



## Broadcasting Decision CRTC 2015-379

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Reference: 2015-199

Ottawa, 19 August 2015

### **MZ Media Inc.**

Toronto, Cobourg and Collingwood, Ontario

*Applications 2014-0808-9, 2014-0809-7 and 2014-0814-6, received 21 August 2014*

### **CFMZ-FM Toronto, CFMX-FM Cobourg and CFMO-FM Collingwood – Licence renewals and amendments**

*The Commission **renews** the broadcasting licences for the English-language commercial specialty radio stations CFMZ-FM Toronto, CFMX-FM Cobourg and CFMO-FM Collingwood, Ontario, from 1 September 2015 to 31 August 2022.*

*In addition, the Commission **approves** the licensee's proposed amendments to its stations' conditions of licence regarding Canadian content development contributions and category 3 (Special Interest Music) musical selections.*

### **Applications**

1. MZ Media Inc. (MZ Media) filed applications to renew the broadcasting licences for the English-language commercial specialty radio stations CFMZ-FM Toronto, CFMX-FM Cobourg and CFMO-FM Collingwood, Ontario, which expire 31 August 2015. The Commission did not receive any interventions regarding these applications.
2. CFMZ-FM currently offers a Classical and Fine Arts music format. CFMX-FM and CFMO-FM broadcast music programming from CFMZ-FM, as well as a maximum of 4 hours and 12 minutes of spoken word programming that is unique to their station. The licensee requested a number of amendments to its conditions of licence to bring its Canadian content development (CCD) obligations in line with revisions<sup>1</sup> that have been made to the *Radio Regulations, 1986* and to remove the phased-in approach to content category 3 music (Special Interest Music), to which it was subject in its previous licence term.

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<sup>1</sup> Section 15(4) was repealed on 1 September 2013. Consequently, licensees are now required to allocate a portion of their Canadian content development contributions to the Community Radio Fund of Canada, pursuant to section 15(5) of the *Radio Regulations, 1986*.

3. With respect to CFMX-FM and CFMZ-FM, the licensee requested that the Commission replace conditions of licence 3 and 5, set out in Appendices 1 and 2 to Broadcasting Decision 2011-456, with the following conditions:
  3. As an exception to the percentage of basic annual Canadian content development (CCD) contributions required to be devoted to FACTOR, MUSICACTION or the Community Radio Fund of Canada, set out in subsection 15(5) of the *Radio Regulations, 1986*, the licensee shall devote 10% of its basic annual CCD contribution to FACTOR and shall devote 10% of its basic annual CCD contribution to the Community Radio Fund of Canada and shall devote the remainder to eligible initiatives related to the station's classical music format. Parties and initiatives fulfilling the definition of eligible initiatives are set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.
  5. The licensee shall devote a minimum of 20% of all content category 3 (Special Interest Music) musical selections broadcast during the broadcast week to Canadian selections, to be scheduled in a reasonable manner throughout the broadcast day.
4. MZ Media also requested that CFMO-FM be subject to the revised condition of licence 3 above and that condition of licence 4, set out in Appendix 4 to Broadcasting Decision 2012-123, be replaced with condition of licence 5 above, to harmonize the station's conditions of licence with those of CFMX-FM and CFMZ-FM.

### **Commission's analysis and decisions**

5. The Commission finds that the proposed amendments to the licensee's CCD obligations are consistent with the Commission's broader policy, while maintaining a CCD contribution to eligible classical music initiatives. Moreover, the Commission finds that removal of the reference to the phased-in increase to the percentage of musical selections drawn from content category 3 is appropriate.
6. The Commission **renews** the broadcasting licences for the English-language commercial specialty radio programming undertakings CFMZ-FM Toronto, CFMX-FM Cobourg and CFMO-FM Collingwood, Ontario, from 1 September 2015 to 31 August 2022.
7. In addition, the Commission **approves** MZ Media Inc.'s requests to amend conditions of licence 3 and 5, set out in Appendices 1 and 2 to Broadcasting Decision 2011-456, and condition of licence 4, set out in Appendix 4 to Broadcasting Decision 2012-123, and to add a CCD condition of licence for CFMO-FM. The **conditions of licence** are set out in Appendices 1 and 2 to this decision.

## **Reminder**

8. Pursuant to section 22 of the *Broadcasting Act*, the broadcasting licences renewed in this decision will cease to have any force or effect if the broadcasting certificates issued by the Department of Industry lapse.

