

<p>1. FILM BY-LAW RÈGLEMENT MUNICIPAL SUR LES TOURNAGES</p>

COMMITTEE RECOMMENDATIONS, AS AMENDED

That Council:

1. Approve the Film By-law, in the form attached as Document 1, as outlined in this Report and amended as follows:
 - Provide, as intended, that once an application is received by the timelines in Schedule “A”, that film permits are issued within those timelines;
 - That the noise exemption application time be amended to 20 business days; and
 - That the By-law further provide that the issuance of permits is not unreasonably withheld, and that Section 35 and the Guidelines be amended to clarify the requirement for applicants to demonstrate approvals from “other levels of government”.
2. Make minor amendments to other by-laws to align with the Film By-law, as further described in this Report;
3. Delegate authority to the General Manager, Emergency and Protective Services, to review and amend as required the Ottawa Film Guidelines attached as Document 2, in consultation with Economic Development Services and the Ottawa Film Office; and
4. That the Noise By-law be amended to include filming events within the definition of “special events”, and that Section 23 of the By-law be amended to require that for special events, the noise exemption application be made 20 business days prior to such special event occurring.

RECOMMANDATIONS DU COMITÉ, TELLES QUE MODIFIÉES

Que le Conseil :

1. approuve le Règlement municipal sur les tournages, dans sa forme présentée dans le document 1 ci-joint, comme il est décrit dans le présent rapport et **modifiée par ce qui suit :**
 - **le Règlement municipal sur les tournages soit modifié de sorte que, suivant l'intention de celui-ci;**
 - **une demande de permis déposée dans les délais prévus par l'annexe A soit approuvée dans ces délais, le délai pour les demandes d'exemption relative au bruit passe à 20 jours ouvrables; et**
 - **le règlement municipal énonce clairement que la délivrance des permis ne sera pas retardée sans motif valable, et l'article 35 et les lignes directrices clarifient la responsabilité des demandeurs de prouver qu'ils ont reçu les autres approbations gouvernementales requises;**
2. effectue des modifications mineures à d'autres règlements afin de les harmoniser au Règlement sur les tournages, comme il est présenté dans le présent rapport;
3. délègue au directeur général des Services de protection et d'urgence le pouvoir de réviser et de modifier au besoin les lignes directrices du Règlement sur les tournages, ci-jointes en tant que document 2, en consultation avec les Services de développement économique et le Bureau du cinéma d'Ottawa; et
4. **modifie le Règlement sur le bruit par l'ajout des tournages dans la définition d'« événements spéciaux » et par l'établissement, à l'article 23, d'un délai de 20 jours ouvrables avant l'événement pour le dépôt d'une demande d'exemption relative au bruit.**

DOCUMENTATION/DOCUMENTATION

1. Director's report, Economic Development and Long Range Planning Services, Planning, Infrastructure and Economic Development, 21 February 2020 (ACS2020-PIE-EDP-0005).

Rapport du Directeur, Services de Développement économique et planification à long terme, Services de la planification, de l'infrastructure et du développement économique, daté le 21 février 2020 (ACS2020-PIE-EDP-0005).

2. Extract of draft Minutes, Finance and Economic Development Committee, 9 March 2020.

Extrait de l'ébauche du procès-verbal, Comité des finances et du développement économique, le 9 mars 2020.

**Report to
Rapport au:**

**Finance and Economic Development Committee
Comité des finances et du développement économique
9 March 2020 / 9 mars 2020**

**and Council
et au Conseil
25 March 2020 / 25 mars 2020**

**Submitted on February 21, 2020
Soumis le 21 février 2020**

**Submitted by
Soumis par:
Don Herweyer
Director / directeur**

**Economic Development and Long Range Planning Services / Services de
Développement économique et planification à long terme,
Planning, Infrastructure and Economic Development Department / Direction
générale de la planification, de l'infrastructure et du développement économique**

**Contact Person
Personne ressource:**

**Jamie Hurst, Economic Development Officer / Agent du développement
économique, Economic Development and Long Range Planning / Développement
économique et Planification à long terme
613-580-2424, 25278, Jamie.Hurst@ottawa.ca**

Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2020-PIE-EDP-0005

SUBJECT: Film By-law

OBJET: Règlement municipal sur les tournages

REPORT RECOMMENDATIONS

That the Finance and Economic Development Committee recommend Council:

1. Approve the Film By-law, in the form attached as Document 1, and as outlined in this Report; and
2. Make minor amendments to other by-laws to align with the Film By-law, as further described in this Report; and
3. Delegate authority to the General Manager, Emergency and Protective Services, to review and amend as required the Ottawa Film Guidelines attached as Document 2, in consultation with Economic Development Services and the Ottawa Film Office.

