



Broadcasting Decision CRTC 2026-183

PDF version

Reference: Part 1 application posted on 15 December 2025

Gatineau, 24 July 2026

Durham Radio Inc.

Vancouver and Burnaby/Port Moody, British Columbia

Public record: 2023-0182-8

CIWV-FM Vancouver – New transmitter in Burnaby/Port Moody

Summary

The Commission approves the application by Durham Radio Inc. to amend the broadcasting licence for the English-language commercial specialty FM radio programming undertaking CIWV-FM Vancouver, British Columbia, to operate a transmitter in Burnaby/Port Moody, British Columbia.

The Commission finds that the applicant has demonstrated an economic need to support its application and that approval of the application would not have an undue economic impact on the Vancouver commercial radio market's incumbent stations. The Commission considers that approval of the application is in the public interest.

Background

1. In Broadcasting Decision 2014-412, the Commission approved an application by 0971197 B.C. Ltd. (0971197 B.C.) for a broadcasting licence to operate a new English-language specialty commercial (spoken word) radio station to serve Vancouver, British Columbia, which would launch as CIRH-FM Vancouver, British Columbia. The application was approved as part of a public hearing in which no other applicants were seeking the use of the frequency requested by 0971197 B.C.
2. In Broadcasting Decision 2021-216, the Commission approved an application by Durham Radio Inc. (Durham), on behalf of 0971197 B.C., for authority to change the ownership and effective control of 0971197 B.C. through the transfer of all its issued and outstanding shares to Durham. Following that transaction, the station's call sign became CIWV-FM Vancouver, British Columbia. In that same decision, the Commission approved Durham's application to move from a spoken word format to a rhythmic soft contemporary jazz format.

Application

3. On 31 March 2023, the Commission received an application from Durham to amend the broadcasting licence for the English-language commercial specialty FM radio programming undertaking CIWV-FM Vancouver, British Columbia, in order to operate a transmitter (CIWV-FM-1) in Burnaby/Port Moody, British Columbia (part of the Vancouver Census Metropolitan Area [CMA]).
4. The proposed transmitter would operate at 98.7 MHz (channel 254A), which is second-adjacent to the originating station CIWV-FM, with an average effective radiated power (ERP) of 3,600 watts (directional antenna with a maximum ERP of 6,000 watts and an effective height of the antenna above average terrain [EHAAT] of 43.4 metres).
5. Consistent with Broadcasting Regulatory Policy 2014-554, the Commission called for comments on the capacity of the Vancouver market to support a new radio station and on the appropriateness of issuing a call for applications for new stations to serve the market.
6. In Broadcasting Decision 2025-289, the Commission determined that the Vancouver radio market could not support a new commercial radio station. It specified, however, that Durham was not seeking to introduce a new commercial station into the market, since CIWV-FM was already licensed to serve Vancouver. The Commission stated that it would publish Durham's application for a transmitter, consider the public record, and determine whether to approve the application.
7. Durham indicated that CIWV-FM's limited coverage provides a usable signal to only a portion of the Vancouver CMA. Because of adjacent stations in Victoria and Chilliwack, British Columbia, CIWV-FM is limited to its current coverage on the 98.3 MHz frequency. In Durham's view, poor reception limits audience reach and negatively impacts tuning in areas with venues that have expressed an interest in the station and the artists it supports. The applicant submitted that an appropriate solution to address the coverage issue would be the addition of a transmitter filling out CIWV-FM's coverage in areas where the signal is poor or non-existent.
8. In addition, Durham submitted that approval of the proposed transmitter would help increase the diversity of music and information programming for listeners in the Vancouver CMA by furthering the coverage of a rhythmic soft contemporary jazz format offering music not currently available in the radio market.
9. Finally, Durham stated that CIWV-FM does not compete directly with incumbent commercial stations because its format is different. In its view, the addition of a transmitter would therefore not affect existing licensees.

Interventions and reply

10. As part of its application, Durham included 11 letters of support from listeners, artists, and businesses in Port Moody, Coquitlam, and Port Coquitlam (collectively, the Tri-City area), as

well as Burnaby, Surrey, and New Westminster, British Columbia, and 37 social media messages from listeners describing reception issues. Further, as part of the call for comments on the market capacity of Vancouver, Broadcasting Notice of Consultation 2024-10, the Commission received 227 interventions in support of Durham's application.

