



Broadcasting Decision CRTC 2025-346

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Reference: Part 1 application posted on 3 June 2025

Gatineau, 17 December 2025

Fairchild Radio (Vancouver FM) Ltd.

Vancouver and Richmond, British Columbia

Public record: 2024-0548-0

Application 2024-0588-6, received 15 November 2024

Applications to remove a condition of service relating to the broadcast of ethnic programming for CHKG-FM Vancouver and to revoke the broadcasting licence for CJVB Richmond

Summary

The Commission approves the application by Fairchild Radio (Vancouver FM) Ltd. (Fairchild) to amend the licence of the commercial ethnic FM radio station CHKG-FM Vancouver, British Columbia, by removing its condition of service relating to the broadcasting of ethnic programming at certain periods of the week.

The Commission also approves the related application by Fairchild to revoke the broadcasting licence for the commercial ethnic AM radio station CJVB Richmond, British Columbia.

The Commission finds that approving these applications would ensure the sustainability of CHKG-FM's operations and would not negatively impact the local radio market for ethnic programming.

Applications

1. The Commission has the authority, pursuant to subsections 9(1) and 9.1(1) of the *Broadcasting Act* (the Act), to issue licences for the carrying on of broadcasting undertakings, as well as to amend those licences, and to make orders imposing conditions on the carrying on of a broadcasting undertaking that it considers appropriate for the implementation of the broadcasting policy, set out in subsection 3(1) of the Act. Under sections 9 and 24 of the Act, the Commission has the authority to revoke a licence on the application of the licensee.
2. On 22 October 2024, Fairchild Radio (Vancouver FM) Ltd. (Fairchild) filed an application (2024-0548-0) to amend the broadcasting licence of the ethnic commercial FM radio station CHKG-FM Vancouver, British Columbia.

3. Specifically, Fairchild requested to remove condition of service¹ 5, which reads as follows:
 5. The licensee shall not broadcast any ethnic programming directed to the Chinese community during the 6:00 a.m. to 3:00 p.m. period on weekdays.
4. Fairchild filed a related application (2024-0588-6) in which it requested to revoke the licence for its commercial ethnic AM radio station CJVB Richmond, British Columbia, within approximately 60 days, should the application to amend the condition of service for CHKG-FM be approved. Fairchild submitted that the two applications should be dealt with together.
5. Fairchild argued that CJVB's signal has experienced increased interference, and that both the stations have experienced decreased advertising and airtime brokerage sales.
6. In addition, Fairchild indicated that multiple national broadcasters have stopped broadcasting programming from economically non-viable AM radio stations in the Vancouver area.
7. In its application requesting the removal of its condition of service, Fairchild stated that the operating costs for the two stations continue to increase and that the stations have sustained significant losses for several years.
8. Fairchild indicated that the removal of condition of service 5 from CHKG-FM would allow it to close its AM station CJVB and transfer approximately 33 hours of Chinese programming from CJVB to CHKG-FM during the period of 6:00 a.m. to 3:00 p.m. on weekdays. Fairchild is of the view that this would allow it to save significantly in operations, technical, programming, and administration costs. Fairchild further submitted that this closure would rebalance the market and estimated that CHKG-FM would be a financially viable station in the third year following the approval of these applications.
9. Fairchild proposed to adhere to all other conditions of service applicable to CHKG-FM.
10. The Commission did not receive any interventions in regard to the application to remove the condition of service for CHKG-FM (2024-0548-0).²

Background

11. In Broadcasting Decision 96-288, the Commission approved the application for a new ethnic FM radio programming undertaking following a competitive public hearing in Vancouver. At that time, the applicant had observed that there was very little daytime

¹ Previously condition of licence.

² As per the *Guidelines on the CRTC Rules of Practice and Procedure*, Fairchild's application for the revocation of CJVB (2024-0588-6) was processed administratively and therefore not published for comment.

service for ethnic groups other than the Chinese community. The applicant therefore committed to restrict the hours during which it would broadcast Chinese-language programming and instead proposed to broadcast programming directed to approximately 18 other ethno-cultural groups from 6:00 a.m. to 3:00 p.m. on weekdays. Accordingly, the Commission imposed a condition of service on the licensee reflecting this commitment.

12. Since then, the licensee has twice requested the removal of this condition. In Broadcasting Decision 99-461 and Broadcasting Decision 2008-308, the Commission denied Fairchild's applications to remove or amend the condition of service restricting the broadcast of ethnic programming directed to the Chinese community from 6:00 a.m. to 3:00 p.m. on weekdays. In both of those cases, the Commission was of the view that the licensee did not present compelling circumstances to set aside its commitment to this condition or to warrant an amendment to its conditions of service.