RECOMMANDATIONS DU RAPPORT

Que le Comité des finances et du développement économique recommande au Conseil :

1. d'approuver le *Règlement municipal sur les tournages*, dans sa forme présentée dans le document 1 ci-joint, et comme il est décrit dans le présent rapport;
2. d'effectuer des modifications mineures à d'autres règlements afin de les harmoniser au *Règlement sur les tournages*, comme il est présenté dans le présent rapport;
3. de déléguer au directeur général des Services de protection et d'urgence le pouvoir de réviser et de modifier au besoin les lignes directrices du *Règlement sur les tournages*, ci-jointes en tant que document 2, en consultation avec les Services de développement économique et le Bureau du cinéma d'Ottawa.

EXECUTIVE SUMMARY

Assumption and Analysis

Ottawa's film industry generates job creation, economic growth, artistic growth, and city brand building. According to the Ottawa Film Office (OFO), the total economic impact of the film, television and animation sector is \$100 million annually.

The OFO is a local, not-for-profit organization with the mandate to foster the growth and development of the local film industry and promote the region within the screen-based media sector.

In the spring of 2018, the OFO Board of Directors requested that the City of Ottawa undertake the development of a Film By-law. The proposed Film By-law applies to any filming event taking place on City property as well as filming events on private or federal government property that require City services or are in view of the public and include the presence of replica weapons, replica emergency vehicles or uniforms.

The process to develop the proposed Film By-law included significant engagement and consultation with the local industry, including the OFO and the Ottawa Film and Television Advisory Committee, to establish the objectives of the proposed Film By-law. City staff conducted a scan of filming by-laws across Canada, with a focus on Ontario municipalities including Toronto, Hamilton, Sudbury and Waterloo. Staff also consulted experts, both internal and external to the City, on best practices.

The proposed Film By-law is designed to provide a consistent process for the industry when seeking City approvals. It will support Ottawa in becoming a 'Film Friendly' destination, by:

- Creating a Film Permit;
- Providing film and production companies with a streamlined application and approvals process; and
- Establishing two new temporary Film Industry Advisor positions within the City's Event Central and Traffic Services Units to coordinate film approvals as well as other City work that may impact productions.

The Film By-law will also provide greater coordination of city services as they relate to filming and help minimize any potential disruption to residents, businesses, and institutions during filming events. The By-law establishes that the City's Event Central Unit will receive all Film Permit applications, circulate the applications to the appropriate

City departments, and issue the Film Permits and/or liaise with industry representatives to troubleshoot issues as required.

The new Film By-law will complement the ongoing work of the OFO and ensure Ottawa is well positioned to support the city's growing film industry.

Financial Implications

To ensure the effective implementation of the proposed Film By-law and film permitting process, two temporary full-time positions are being created to ensure the City can implement the proposed Film By-law and avoid disruptions to existing City services. These positions will be funded, through vacancies, by the Planning, Infrastructure and Economic Development Department in 2020. Permanent positions and corresponding funding of the two FTEs, in order to support the intent of the Film By-law, will be identified in the 2021 Draft Operating Budget by the Transportation Services and Emergency and Protective Services Departments for Council consideration and approval.

Public Consultation/Input

The process to develop the proposed Film By-law included engagement and consultation with the local film industry, including the OFO and the Ottawa Film and Television Advisory Committee, as well as residents. In addition, City staff conducted a scan of filming by-laws across Canada, with a focus on Ontario municipalities, and consulted extensively internally with City staff in Emergency and Protective Services, Recreation, Culture and Facilities Services, Transportation Services, and Innovation and Client Services.

RÉSUMÉ

Hypothèse et analyse

L'industrie du cinéma d'Ottawa génère la création d'emplois, une croissance économique et artistique ainsi qu'une valorisation de l'image de marque de la ville. Selon le Bureau du cinéma d'Ottawa (BCO), les retombées économiques des secteurs du cinéma, de la télévision et de l'animation sont de 100 millions de dollars annuellement.