11. Many of the interveners in support of the application highlighted the role that CIWV-FM plays in promoting and supporting Canadian talent, especially artists from British Columbia, who do not usually benefit from frequent airplay. Some interveners also indicated that expanding the reach of CIWV-FM's signal would allow artists to reach key markets when promoting their events on the station.
12. The Commission received a joint intervention in opposition to the application from Bell Media Inc. (Bell) and Corus Entertainment Inc. (Corus). In their intervention, Bell and Corus stated that the approval of Durham's application would amount to a significant expansion of CIWV-FM's coverage, from serving less than one fifth of the Vancouver CMA population to serving half. In their view, this would be equivalent to authorizing a new radio station. They added that approving the application would impose an undue economic impact on incumbent broadcasters (as CIWV-FM would compete more aggressively for advertising revenue) and undermine the Commission's licensing process.
13. Finally, Bell and Corus submitted that Durham was fully aware that the station's limited reach in the market was one of the main reasons that the Commission permitted the station's purchase in 2021.
14. In its reply, Durham referred to Broadcasting Decision 2025-289, in which the Commission indicated that Durham's application did not seek to launch a new commercial station.
15. Durham further stated that CIWV-FM, a specialty radio station that broadcasts more than half of its musical selection from content category 3 (Special Interest Music)¹ and that has an overall 40% Canadian content commitment, is not a threat to mainstream operators, particularly those with a significant share of tuning.
16. In Durham's view, its proposal would optimize the combined use of 98.3 MHz and 98.7 MHz to materially improve coverage within a portion of the Vancouver CMA and would strengthen the viability of Vancouver's only English-language commercial specialty FM station. Finally, the applicant submitted that CIWV-FM provides a genuine programming alternative that responds to demonstrated listener demand.

¹ The content categories and subcategories for radio, along with their descriptions, are set out in the appendix to Broadcasting Regulatory Policy 2022-333.

Legal framework

17. The Commission has the authority, pursuant to subsection 9(1) of the *Broadcasting Act* (the Act), to issue licences for the carrying on of broadcasting undertakings, as well as to amend those licences.
18. When the licensee of a radio station files an application for technical amendments to its licence, the Commission generally requires that the licensee present compelling technical or economic evidence justifying the requested technical amendments. Applications are examined on a case-by-case basis, and the Commission may take into consideration the details of an application and any relevant issues raised in an intervention.

Issues

19. After examining the record for this application in light of applicable regulations and policies, the Commission considers that it must address the following issues:
 - whether the licensee has demonstrated an economic need justifying the requested technical amendments;
 - whether the licensee has demonstrated a technical need for the proposed transmitter;
 - whether the proposed technical amendments represent an appropriate technical solution;
 - whether the proposed technical amendments represent an appropriate use of spectrum;
 - whether approval of the application would have an undue economic impact on the Vancouver radio market's incumbent stations; and
 - whether approval of the application would undermine the integrity of the Commission's licensing process or be in the public interest.

Economic need

20. Durham submitted that its listening audience is loyal, but relatively small. It indicated that its listeners frequently complained of poor coverage outside of downtown Vancouver and the North Shore. Durham further submitted that its proposal would strengthen its economic viability. The Commission considers these submissions to be significant.
21. The Commission is of the view that the applicant's proposed transmitter would increase listener reach and allow the applicant to potentially increase listenership and advertising revenues. In this way, the addition of a transmitter is a reasonable way, under the circumstances, to address a difficult economic situation.

22. In light of the above, the Commission finds that Durham has demonstrated an economic need to justify the requested technical amendments.

Technical need

23. To demonstrate technical need, the Commission generally expects licensees to demonstrate signal deficiencies within a station's market, as defined by its primary (3 mV/m) contour.
24. The Commission notes that most of the complaints concerning signal reception and limitations included in the application originate from regions within CIWV-FM's secondary (0.5 mV/m) contour and beyond, rather than its primary contour. Accordingly, the issue identified by Durham relates primarily to service outside the station's authorized primary coverage area rather than to deficiencies within that area.
25. Durham's proposed transmitter would be located approximately 15 kilometres east of the originating station. The coverage area of the proposed transmitter would partially overlap the authorized contour of the existing station but would mostly expand to the neighbouring regions, including the Tri-City area, the eastern portion of the City of Vancouver, Burnaby, New Westminster, and the northern portion of Surrey.
26. In light of the above, the Commission finds that Durham has not demonstrated a compelling technical need to address deficiencies within the existing primary contour. Rather, the application is intended to expand the coverage of CIWV-FM.