Issues

13. After examining the record for the two applications in light of applicable regulatory obligations and policies, the Commission considers that it must address the following issues:
 - whether the licensee demonstrated a compelling economic need justifying the requested amendments;
 - whether approval of the applications would have an undue economic impact on incumbent stations;
 - whether the licensee has been in compliance with its regulatory obligations;
 - whether approval of the applications would have a negative impact on the diversity of programming in the Vancouver radio market; and
 - whether approval of the applications would undermine the integrity of the Commission's licensing process.

Economic need

14. Fairchild submitted that its Vancouver radio stations have incurred significant economic losses for the past five years, and that it expects this trend to continue in the foreseeable future.
15. Specifically, Fairchild submitted that it has seen a decrease of advertising revenue as AM audiences shift to other services. It also submitted that consolidating its operations could attract more advertising revenue with a condensed schedule of its popular programs on its FM station.

16. Moreover, Fairchild argued that the approval of its applications would enable it to improve its financial position by consolidating operations and cutting significant costs.
17. The Commission has examined the stations' financial performance and notes that Fairchild has seen economic losses over the past five years, and that both stations have experienced significant declines in revenue. The Commission considers that the financial situation facing Fairchild is significantly different than when it made similar requests in the past. It further notes that unlike Fairchild's previous applications to remove condition of service 5, this request is accompanied by an application to revoke the licence for CJVB. This would result in Fairchild transferring some of the Chinese programming it broadcasts on CJVB to CHKG-FM, while also reducing Fairchild's operational costs. Further, the Commission considers that Fairchild has put forward an appropriate proposal to address its financial situation.
18. In light of the above, the Commission finds that the applicant has demonstrated a compelling economic need for the requested amendments.

Economic impact on incumbent stations

19. The Vancouver ethnic radio market currently has seven stations, including four primarily serving the South Asian population.
20. The Commission notes that the Vancouver ethnic market as a whole, apart from the Fairchild stations, is performing relatively well. The Commission also notes that CHMB Vancouver, owned by Mainstream Broadcasting Corporation, is the only other station targeting the Chinese community in the Vancouver market, and it did not submit an intervention.
21. If both applications are approved, the Commission notes that Fairchild's total revenues are expected to stabilize but not otherwise increase, thereby causing minimal disruption in the Vancouver market.
22. In light of the above, the Commission finds that approval of the applications would not have an undue economic impact on incumbent stations.

Compliance with regulatory obligations

23. The Commission periodically reviews the compliance record of stations, including when they apply for amendments to conditions of service. Licensees of radio stations must comply at all times with the requirements set out in the Act, the *Radio Regulations, 1986* (the Regulations), and their respective conditions of service. It is the licensee's responsibility to demonstrate its compliance.
24. In Broadcasting Decision 2023-75, the Commission renewed CKHG-FM and CJVB's licences for a term of seven years based on the fact that the licensee was in compliance with all of its regulatory obligations. No compliance issues were raised in this proceeding.

25. Having examined compliance with certain obligations in this licence term, the Commission finds that CHKG-FM is in compliance with its requirements to file its annual returns, as well as with its Canadian content development contributions as set out in the Regulations.
26. In light of the above, the Commission notes the licensee's history of compliance with its various obligations and has no compliance concerns at this time.

Impact on the diversity of local programming

27. In Broadcasting Decision 2020-216, the Commission determined that the Vancouver radio market was highly competitive and saturated, with a diverse range of services.
28. The Commission notes that, if it were to revoke the licence of CJVB, the number of hours of Chinese programming available in the Vancouver radio market would decrease by approximately 57 hours. However, it notes Fairchild's intention to transfer 33 hours of Chinese programming from CJVB to CHKG-FM.
29. Although the approval of Fairchild's applications would slightly decrease the number of hours of Chinese programming offered in the Vancouver radio market, the Commission is of the view that this change is minimal. Furthermore, Fairchild has committed to waiving the fees charged to airtime brokers, who are mainly non-Chinese organizations, in order to lessen their financial burden. Waiving these fees should help encourage the procurement of programming aimed at cultural groups outside of the Chinese community. This will help maintain the diversity of local programming by ensuring that Fairchild can continue to provide programming directed to a minimum of 20 cultural groups in a minimum of 15 different languages, which it remains required to do as a condition of service as set out in Broadcasting Decision 2023-75.
30. In addition, the Commission notes that, if the applications are approved, and CJVB exits the market, there would still be a total of six ethnic stations in the market, of which two would be focused on the Chinese community and four on South Asian communities. Accordingly, the Commission is of the view that the Vancouver radio market as a whole would continue to offer a diversity of programming.
31. In light of the above, the Commission finds that approving Fairchild's applications would not have a negative impact on the diversity of programming in the local market.