Le BCO est une organisation sans but lucratif locale dont la mission est de favoriser la croissance et le développement de l'industrie cinématographique locale et de promouvoir la région auprès du secteur des médias télévisuels et cinématographiques.

Au printemps 2018, le conseil d'administration du Bureau du cinéma d'Ottawa a demandé à la Ville d'élaborer un règlement municipal sur les tournages. Ce règlement s'applique aux tournages réalisés sur une propriété municipale, sur une propriété privée ou du gouvernement fédéral, s'ils nécessitent des services de la Ville ou s'ils sont visibles du *public* et impliquent l'utilisation de répliques d'armes, de véhicules d'urgence ou d'uniformes.

La définition des objectifs du projet de règlement a exigé de nombreux échanges et consultations avec l'industrie locale, notamment le BCO et le Comité consultatif sur le film et la télévision d'Ottawa. Le personnel municipal a analysé divers règlements municipaux sur les tournages au Canada, principalement dans des municipalités ontariennes comme Toronto, Hamilton, Sudbury et Waterloo, et a consulté des experts de la Ville et d'ailleurs sur les pratiques exemplaires en la matière.

Le *Règlement sur les tournages* proposé mettra en place un processus cohérent que l'industrie pourra utiliser pour présenter des demandes d'approbation à la Ville. Il contribuera à faire d'Ottawa une destination plus accueillante pour le cinéma par les moyens suivants :

- instauration d'un permis de tournage;
- création d'un processus simplifié de demande d'approbation de permis pour les entreprises de tournage et de production;
- création de deux postes de conseiller en cinéma au Bureau central des activités et aux Services de la circulation, pour coordonner l'approbation des tournages et les autres travaux de la Ville qui pourraient avoir des incidences sur la production cinématographique.

Le *Règlement sur les tournages* permettra également de mieux coordonner les services municipaux touchés et, ainsi, de limiter les dérangements imposés aux résidents, aux entreprises et aux établissements pendant un tournage. En vertu de ce nouveau règlement, c'est le Bureau central des activités qui recevra toutes les demandes de permis de tournage, les transmettra aux directions générales concernées et délivrera les permis, ou communiquera avec les représentants de l'industrie pour régler les éventuels problèmes.

Le *Règlement sur les tournages* viendra appuyer les travaux du BCO et permettra à Ottawa d'être en bonne posture pour soutenir l'industrie cinématographique en plein essor de la ville.

Répercussions financières

Pour assurer la mise en place efficace du Règlement sur les tournages et du processus de délivrance de permis de tournage, deux ETP temporaires à temps plein seront créés afin que la Ville puisse mettre en œuvre le règlement proposé et éviter toute perturbation des services municipaux actuels. Ces postes seront financés en 2020 par la Direction générale de la planification de l'infrastructure et du développement économique par le biais de postes vacants. La création de postes permanents et l'attribution des fonds qui y sont liés en vue d'appuyer l'objet du Règlement sur les tournages seront définies dans le budget de fonctionnement préliminaire de 2021 par la Direction générale des transports et la Direction générale des services de protection et d'urgence aux fins d'examen et d'approbation par le Conseil.

Consultation publique et commentaires

L'élaboration du règlement proposé a exigé de nombreux échanges et consultations avec l'industrie cinématographique locale, notamment le BCO, le Comité consultatif sur le film et la télévision d'Ottawa, ainsi qu'avec les résidents de la région. De plus, le personnel de la Ville a analysé divers règlements municipaux sur les tournages au *Canada*, principalement dans des municipalités ontariennes, et a consulté à maintes reprises d'autres employés municipaux des Services de protection et d'urgence, de la Direction générale des transports et de la Direction générale des services novateurs pour la clientèle.

BACKGROUND

There is growing recognition amongst Canadian cities that a thriving film industry generates job creation, economic growth, artistic growth, and city brand building. According to the Ottawa Film Office (OFO), Ottawa's live-action industry contributed nearly \$30 million to the local economy in 2019. The total economic impact of the film, television and animation sector is \$100 million annually. In addition to several television series, commercials, short films, and corporate videos filmed in Ottawa, the city hosted 19 made-for-TV movies and six feature films last year. Ottawa's safe and stable work environment, attractive cost of living, low production costs (relative to other major cities), crew base working in both official languages, postsecondary film training programs (Algonquin College and La Cité), diverse filming locations within the National Capital Region, and provincial tax credits make it a desirable location for filming.