## **Employment equity**

9. Because the licensee is subject to the *Employment Equity Act* and files reports concerning employment equity with the Department of Human Resources and Skills Development, its employment practices are not examined by the Commission.

Secretary General

## **Related documents**

- *Licensing of new radio stations to serve Shelburne and Collingwood, Ontario*, Broadcasting Decision CRTC 2012-123, 29 February 2012
- *CFMZ-FM Toronto and CFMX-FM Cobourg – Licence renewals*, Broadcasting Decision CRTC 2011-456, 29 July 2011

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

## Appendix 1 to Broadcasting Decision CRTC 2015-379

### Conditions of licence and expectation for the English-language commercial specialty radio programming undertaking CFMZ-FM Toronto, Ontario

#### Conditions of licence

1. The licensee shall adhere to the conditions set out in *Conditions of licence for AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009, with the exception of condition of licence 7, and shall adhere to the conditions set out in the broadcasting licence for the undertaking.
2. The station shall be operated within the Specialty format as defined in *A Review of certain matters concerning radio*, Public Notice CRTC 1995-60, 21 April 1995, and *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2010-819, 5 November 2010.
3. As an exception to the percentage of basic annual Canadian content development (CCD) contributions required to be devoted to FACTOR, MUSICACTION or the Community Radio Fund of Canada, set out in subsection 15(5) of the *Radio Regulations, 1986*, the licensee shall devote 10% of its basic annual CCD contribution to FACTOR and shall devote 10% of its basic annual CCD contribution to the Community Radio Fund of Canada and shall devote the remainder to eligible initiatives related to the station's classical music format. Parties and initiatives fulfilling the definition of eligible initiatives are set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.
4. In each broadcast week, the licensee shall devote at least 70% of all musical selections broadcast to musical selections drawn from content subcategory 31 (Concert).
5. The licensee shall devote at least 20% of all content category 3 (Special Interest Music) musical selections broadcast during the broadcast week to Canadian selections and schedule them in a reasonable manner throughout the broadcast day.
6. The licensee is authorized to use Subsidiary Communications Multiplex Operations (SCMO) channels to distribute a commercial Tamil-language service and a commercial Persian-language service produced by Radio Sedaye Iran.

With respect to condition 6, the licensee is expected to adhere to the guidelines set out in Appendix A to *Services Using the Vertical Blanking Interval (Television) or Subsidiary Communications Multiplex Operation (FM)*, Public Notice CRTC 1989-23, 23 March 1989.

**Expectation**

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

## Appendix 2 to Broadcasting Decision CRTC 2015-379

### Conditions of licence and expectation for the English-language commercial specialty radio programming undertakings CFMO-FM Collingwood and CFMX-FM Cobourg, Ontario

#### Conditions of licence

1. The licensee shall adhere to the conditions set out in *Conditions of licence for AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2009-62, 11 February 2009, with the exception of conditions of licence 7 and 8, and shall adhere to the conditions set out in the broadcasting licence for the undertaking.
2. The station shall be operated within the Specialty format as defined in *A Review of certain matters concerning radio*, Public Notice CRTC 1995-60, 21 April 1995, and *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2010-819, 5 November 2010.
3. As an exception to the percentage of basic annual Canadian content development (CCD) contributions required to be devoted to FACTOR, MUSICACTION or the Community Radio Fund of Canada, set out in subsection 15(5) of the *Radio Regulations, 1986*, the licensee shall devote 10% of its basic annual CCD contribution to FACTOR and shall devote 10% of its basic annual CCD contribution to the Community Radio Fund of Canada and shall devote the remainder to eligible initiatives related to the station's classical music format. Parties and initiatives fulfilling the definition of eligible initiatives are set out in paragraph 108 of *Commercial Radio Policy 2006*, Broadcasting Public Notice CRTC 2006-158, 15 December 2006.
4. In each broadcast week, the licensee shall devote at least 70% of all musical selections broadcast to musical selections drawn from content subcategory 31 (Concert).
5. The licensee shall devote at least 20% of all content category 3 (Special Interest Music) musical selections broadcast during the broadcast week to Canadian selections and schedule them in a reasonable manner throughout the broadcast day.
6. In each broadcast week, the licensee shall limit the amount of differentiated spoken word content broadcast to a maximum of 4 hours and 12 minutes. For the purposes of this condition, differentiated spoken word content is defined as station identifications, promotional announcements and first appearance surveillance material, such as arts billboards, community messages, public service announcements and regional information, that shall not be broadcast on CFMZ-FM Toronto during the same broadcast week.

**Expectation**

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