Integrity of the Commission's licensing process

32. The Commission expects that an applicant awarded a licence as a part of a competitive process will maintain its programming commitments for at least the first licence term.
33. The Commission notes that CHKG-FM, now in its seventh licence term, has always operated as an ethnic station and respected its condition of service requiring it not to

broadcast ethnic programming directed to the Chinese community from 6:00 a.m. to 3:00 p.m. on weekdays.

34. Further, Fairchild is not requesting to simply remove its condition of service but rather to consolidate the programming of the two radio stations.
35. In light of the above, the Commission finds that the removal of condition of service 5 for CHKG-FM would not undermine the integrity of the Commission's licensing process.

CJVB – Revocation of licence

36. Should the Commission approve CHKG-FM's licence amendment, Fairchild has requested the revocation of its broadcasting licence for CJVB, last renewed in Broadcasting Decision 2023-75.
37. Fairchild requested a brief transition period prior to the revocation, in order to notify its listeners in advance.
38. Given the licensee's request and pursuant to paragraph 9(1)(f) and subsection 24(1) of the Act, the Commission **revokes** the broadcasting licence issued to Fairchild for the above-mentioned undertaking. This revocation will take effect **5 March 2026**.

Conclusion

39. In light of all of the above, the Commission approves the application by Fairchild to remove condition of service 5 for CHKG-FM, which states it shall not broadcast any ethnic programming directed to the Chinese community from 6:00 a.m. to 3:00 p.m. on weekdays. The Commission also approves the related application by Fairchild to revoke the licence for its AM station CJVB.
40. The revised conditions of service and expectations applicable to CHKG-FM are set out in the appendix to this decision.
41. This decision is to be appended to the licence of CHKG-FM.

Reminders

Local News

42. Radio stations are an important daily source of local news and information for communities. Carrying on a broadcasting undertaking comes with conditions, regulatory obligations and responsibilities, which include contributing to the Canadian broadcasting system by ensuring that Canadians have access to local programming that reflects their needs and interests and informs them of important current issues.

43. Although the Revised Commercial Radio Policy³ does not specify a minimum level of weekly news to be broadcast, it does specify the type of spoken word material that must be included as part of a station's local programming. In accordance with that regulatory policy, the Commission reminds the licensee that its stations, in their local programming, must incorporate spoken word material of direct and particular relevance to the communities served, and that this programming must include local news, weather, sports coverage, and the promotion of local events and activities. In addition, the Commission encourages the licensee to ensure that a reasonable amount of daily local news and information is made available to those communities.

National Public Alerting System

44. The Commission has implemented obligations in respect of the broadcast of emergency alerts. For reference, see section 16 of the Regulations as well as Broadcasting Regulatory Policy 2014-444. The licensee must implement the public alerting system for each of its transmitters, and ensure that any alert broadcast decoders (e.g., ENDEC) used for the purposes of broadcasting emergency alert messages be installed and programmed to properly account for the applicable contour (as set out in paragraph 16(2)(b) of the Regulations) of the stations as well as that of any rebroadcasting transmitter that may appear on the licence for those stations.

Employment Equity

45. In accordance with Public Notice 1992-59, the licensee should consider employment equity in its hiring practices and in all other aspects of its management of human resources.

46. The amendments to the *Broadcasting Act* resulting from the *Online Streaming Act* place greater emphasis on the inclusion of Indigenous persons, Canadians from Black or other racialized communities, and Canadians of diverse ethnocultural backgrounds, socio-economic status, abilities and disabilities, sexual orientations, gender identities and expressions, and ages, in the Canadian broadcasting system. The Commission has announced consultations on diversity and inclusion in its [Regulatory plan to modernize Canada's broadcasting framework](#). In the meantime, the Commission expects the licensee to reflect this emphasis in its operational decisions.

Secretary General

Related documents

- *CHKG-FM Vancouver, CJVB Richmond and CHKT Toronto - Licence renewals*, Broadcasting Decision CRTC 2023-75, 16 March 2023
- *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022

³ Broadcasting Regulatory Policy 2022-332.

