



Broadcasting Decision CRTC 2014-29

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Route reference: Part 1 application posted on 15 November 2013

Ottawa, 30 January 2014

105.9 FM Ltd.
Scarborough, Ontario

Application 2013-1484-8

CJVF-FM Scarborough – Licence amendment and technical change

1. The Commission **approves** the application by 105.9 FM Ltd. to amend the broadcasting licence for the ethnic radio programming undertaking CJVF-FM Scarborough in order to change the frequency from 105.9 MHz (channel 290LP) with an average effective radiated power of 45 watts to 102.7 MHz (channel 274LP) at the very low power of 6.5 watts.
2. The licensee requested this change following the launch of CFMS-FM Markham on 105.9 MHz at 704 watts.¹ Pursuant to the rules and procedures established by the Department of Industry (the Department),² low-power stations are not protected and must cease operating when a station with protected status begins operating on a frequency that is not compatible with the one used by the unprotected low-power station.
3. The Commission received numerous interventions supporting the application, as well as interventions offering general comments. The Commission also received opposing interventions, to which the licensee replied. The public record for this application can be found on the Commission's website at www.crtc.gc.ca under "Public Proceedings."
4. The Commission notes that the majority of the opposing interventions did not address the substance of the application. Further, the Commission considers that the continued operation of CJVF-FM at the proposed reduced parameters (i.e. the very low power of 6.5 watts) would have limited economic impact on ethnic radio stations in the Greater Toronto Area.
5. The Commission notes that it has also received a separate application from the licensee for the use of 102.7 MHz in Scarborough on a protected basis. This

¹ See Broadcasting Decision 2012-487 and Broadcasting Information Bulletin 2013-617.

² See *BPR-3: Application Procedures and Rules for FM Broadcasting Undertakings*.

application will be considered at a future proceeding, along with other applications filed with the Commission for the use of the same frequency in the Greater Toronto Area.

Reminders

6. The licensee is subject to the same terms and conditions of licence as those set out in Broadcasting Decision 2011-756, with the exception of the revised technical parameters approved in this decision.
7. The Commission reminds the licensee that pursuant to section 22(1) of the *Broadcasting Act*, this authority will only be effective when the Department notifies the Commission that its technical requirements have been met and that a broadcasting certificate will be issued.
8. Further, given that the technical parameters approved in this decision are for a low-power unprotected FM undertaking, the Commission reminds the licensee that pursuant to rules established by the Department, CJVF-FM will have to cease operating on 102.7 MHz upon the commencement of operations of an FM radio undertaking with protected status on that frequency or a frequency that is not technically compatible with the operation of CJVF-FM.

Secretary General

Related documents

- *Applications processed pursuant to streamlined procedures*, Broadcasting Information Bulletin CRTC 2013-617, 20 November 2013
- *Licensing of new radio stations to serve Markham*, Broadcasting Decision CRTC 2012-487, 11 September 2012
- *Ethnic FM radio station in Scarborough*, Broadcasting Decision CRTC 2011-756, 7 December 2011

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