (ERP) of 1,530 watts (maximum ERP of 4,000 watts with an effective height of antenna above average terrain of 265.8 metres)</p> <p><b>Format:</b> Specialty (interactive News/Talk)</p> <p><b>Target audience:</b> adults 18-54 years with a focus on younger listeners, females and visible minorities</p> <p><b>Canadian content (music):</b> n/a (all talk station)</p> <p><b>Local programming per broadcast week:</b> 126 hours</p> <p><b>Spoken word programming per broadcast week:</b> all talk station</p> <p><b>Canadian content development contribution (over the basic annual contribution):</b> \$1,750,000 over seven consecutive broadcast years</p> <p><b>Emerging Canadian artists programming per broadcast week:</b> n/a (all talk station)</p>
<p>* Percentages shown for category 2 musical selections (Popular Music) are for both the broadcast week and the period from 6 a.m. to 6 p.m., Monday to Friday. The definition of “broadcast week” is the same as that set out in the <i>Radio Regulations, 1986</i>.</p> <p>** Percentages shown for category 3 musical selections (Special Interest Music) are for the broadcast week. The definition of “broadcast week” is the same as that set out in the <i>Radio Regulations, 1986</i>.</p> <p>*** The definition of “broadcast week,” as it relates to local, spoken word and news programming, is the same as that set out in the <i>Radio Regulations, 1986</i>.</p>	

## Appendix 2 to Broadcasting Decision CRTC 2012-485

Rock 95 Broadcasting Ltd.

Application 2011-1637-7, received 19 December 2011

### Terms, conditions of licence, expectation and encouragement

Issuance of the broadcasting licence to operate an English-language commercial FM radio programming undertaking in Toronto, Ontario

#### Terms

The licence will expire 31 August 2019.

The station will operate at 88.1 MHz (channel 201A) with an average effective radiated power (ERP) of 532 watts (maximum ERP of 875 watts with an effective height of antenna above average terrain of 328.4 metres).

The Commission reminds the applicant that pursuant to section 22(1) of the *Broadcasting Act*, no licence may be issued until the Department of Industry 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 **11 September 2014**. 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.

#### Conditions of licence

1. The licensee shall adhere to the conditions set out in *Conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009.
2. The licensee shall, as an exception to the percentage of Canadian musical selections set out in sections 2.2(8) and 2.2(9) of the *Radio Regulations, 1986* (the Regulations):
  - a) devote, in each broadcast week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian selections broadcast in their entirety;
  - b) devote, between 6 a.m. and 6 p.m., in any period beginning on Monday of a week and ending on Friday of the same week, a minimum of 40% of its musical selections from content category 2 (Popular Music) to Canadian

selections broadcast in their entirety; and

- c) devote a minimum of 60% of the Canadian musical selections required under a) and b) above to musical selections by emerging Canadian artists.

In order to facilitate verification of compliance with this condition of licence, the licensee must specify on the music lists it provides to the Commission pursuant to section 9(3) of the Regulations:

i) those musical selections it categorizes as being by an emerging Canadian artist; and

ii) for each musical selection so categorized, the additional following information where applicable:

- for English-language musical selections, if a recording by the artist has appeared in one of the charted positions referenced in paragraph 5 of *Definition of emerging Canadian artists on commercial radio*, Broadcasting Regulatory Policy CRTC 2011-316, 12 May 2011, the title of that recording and the date it first reached the relevant position; and
- for French-language musical selections, if an album by the artist has reached Gold Record status according to SoundScan or has been marketed commercially, the date this status was first reached or the album was released for marketing and the title of the album.

For the purposes of this condition, the terms “broadcast week,” “Canadian selection,” “content category” and “musical selection” shall have the same meaning as that set out in the Regulations. The term “emerging Canadian artist” shall have the meaning set out in *Definition of emerging Canadian artists on commercial radio*, Broadcasting Regulatory Policy CRTC 2011-316, 12 May 2011.

3. In addition to the required basic annual contribution to Canadian content development (CCD) set out in section 15 of the *Radio Regulations, 1986*, as amended from time to time, the licensee shall upon commencement of operations make a contribution of \$2,045,000 over seven consecutive broadcast years to the promotion and development of Canadian content, to be allocated each year as follows:

Year 1	\$115,000
Year 2	\$115,000
Year 3	\$150,000
Year 4	\$245,000
Year 5	\$410,000
Year 6	\$495,000
Year 7	\$515,000

Of these amounts, the licensee shall allocate at least 20% to FACTOR on an annual basis. The remainder of this additional CCD contribution shall be allocated to parties and initiatives fulfilling the definition of eligible initiatives set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.

## **Expectation**

### **Cultural diversity**

The Commission expects the licensee to reflect the cultural diversity of Canada in its programming and employment practices.

## **Encouragement**

### **Employment equity**

In accordance with *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992, the Commission encourages the licensee to consider employment equity issues in its hiring practices and in all other aspects of its management of human resources.