The OFO is a local, not-for-profit organization whose activities include:

- Fostering the growth and development of the local film industry and promoting the region within the screen-based media sector;
- Providing production companies with pre-production and location support (i.e. set-to-location mapping, pre-production research and site location photography);
- Supporting and facilitating on-location filmmaking by directing filmmakers to the appropriate authority for approvals;
- Developing and implementing programs for national and international business attraction as well as raising the overall profile and reputation of film and television activities in Ottawa;
- Supporting the availability and development of a skilled film and television workforce in Ottawa as well as business retention and expansion of local production and related companies; and
- Providing sector leadership through partnerships with key agencies, ministries, and industry associations.

The OFO is wholly funded by the City of Ottawa and governed by a volunteer Board of Directors comprised of representatives from Ottawa's business, postsecondary and tourism sectors. The OFO Board also includes a City Council representative as well as the City's Director of Economic Development and Long-Range Planning (EDLRP). The Director of EDLRP sits *ex-officio*.

Between 2011 and 2016, the OFO operated as part of Invest Ottawa in accordance with a 2010 Filming Protocol and Working Agreement document. The agreement applied to all indoor and outdoor filming taking place in the National Capital Region and specified that the OFO was responsible for coordinating City filming approvals.

Following the incorporation of the OFO as an independent not-for-profit entity in 2017, the City worked with the OFO and representatives from the City's Special Events Advisory Team (SEAT) to update the 2010 Filming Protocol and Working Agreement document to coordinate filming occurring in the region and any City approvals required. In 2019, the OFO supported 678 filming days through 130 filming requests, 178 encroachment permits, and 17 road closures. This is an increase from 518 filming days, 127 encroachment permits, and seven road closures in 2018.

The current system lacks a consistent, streamlined, and coordinated approval process. As an example, filming requests often require permits, licenses or approvals from

several City departments. In the absence of a Film By-law, requests are directed to individual City departments. These departments may not have the necessary context and resources to make a fulsome assessment of the request and effectively minimize potential impacts to the community and City operations. While the OFO has made efforts to coordinate this work, there is no current process to ensure applicants seek approvals through a centralized City body. The OFO does not have a mandate to coordinate City resources, and as a private entity does not have authority, under the *Municipal Act*, to issue a Film Permit on behalf of the City.

In the spring of 2018, the OFO Board of Directors requested that the City undertake the development of a Film By-law, to establish a Film Permit and provide film and production companies with a clear, streamlined film permit application process. Similar Film By-laws and film permit processes have been established in other Ontario municipalities, including Toronto, Hamilton, Sudbury, and Waterloo.

Recognizing that the City plays a central role in supporting the staging of successful filming events, Economic Development Services worked in collaboration with Event Central and SEAT to develop a by-law that provides a Film Permit consistent with other municipalities. This ensures filmmakers receive timely and efficient services and support from the City through a streamlined application and approvals process, while establishing common requirements and regulations for filmmakers. The process to develop the proposed Film By-law (attached as Document 1) included consultation with the local industry, including the OFO and the Film and Television Advisory Committee. The proposed By-Law designates Event Central as the single point of contact for filming requests at the City. The unit will be responsible for providing a consolidated assessment of filming requests, coordinating integrated planning efforts with SEAT to minimize impacts on the community and City services, and issuing timely approvals. On November 6, 2012, Council approved a motion directing staff to develop a film friendly guidelines document. The Ottawa Film Guidelines, attached as Document 2, will be reviewed on an annual basis and will summarize the application process and promote a positive approach to filming activities occurring within the City.

The proposed Soundstage Campus and Creative Hub at the National Capital Commission's Greenbelt Research Farm, a project led by the OFO, will raise the profile of the Ottawa film industry nationally and internationally, resulting in an increase of location-based filming in Ottawa. The proposed Film By-law will further enhance the City's ability to respond to a growing industry and compliment the ongoing work of the OFO.

DISCUSSION

The legal authority to regulate filming events is found in Subsection 10(2) of the *Municipal Act, 2001*, which provides broad authority for municipalities to enact by-laws for the economic and social well-being of the municipality, for the health, safety and well-being of persons, and for the protection of persons and property.