- *Findings regarding market capacity and the appropriateness of issuing a call for radio applications to serve Vancouver*, Broadcasting Decision CRTC 2020-216, 6 July 2020
- *Amendments to various regulations, the standard conditions of licence for video-on-demand undertakings and certain exemption orders - Provisions requiring the mandatory distribution of emergency alert messages*, Broadcasting Regulatory Policy CRTC 2014-444 and Broadcasting Orders CRTC 2014-445, 2014-446, 2014-447 and 2014-448, 29 August 2014
- *Guidelines on the CRTC Rules of Practice and Procedure*, Broadcasting and Telecom Information Bulletin CRTC 2010-959, 23 December 2010
- *CHKG-FM Vancouver - Licence renewal*, Broadcasting Decision CRTC 2008-308, 14 November 2008
- *Decision*, Decision CRTC 99-461, 14 October 1999
- *Application for a new ethnic FM radio programming undertaking - approved; two other FM applications - denied*, Broadcasting Decision CRTC 96-288, 29 July 1996
- *Implementation of an employment equity policy*, Public Notice CRTC 1992-59, 1 September 1992

Appendix to Broadcasting Decision CRTC 2025-346

Terms, conditions of service, and expectations for the ethnic commercial radio programming undertaking CHKG-FM Vancouver, British Columbia

Terms

The licence will expire 31 August 2030.

Conditions of service

1. The licensee shall adhere to the conditions of licence set out in *Revised conditions of licence for commercial AM and FM radio stations*, Broadcasting Regulatory Policy CRTC 2022-334, 7 December 2022, with the exception of condition 7, as well as 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, which should be read in conjunction with *Revised content categories and subcategories for radio*, Broadcasting Regulatory Policy CRTC 2022-333, 7 December 2022.
3. The licensee shall broadcast a minimum of 100 hours of ethnic programming each broadcast week.
4. The licensee shall provide programming directed to a minimum of 20 cultural groups in a minimum of 15 languages each broadcast week.
5. The licensee is authorized to use a subsidiary communications multiplex operation (SCMO) channel for the purpose of broadcasting a predominantly Korean-language radio service.
6. The licensee shall adhere to all applicable requirements set out in the *Radio Regulations, 1986* that were made under paragraph 10(1)(a) or under paragraph 10(1)(i) of the old *Broadcasting Act*.

For the purpose of these conditions of service, the term “broadcast week” shall have the same meaning as set out in the *Radio Regulations, 1986*.

Expectations

Diversity

The *Broadcasting Act* places significant emphasis on the inclusion and reflection of Indigenous persons as well as Canadians from Black or other racialized communities and Canadians of diverse ethnocultural backgrounds, socio-economic status, abilities and disabilities, sexual orientations, gender identities and expressions, and ages, in the

Canadian broadcasting system. The Commission expects the licensee to take concrete measures to ensure it contributes to this inclusion and reflection in both its programming and employment practices.

Canadian emerging artists

Consistent with the Commission's determination set out in *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022 (Broadcasting Regulatory Policy 2022-332), the Commission expects the licensee to devote, in each broadcast week, at least 5% of the station's musical selections to selections from Canadian emerging artists broadcast in their entirety. The licensee should report annually on how it has met this expectation, including the percentage of selections from Canadian emerging artists out of the total number of musical selections that were aired, and the number of distinct artists whose music has been aired. The licensee should also be able to provide, upon request, information such as a list of all titles, artists, and International Standard Recording Code (ISRC) numbers.

For the purposes of the above paragraph, the definition of "Canadian emerging artist" is the same as that set out in paragraph 346 of Broadcasting Regulatory Policy 2022-332.

Indigenous musical selections

Consistent with the Commission's determination set out in *Revised Commercial Radio Policy*, Broadcasting Regulatory Policy CRTC 2022-332, 7 December 2022 (Broadcasting Regulatory Policy 2022-332), the Commission expects the licensee to include Indigenous musical selections on the station's playlist. The licensee should report annually on the amount of Indigenous content aired on the station throughout the broadcast year (i.e., from 1 September to 31 August), including the percentage of Indigenous musical selections out of the total number of musical selections that were aired, and the number of distinct artists whose music has been aired. The licensee should also be able to provide, upon request, information such as a list of all titles, artists, and International Standard Recording Code (ISRC) numbers.

For the purposes of the above paragraph, the licensee may use the provisional definition of "Indigenous-Canadian musical selection" set out in paragraph 441 of Broadcasting Regulatory Policy 2022-332 to determine whether a musical selection can be considered an Indigenous musical selection.