

COMMITTEE OF THE WHOLE JUNE 19, 2012

FILMING EVENT BY-LAW – 371-2004

Recommendation

The Commissioner of Legal and Administrative Services & City Solicitor, in consultation with the City Clerk, the Director of Corporate Communications and the Director of Economic Development recommends:

- 1) That notwithstanding the provisions of By-law No. 371-2004, on an interim basis:
 - a) The permit fee for on-location filming events taking place within the City of Vaughan be reduced from \$500.00 to \$250.00;
 - b) The requirement for a film permit be restricted to those circumstances where:
 - i) Any portion of the filming takes place on public property within the City of Vaughan, including for the purpose of parking vehicles;
 - ii) The filming activity involves the use of pyrotechnics or fire arms; or
 - iii) The filming activity may in the opinion of the Chief Licensing Officer of the City of Vaughan adversely affect area residents due to noise and lighting;
 - c) The consent of a majority of residents in the vicinity of filming activity be required should filming be taking place more than once within any 12 month period; and
- 2) That staff be requested to report back within six months time with an update on filming activity taking place within the City of Vaughan and such recommended changes to By-law 371-2004 as may be appropriate.

Contribution to Sustainability

N/A

Economic Impact

The proposed elimination of filming fees for private property and the proposed filming permit fee reduction will have an impact of approximately \$7,500 in lost revenue when compared to film permit revenue in 2011. It is anticipated that changes in filming fees and processes will attract more on location filming which will off-set the financial impact to Vaughan as well as creating additional cross-business opportunities, local employment and support for Vaughan's hospitality industry.

Communications Plan

Film production companies will be required to notify residents and businesses on both sides of the street within a 1 block radius of film locations, or as otherwise instructed by the Chief Licensing Officer.

Purpose

The purpose of this report is to recommend interim adjustments to the permit fees and procedures for notifying affected residents of filming events preparatory to the introduction of formal amendments to Filming Event By-law 371-2004.

Background - Analysis and Options

In late 2011 staff received correspondence from Donna Zuchlinski, Ontario Film Commissioner for the Ontario Media Development Corporation (OMDC) expressing concerns with the City of Vaughan permit fees for filming events and processes for applications and notification to residents where filming takes place. A meeting was arranged on May 18, 2012 with the City Clerk, the Director of Corporate Communications and staff from the Economic Development Department where the issues were further discussed.

With respect to permit fees, Ms. Zuchlinski provided staff with an analysis from a number of Ontario municipalities and cities. In those jurisdictions which charged a permit fee, the fee ranged from \$ 75.00 to \$ 300.00 as noted in Attachment 1. The survey shows that in comparator municipalities no fees were charged for filming taking place on private property where there was no need for on street parking or City services. Vaughan's current fee for filming is \$ 500.00 and is payable for any filming event taking place within its jurisdiction, regardless of where it takes place, whether City services are required or whether residents are affected by noise, pyrotechnics, gun fire, etc. OMDC has suggested that the City of Vaughan consider revising its current fee structure to bring it in line with other Ontario jurisdictions.

In addition, Ms. Zuchlinski has suggested that Vaughan review its process related to circumstances where resident signatures are required where filming activities affect them. She offers the City of Toronto as a comparable where the procedure is to require signatures from a majority of affected residents after the second occurrence in a calendar year. This does not include cases of afterhours filming or where pyrotechnics will be used, which require the same number of signatures but for all requests regardless of the number of occurrences per year. Vaughan currently requires that all affected residents be notified in writing by the filming or production company outlining the dates, times, duration and nature of the filming taking place no less than 48 hours before the event and that a copy of same be filed with the City Clerk's Office. Staff is supportive of the film industry and agrees that the City of Toronto's approach is more efficient and therefore recommends that filming activity which occurs within a neighbourhood within 12 months of a previous occurrence be subject to the revised notification protocol.

Relationship to Vaughan Vision 2020/Strategic Plan

This report is in keeping with the provisions of the City of Vaughan Strategic Plan, particularly the achievement of Staff Excellence through application of the strategic theme 'Preserve our Heritage and Support Diversity, Arts and Culture.

Regional Implications

Filming which takes place within Regional Road allowances will require approval of the Regional Municipality of York.

Conclusion

The film industry has developed as a major business sector in Ontario. Film shoots create cross-business opportunities, local employment and support the hospitality industry. They generate income that stays within the municipality and promotes the City. Film production is consistent with the City's goal of supporting the creative and performing arts. In general, the film industry is flexible in scheduling location requirements so as not to disrupt regular activities in the

community. In terms of the overall local economy, Vaughan continues to benefit from its diverse economic base. Film production is consistent with the City's Economic Development Strategy which encourages the development of a creative economy. Accordingly, staff recommend the modifications to the film permitting process as noted in this report be implemented on an interim basis, and that formal amendment to the by-law take place within six months after having the opportunity to monitor experience within that time frame.