Appropriate technical solution

27. The Commission notes that the applicant has explored multiple technical options to improve the service outside of the primary contour, from examining relocation of the transmitter to adding new transmitters or introducing technical amendments to the originating station.
28. In the present case, the proposed transmitter would extend service to areas that are currently outside CIWV-FM's primary contour.
29. In light of the above, the Commission finds that the addition of a transmitter would represent an appropriate technical solution for expanding coverage.

Appropriate use of spectrum

30. The applicant proposed the use of frequency 98.7 MHz (channel 254A), which is one of the last known frequencies available to serve Burnaby and the surrounding areas. The Commission considers that using one of the last known frequencies for a transmitter does not typically represent an ideal use of spectrum.

31. Nonetheless, the applicant's proposal has received conditional technical acceptability from the Department of Industry (also known as Innovation, Science and Economic Development Canada). Consequently, the proposal adheres to the rules governing FM spectrum coordination.
32. In addition, Durham noted that the frequency proposed for the new transmitter is second adjacent to that of its existing station and that any other applicant seeking to operate a station on the proposed frequency would be required to protect Durham's existing station from potential interference. Durham confirmed that if its application is approved, it would accept all limitations as well as interference arising between the station and the proposed transmitter. It further stated that its proposal would make the optimal use of this frequency.
33. The Commission acknowledges that Durham's exclusive positioning with its existing station makes it uniquely able to use this frequency in the specific way it has proposed.
34. In light of the above, the Commission finds that the requested technical amendments would represent an appropriate use of spectrum.

Economic impact on incumbent stations

35. In Broadcasting Information Bulletin 2025-266, the Commission indicated that when assessing an application to add a transmitter, it must determine whether that application meets the needs of the communities within its market. It also weighs any negative impact that the application would have on nearby stations.
36. As of June 2026, the Vancouver commercial radio market consists of 23 commercial radio stations, including six ethnic stations. That market's revenues have declined for five consecutive years from 2019 to 2024, while profitability has declined since 2020.
37. In regard to Bell and Corus's joint intervention stating that Durham's proposal would lead to greater competition for advertising revenue, the Commission notes that CIWV-FM operates in the specialty format and is the only commercial station in Vancouver required to devote at least 50% of the musical selections it broadcasts to content category 3. It offers a highly specialized, niche service that does not target the same listener base as the other commercial stations in Vancouver. Given this, the Commission considers that the risk of harm to mainstream commercial operators is low. Any additional revenues that Durham may earn from the transmitter would most likely be additional expenditures from existing advertisers seeking a new audience or would come from new advertisers to the market, as opposed to coming from existing advertising transferring business from other stations.
38. Further, the Commission notes that the reach of the combined existing and proposed transmitters would be smaller than that of most commercial stations in the Vancouver market, including those of Bell and Corus.

39. The Commission is of the view that the expansion of CIWV-FM's reach would modestly expand its audience while not having a negative impact on other stations in the market.
40. In light of the above, the Commission finds that, due to CIWV-FM's status as a specialty service, its relatively low projected revenues, and its small footprint in the market, approval of Durham's application would not have an undue economic impact on incumbent commercial stations in the Vancouver market.