The proposed Film By-law applies to any filming event taking place on City property. In addition, the proposed By-law applies to filming events on private or federal government property that require City resources or are in view of the public and include the presence of replica weapons, replica emergency vehicles or uniforms. A filming event is defined in the proposed By-law as any filming, videotaping, or any other form of visual recording for a film, program, documentary, commercial, music video, digital content, or educational film requiring a Film Permit pursuant to the by-law. It does not include filming that is conducted by the City, student projects, street interviews, newscasts, press conferences or visual recordings for personal purposes.

The proposed Film By-law specifies that filmmakers shall make their application for a Film Permit at least five business days in advance of the filming event. Exceptions exist for filming events that require road closures, transit detours, firearms or gunfire, pyrotechnics or fireworks, paid duty officers, emergency personnel or equipment, or a noise exemption pursuant to the City's Noise By-law (Bylaw No. 2017-255). In these instances, filmmakers are required to make their application in accordance with the timelines set out in Schedule "A" of the proposed Film By-law. The City's timeline for Film Permit approvals was determined based on an assessment of capacity levels across various City service areas and is comparable to other mid- and large-sized municipalities in Canada.

The Ontario Film Commission, the provincial organization that markets Ontario to the film and television industry and provides location scouting and facilitation services to producers considering filming in Ontario, strongly encourages Ontario municipalities not to charge for Film Permits. City staff conducted a scan of film permit fees across the country and found that most mid- to large-sized cities do not charge a fee or, if they do, a very nominal one. For Ottawa to remain competitive and present as a film-friendly destination, a Film Permit fee is not recommended. Filmmakers will, however, be required to pay all applicable fees for City services. The proposed By-law formalizes and consolidates the fees to be charged for City and police services required, consistent with the fees charged to recover the costs of City services provided for special events. As part of the application process, the Event Central Office in consultation with SEAT

will determine the nature of resources required by the permit holder for public safety, such as paid-duty police officers, paramedic services, Ottawa Fire Services, traffic and parking-related services, facility rental, as applicable, and the permit holder will be responsible for payment of these fees. These measures ensure that the City reviews and recovers any costs associated with City services.

Under the proposed Film By-law, all film permit applications will be received and coordinated by Event Central. Event Central is well-positioned to ensure the industry receives timely service and that involved internal stakeholders are provided with the information required for proper advance planning, to ensure public safety, and to prevent unnecessary disruptions to communities, and vehicular and pedestrian traffic. Similar to the established City process for reviewing and approving special events, Event Central will circulate film permit applications to the appropriate City departments, obtain the approvals and issue the film permit, or liaise with applicants to troubleshoot issues as required.

The proposed Film By-law provides greater coordination of City services as they relate to filming and will help minimize potential disruption to businesses, residents, and institutions during filming events. The proposed Film By-law includes authority for City staff to impose conditions on a permit or modify or revoke a permit at any time if there are reasonable grounds to believe that the filming event poses a danger to the health and safety of any person, poses a danger to property, or is in contravention of City by-laws and policies. Given the City issues frequent exemptions to the Noise By-law for filming events, it is recommended that the City's Noise By-law (Bylaw No. 2017-255) be amended to provide the Manager of By-law and Regulatory Services delegated authority to grant an exemption for a filming event subject to specific conditions.

As continued growth of the industry is anticipated, Events Central and SEAT will continue to monitor the impacts. As with the Special Events by-law, the City's By-law and Regulatory Services and Ottawa Police Services will enforce the provisions of the proposed Film By-law as required. By-law and Regulatory Services staff have the ability to respond and perform inspections of film events to ensure compliance with the By-law. An assessment of enforcement and resource requirements will be conducted within the first two years of implementation.

Film Advisor Positions

To ensure the effective implementation of the proposed Film By-law and film permitting process, two temporary full-time positions are being created to ensure the City can implement the proposed Film By-law and avoid disruptions to existing City services.

These dedicated resources provide capacity for the City to assume the new function of processing and coordinating film permit requests, including those that require the use of the right-of-way, in a timely manner, making Ottawa competitive with other Canadian filming destinations. These positions will be funded by the Planning, Infrastructure and Economic Development Department in 2020. Permanent positions and corresponding funding of the two FTEs, in order to support the intent of the Film By-law, will be assessed through the 2021 budgeting process by the Transportation Services and Emergency and Protective Services Departments for Council approval.

