

Approval of Film By-Law & Guidelines

Presented to Community Services Committee: March 2, 2020

Summary

On December 2, 2019, staff reported to Council on the results of the industry scan and public input process to gather feedback from film stakeholders, local businesses and residents on the current *Film By-law 2015-227*, which expires March 31, 2020.

Following Council's endorsement in December, this report serves to update Council and seek endorsement of the work undertaken to implement the recommendations contained in the December report.

Background

Greater Sudbury City Council has identified the growth of the local film industry as a priority area for economic development.

- In 2012 the City serviced nine productions with a combined total of 366 film days and direct local spending of \$11.2M.
- In comparison, the City serviced 15 productions in 2018 with a combined total of 580 film days and direct local spending of \$35.9M.

Over the years the City of Greater Sudbury has gained experience in supporting local film activity and gleaned expertise from regular contact with other film centres.

- Since the current Film By-Law was introduced in 2015 the City has serviced an additional 82 film and television productions with a combined total of 3,489 film days.
- This has resulted in a combined \$122.2M in reported direct local spending since 2015 and further ripple effects and job creation within the local economy.

There are many elements that are taken into account when considering the city's competitiveness in film investment attraction – such as provincial and federal incentives, available infrastructure and talented local crew. Among this, a city's willingness to accommodate film productions and support on-location filming remains one of the draws to filming in the city.

The goal of updating the Film By-Law and processes is to work within existing service levels to further support the development of a thriving film industry while taking into account interests of citizens and businesses. A community that is supportive of on-location filming is essential to ensuring the film-friendliness of the city, which supports the changes to the applicable by-laws, fees and internal processes should streamline communication where possible.

Through Council's direction in December, the policy changes being recommended allow for the application of permitting requirements that reflect the various types of scenarios seen in this industry. The lead role by Economic Development will further clarify points of contact for productions and for the public. By concentrating operational requirements of the Film By-Law to the Film Handbook, is to better equip staff to accommodate filming requests with a periodic review of process improvements. These approaches are in line with the best practices noted from other municipalities and reflective of stakeholder and citizen input.

Updates

Following Council's direction in December, the following work has been undertaken:

- ***Update the Film By-Law to focus on film permit applicability and jurisdiction. Direct operational matters to the filming guidelines.***
 - Staff recommends that the current Film By-Law 2015-227 be replaced with version attached to this report. This would align Greater Sudbury's process with industry best practices and encourage a more streamlined approach to film permitting.
 - The *Filming Guidelines* have been updated to reflect the proposed changes to the Film By-Law. The guidelines outline the operational processes involved with filming in Greater Sudbury, including permitting requirements as well as aspects not covered by by-laws, e.g.: sustainable filming practices, drone use, code of conduct for cast and crew, etc. The updated Filming Guidelines are attached here. Future periodic updates to the guidelines would be under the purview of the Director of Economic Development.
- ***Update delegated authority to issue or revoke film permits from the Director of Assets to the Director of Economic Development.***
 - The updated Film By-law and guidelines reflect the change in film permitting authority from the Director of Assets to the Director of Economic Development. No further by-laws are impacted by this change.
- ***Direct staff to update the associated User Fee By-law to remove the current film permit fees.***
 - The updated filming guidelines reflect the change in film permitting processes and zero fee film permit. This position will be leveraged to market Greater Sudbury as a film-friendly city. This User Fee By-Law update will be brought to Finance and Administration Committee for a housekeeping amendment following the ratification of the attached Film By-law.
 - While the Film Permit Fee is being discontinued, film productions will remain responsible for covering other fees and costs associated with the use of municipal facilities, such as venue rentals, parking costs, road occupancy permits and other expenses.
 - Following the ratification of the updated Film By-Law, staff will formally communicate with the sector to ensure understanding. This will be done through one-on-one meetings, news releases and email/newsletters.
- ***Direct staff to amend the Zoning By-Law to clarify the definitions of Filming Events and Audio/Visual Studios.***
 - The updated Film By-law and guidelines further clarify the difference between on-location film events and those that take place in studios. This Zoning By-Law update is scheduled to be brought to Planning Committee as a housekeeping amendment following the ratification of the attached Film By-law.
- ***Direct staff to implement filming policies that support Greater Sudbury's position as a filming destination.***
 - With the introduction and launch of a new online permitting system and guidelines, staff across involved departments will have the opportunity to clarify applicable film related fees and agreements.

Conclusion

The goal of implementing these changes to the Film By-Law is work within existing service levels to further support the development of a thriving film industry while taking into account interests of citizens and businesses.

Pending approval from Council, staff will finalize the updates to the Film By-Law and filming guidelines and work with film industry stakeholders and across CGS departments to implement the changes in process. Further, marketing materials will reflect Greater Sudbury's position as a film-friendly destination for new business and online materials will be made available as a resource for residents.

Relevant Links for Further Information

- 1. Community Services Committee meeting of December 2, 2019**
Staff report: Update on Film By-Law
<https://agendasonline.greatersudbury.ca/?pg=agenda&action=navigator&lang=en&id=1360&itemid=17489>
- 2. City Council meeting of September 11, 2018**
Staff report: Update on Film By-law Review Process
<https://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&id=1246&itemid=15525&lang=en>
- 3. City Council meeting of August 22, 2017**
Council motion directing staff to conduct a review of the existing By-Law in 2019
<http://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&id=1132&itemid=13384&lang=en>
- 4. City Council meeting of April 25, 2017**
Council motion requesting a staff report on ways to mitigate negative impacts of filming
<http://agendasonline.greatersudbury.ca/?pg=agenda&action=navigator&lang=en&id=1126#agendaitem13135>
- 5. Planning Committee meeting of April 11, 2016**
Staff report: Housekeeping amendments to zoning By-Law – addition of filming events as permitted activities in all zones
<http://agendasonline.greatersudbury.ca/?pg=agenda&action=navigator&lang=en&id=983&itemid=11102>
- 6. Community Services Committee meeting of October 5, 2015**
Staff report: Update on film By-Law development – draft By-Law for review & details of public consultation
<http://agendasonline.greatersudbury.ca/?pg=agenda&action=navigator&lang=en&id=834&itemid=10311>
- 7. Community Services Committee of August 10, 2015**
Staff report: Update on film By-Law development – draft for review
<http://agendasonline.greatersudbury.ca/index.cfm?pg=agenda&action=navigator&id=832&itemid=10092&lang=en>
- 8. Community Services Committee meeting of May 4, 2015**
Staff report: Update on film By-Law development & overview of private/public property implications
<http://agendasonline.greatersudbury.ca/?pg=agenda&action=navigator&lang=en&id=829&itemid=9591>