Attachments

Attachment 1: Film Permit Fee Comparison of Canadian Cities

Attachment 2: Correspondence dated May 18, 2012 from Donna Zuchlinski, Ontario Film Commissioner

Report prepared by:

Joseph Chiarelli, Manager – Licensing and Permits, Insurance – Risk Management
David Madore, Supervisor, Licensing and Permits

Respectfully submitted,

Janice Atwood-Petkovski
Commissioner of Legal and Administrative Services & City Solicitor

Film Permit Fee Comparison of Canadian Cities

Municipality	Fee - \$
Vaughan	500
Ajax	0
Aurora	300
Brampton	0
Brantford	0
Burlington	0
Hamilton	0
Mississauga	0
Toronto	0
Port Hope	100
Guelph	0
Port Perry	75
Kingston	0
London	0
Oshawa	0
Paris	0
Ottawa	0
Windsor	0
Thunder Bay	0
Pickering	0
Richmond Hill	0
Sudbury	0
Oakville	100
Kitchener-Waterloo	0
Stouffville	0
Vancouver	150
Winnipeg	0
Montreal	0

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Ontario Media Development
Corporation

Société de développement
de l'industrie des médias
de l'Ontario

May 18, 2012

Mr. Jeffrey Abrams
City Clerk
City of Vaughan
2141 Major Mackenzie Drive
Vaughan, Ontario
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Jeffrey.abrams@vaughan.ca

Dear Jeffrey,

This letter is a follow up to our meeting this week regarding the policies and procedures for on-location filming activity in the City of Vaughan. I am very pleased that you are interested in opening a dialogue with us regarding making changes to Vaughan's filming policy in order to make your city more attractive to Ontario's film and television industry, which in 2011 generated almost \$1.3 billion dollars in direct economic activity in the province.

The City of Vaughan's close proximity to Toronto (where most of Ontario's production is based) along with being home to a wealth of sought after locations makes it a natural area to attract production activity. Popular locations in Vaughan include: your many upscale residential neighbourhoods, conservation areas such as Boyd and the Kortwright Centre, Black Creek Pioneer Village, numerous banquets halls, Canada's Wonderland, picturesque small towns like Kleinberg, along with Vaughan's many country and rural looks and Cinespace Kleinberg Studios.

As we discussed, we would like to work with you to suggest revisions and changes to your current filming policy in order to bring Vaughan's filming permit fees, policies and procedures more in line with other GTA jurisdictions that attract on-location filming. These include the cities of Toronto and Mississauga, where much of the filming activity in the province takes place.

One area we discussed when we met was the circumstances surrounding when signatures are required from residents. As a comparable, the City of Toronto's procedure is to require signatures of 50% plus one of affected neighbours after the second occurrence in a calendar year on a street being used by the film industry. (This does not include cases of after-hours filming or when pyrotechnics will be used, which require the same number of signatures but for all requests regardless of the number of occurrences per year). The parameters of the notification zone are determined by the Film Office in consultation with the production company. The current timelines in the application process in Vaughan (3 day advance request for permits, 48 hour advance notice for neighbourhood notification letters) is comparable to neighbouring jurisdictions.

Further to our discussion, the specific points in Vaughan's current filming policy that we would like to ask you to address as soon as possible are:

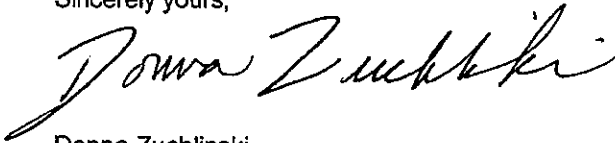
- eliminating the \$500. permit fee for filming on private property when no city services are required and all vehicles are parked on private property, (which is the standard policy in all GTA jurisdictions);
- lowering the permit fee to approx. \$250. - \$300. when city services or road occupation is required, (this would be in line with neighbouring jurisdictions, but higher than the City of Toronto which does not charge a permit fee);
- adding discretionary language into your by-laws to allow for flexibility in circumstances when timelines are tight or production companies have requests that are outside of the confines of your filming By-Laws.

Longer term suggestions (that we would be pleased to help you to develop) include designating a city staff person to act as the main point of contact for all filming activity and requests, including facilitating filming in city-owned properties, liaising as needed with city services such as police, fire, facilities, works and transportation departments, as well as handling permit requests. In many neighbouring jurisdictions (such as Brampton, Hamilton and Mississauga) this function resides in the Economic Development or Culture divisions.

I welcome the opportunity to come to Vaughan in the coming weeks to depute before the appropriate committee, in order to present an overview of the importance of this industry to the region and the province, and answer questions regarding on-location filming. It is our hope that through this dialogue and the modifications I have suggested, that we can encourage more film and television productions in the future to make use of the City of Vaughan's many unique locations.

I look forward to hearing from you at your earliest convenience, and to working with you in the future.

Sincerely yours,



Donna Zuchlinski
Ontario Film Commissioner
ONTARIO MEDIA DEVELOPMENT CORPORATION

cc: Madeline Zito, Director, corp. Communications, City of Vaughan
Doloros Rotondo, Bus. Dev. Officer, City of Vaughan
Joseph Chiarelli, Mgr. Licencing and Insurance-Risk Management, City of Vaughan