Film Advisor – Event Central

The proposed film permit application timelines require applicants to submit their filming requests five business days in advance. These recommended timelines reflect the needs identified by the film industry throughout the by-law's development and consultation phases and are comparable to the prescribed timelines of competing filming destinations across Canada. The creative nature of filming events can result in unique requests of City Departments, whereby they do not have established procedures to rely upon. A multi-day film production at an active City Yard, involving 50 cast and crew members, is an example. As such, timely mobilization of multiple stakeholder groups is required to put plans in place that address the safety of everyone operating within the site, that planned City work is not compromised, and that the intent of the filming production is being met. Regardless of the complexities that can result from individual filming requests, Event Central, as the centralized coordinating body identified to administer the By-Law, will be responsible for conducting an immediate assessment of these requests, coordinating City-wide approvals in an expeditious manner, and working with SEAT and the producer to ensure impacts are minimized and communities and businesses receive appropriate notification.

Based on data provided by the OFO, Event Central anticipates an immediate demand for these services, which in 2019 included on-site support for 677 filming days and coordination of 130 filming requests. Individual filming requests typically require a comprehensive assessment by multiple City Departments and can trigger the need for other site contracts, permits or licenses. As a reference, the OFO indicated that in 2019, the 130 filming requests resulted in an additional 178 encroachment permits and 17 road closures. This amounts to 40 per cent more encroachment permits and more than double the number of road closures compared to 2018.

It is important to note that this current demand for service does not include the provision of pre-production site support and advice, development of City facility contracts that will

be coordinated under the proposed By-Law, or the likely increase of on-location filming events that are anticipated with the creation of proposed Soundstage Campus and Creative Hub. Therefore, staff are recommending one FTE to address the immediate demand on Event Central, who is unable to address this new workload with existing resources. Anticipated growth in the film industry, and resultant requirement for Film Permits, will be evaluated on an annual basis.

Film Advisor – Traffic Services

The Film By-law not only serves to streamline the film permit application process, but also to enhance the level of service to the film industry by prescribing timelines for filming approvals. To meet the intent of the by-law, the film industry must receive timely and efficient services/responses to:

- allow for proper advance planning;
- ensure public safety; and
- prevent unnecessary disruptions to communities, and vehicular and pedestrian traffic.

Traffic Services is a key stakeholder in providing services related to all three of these categories through the issuance of road closure or encroachment permits.

As mentioned above, Traffic Services issued 178 encroachment permits and 17 road closure permits for the 130 filming requests received in 2019. These statistics do not include the number of pre-production site consultations and site-visits, the number of changes to permits, or the number of work orders issued to provide the city-services required in support of the permits.

Use of right-of-way requests by the film industry can be time-consuming to address. Generally, the greater the impact to mobility and the community, the more complex the permit requirements. The issuance of any permit requires consultation with involved stakeholders, including but not limited to emergency services, transit services, contractors, Ward Councillors, and business improvements areas. Consultation usually takes place through the established written communication process and often requires in-person site-visits. Prior to issuing a permit, Traffic Services will confirm that relevant stakeholders agree to the permit's conditions. Any changes to a permit, whether it relates to adjustments to the impacted location, the time of day or the duration, requires further consultation with stakeholders prior to re-issuance. Change requests to a permit often occur without advance warning and must be addressed quickly to meet the needs

of the requestor. Film industry right-of-way permit needs can be very fluid and urgent, especially when they are influenced by factors such as weather.

To ensure that Traffic Services meets the timelines established in the Film By-law, while continuing to manage city-wide mobility impacts for both planned and unplanned events, an additional full-time resource is required. The resource will provide support with film location scouting, will provide assistance to production company managers in selecting viable filming locations, will propose solutions that maintain public safety and minimize impacts to residents, businesses and all modes of traffic, with the goal of satisfying film production objectives. Once the production company submit their Film Permit request to Event Central, the resource, who will be a member of SEAT, will then coordinate the issuance of all road closure and encroachment permits, including permit changes, related to filming needs. The resource will be dedicated to addressing the needs of the film industry as they arise and thus will give Traffic Services the ability to meet the service levels and established timelines in the by-law.

The temporary full-time position funded by the Planning, Infrastructure and Economic Development Department will address the immediate demand on Traffic Services in 2020. The timelines established in the by-law, in addition to the growth of on-location filming events anticipated with the creation of the proposed Soundstage Campus and Creative Hub, will continue to impact Traffic Services' ability to manage city-wide mobility impacts related to both planned and unplanned events beyond 2020. Without the establishment of a permanent FTE and funding source, Traffic Services will not meet the service levels prescribed in the by-law.