Integrity of the Commission's licensing process and public interest

41. When the licensee of a radio station files an application for an additional transmitter, it is generally expected to present compelling technical or economic evidence justifying the technical changes. This protects the integrity of the Commission's licensing process by ensuring that technical amendments are not used as a "back-door" entry into markets when such entry would otherwise require an application to operate a new service.
42. In Broadcasting Decision 2025-289, the Commission indicated that Durham's application could proceed, as it would not result in the entry of a new commercial radio station into the broader Vancouver market. The Commission's analysis of the application confirms this view. While approval would expand service beyond the licensee's current primary contour, CIWV-FM has been licensed to serve a portion of the Vancouver market, and the proposed transmitter would still be included in Vancouver.
43. In Broadcasting Information Bulletin 2025-266, the Commission provided guidance on the requirements for the addition of rebroadcasting transmitters to radio licences. It explained that even if a licensee cannot demonstrate a compelling technical or economic need for this type of technical amendment, the Commission may still approve the application on an exceptional basis based on the public interest.
44. In this case, the Commission has determined that there is an economic need justifying the technical amendments, so a public interest exception is not required.
45. Nonetheless, the Commission is satisfied that the application does serve the public interest. The Commission notes the numerous interventions in support of Durham's application from listeners, artists, and public venue owners, as well as supporting statements that were included in its application. The interveners explained that the music played on CIWV-FM is not heard on other stations in the market. Some interveners stated that the station increases the visibility of many Canadian jazz artists. In their view, this helps them secure concerts and helps venues attract audiences. The Commission considers that the many supporting interventions help to demonstrate that approving Durham's application would further support the viability of the station.

46. Further, CIWV-FM is the only station in the Vancouver market that devotes the majority of its musical programming to selections drawn from content category 3.² Within that programming, a minimum of 40% must be devoted to Canadian musical selections.³ This is significantly higher than the minimums prescribed by the *Radio Regulations, 1986* (the Regulations).⁴ The Commission considers that CIWV-FM's higher percentage of Canadian content benefits Canadian artists and the public and that granting this application will help ensure the diversity of programming in the market.
47. In light of the above, the Commission finds that approval of Durham's application for a rebroadcasting transmitter in Burnaby/Port Moody would be in the public interest and would not undermine the integrity of the Commission's licensing process.

Conclusion

48. In light of all of the above, the Commission approves the application by Durham to amend the broadcasting licence for the English-language commercial specialty FM radio programming undertaking CIWV-FM Vancouver, British Columbia, in order to operate a transmitter (CIWV-FM-1) in Burnaby/Port Moody.
49. The licensee must implement the technical changes by no later than **24 July 2028**. To request an extension, the licensee must submit a written request to the Commission at least 60 days before that date, using the form available on the Commission's website.
50. This decision is to be appended to the licence.

Reminder

51. As set out in section 16 of the Regulations, licensees have obligations relating to the broadcast of emergency alert messages received from the National Alert Aggregation and Dissemination System. In regard to the authorized contours of the new FM transmitter CIWV-FM-1 resulting from this decision, the Commission reminds the licensee that continued compliance with section 16 of the Regulations may require that any alert broadcast decoders (e.g., ENDEC) used for the purposes of broadcasting emergency alert messages on CIWV-FM, or on any rebroadcasting transmitters that may appear on the broadcasting licence for that station, be reprogrammed to properly account for the new authorized contours.

² CHLG-FM Vancouver, British Columbia, a commercial radio station owned by 8384860 Canada Inc., is required to broadcast at least 15% of content category 3 musical selections.

³ The licensee is also required to devote at least 40% of its musical selections from content category 2 (Popular Music) to Canadian selections.

⁴ Under the Regulations, licensees of commercial stations must devote at least 10% of their content category 3 musical selections and at least 20% of their content category 34 (Jazz and blues) musical selections to Canadian selections.

Secretary General

Related documents

- *Findings regarding market capacity in the Vancouver radio market*, Broadcasting Decision CRTC 2025-289, 31 October 2025
- *Guidance on the requirements for the addition of rebroadcasting transmitters*, Broadcasting Information Bulletin CRTC 2025-266, 10 October 2025
- *Call for comments on market capacity and the appropriateness of issuing a call for radio applications to serve Vancouver, British Columbia*, Broadcasting Notice of Consultation CRTC 2024-10, 17 January 2024
- *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2022-333, 7 December 2022
- *CIRH-FM Vancouver – Change in ownership and effective control, licence renewal, and licence amendments*, Broadcasting Decision CRTC 2021-216, 8 July 2021
- *A targeted policy review of the commercial radio sector*, Broadcasting Regulatory Policy CRTC 2014-554, 28 October 2014
- *Licensing of new radio stations to serve Surrey and Vancouver*, Broadcasting Decision CRTC 2014-412, 6 August 2014