RURAL IMPLICATIONS

The Film By-law applies to filming events that occur in the City of Ottawa, including in rural areas.

CONSULTATION

The process to develop the proposed Film By-law included engagement and consultation with the local film industry, including the OFO and the Ottawa Film and Television Advisory Committee, as well as residents.

City staff provided an opportunity for the public to provide input through an online consultation in December 2019. The online public consultation, promoted through the City's communication channels as well as by the Ottawa Film Office, generated 27 responses and included feedback from 15 industry representatives, 12 residents, two

postsecondary institutions and one Business Improvement Area. City staff reviewed and considered all comments that were received from the public and the industry in preparation of the proposed Film By-law and staff report.

In addition to the above, City staff conducted a scan of filming by-laws and policies across Canada, with a focus on Ontario municipalities, and consulted extensively internally with City staff in Emergency and Protective Services, Recreation, Culture and Facilities Services, Transportation Services, and Innovation and Client Services.

COMMENTS BY THE WARD COUNCILLORS

Not applicable as this is a city-wide report.

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations in this report. Subsection 10(2) of the *Municipal Act, 2001*, which provides broad authority for municipalities to enact by-laws for the economic and social well-being of the municipality, for the health, safety and well-being of persons, and for the protection of persons and property.

RISK MANAGEMENT IMPLICATIONS

Filming events carry multiple inherent risks:

1. Major liabilities can occur without proper safety procedures in place.
2. Without documented commitments and controls, the filmmaker cannot be made accountable for unforeseen costs or liabilities.
3. Without clear advance notice and planning, the full and proper resources may not be engaged.
4. If the local and business communities are not properly and fully aware of the nature of filming events in their area, they may schedule conflicting activities in the same timeframe, resulting in considerable frustration (e.g., traffic management).
5. An uncontrolled filming event can create a nuisance (e.g. noise, traffic, lighting) in a community.

The proposed Film By-law inherently limits the risks associated with filming events, by:

1. Establishing clear policies and processes for filmmakers.
2. Defining an escalation protocol for issue response and management during a filming event.
3. Defining how filmmakers interface with the communities in which they are filming and establishing protocols for communications with locally impacted stakeholders.
4. Reducing the potential for unanticipated conflicts and issues between the multiple City services who must coordinate to support the successful staging of filming events.

ASSET MANAGEMENT IMPLICATIONS

The proposed Film By-law contains provisions to protect the City's physical assets, including the required authorities to impose mitigating measures to minimize risks.

FINANCIAL IMPLICATIONS

To ensure the effective implementation of the proposed Film By-law and film permitting process, two temporary full-time positions are being created to ensure the City can implement the proposed Film By-law and avoid disruptions to existing City services. These positions will be funded, through vacancies, by the Planning, Infrastructure and Economic Development Department in 2020. Permanent positions and corresponding funding of the two FTEs, in order to support the intent of the Film By-law, will be identified in the 2021 Draft Operating Budget by the Transportation Services and Emergency and Protective Services Departments for Council consideration and approval.

ACCESSIBILITY IMPACTS

There are no direct accessibility impacts associated with the recommendations in this report.

ENVIRONMENTAL IMPLICATIONS

There are no direct environmental impacts associated with the recommendations in this report.

TECHNOLOGY IMPLICATIONS

A new online Film Permitting system will be developed to automate and streamline the application process. The Innovative Client Services Department is committed to supporting Event Central in improving its service delivery and client experience for filmmakers.

TERM OF COUNCIL PRIORITIES

The report recommendations support the following City Council strategic priorities:

- **Economic Growth and Diversification:** Encourage economic growth and diversification by supporting business investment and expansion, talent attraction and retention, and branding Ottawa as a place to be.
- **Thriving Communities:** Promote safety, culture, social and physical well-being for our residents.
- **Service Excellence Through Innovation:** Deliver quality services that are innovative and continuously improve to meet the needs of individuals and communities.

Supporting creative and cultural industries also forms part of the City's Economic Development Strategy.

SUPPORTING DOCUMENTATION *(Held on file with the City Clerk)*

Document 1 Proposed Film By-law

Document 2 Ottawa Film Guidelines

DISPOSITION

Upon Council approval, Legal Services together with the Emergency and Protective Services Department will place the Film By-law on the agenda of Council for enactment and will implement any required amendments to related by-laws as described in this report.