



City of Richmond

Report to Committee

To: General Purposes Committee

Date: March 13, 2012

From: Cathryn Volkering Carlile
General Manager - Community Services

File: 08-4150-09-01/2012-
Vol 01

Re: Richmond Film Office Update and Bylaw Amendments

Staff Recommendation

That:

1. The Filming Regulation Bylaw No. 8708 be introduced and given first, second and third readings; and,
2. The Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 8709 be introduced and given first, second and third readings.

Cathryn Volkering Carlile
General Manager - Community Services
(4068)

Att. 4

| FOR ORIGINATING DEPARTMENT USE ONLY | | | | | |
|-------------------------------------|--|--|--------------------------|---|--|
| ROUTED TO: | | CONCURRENCE | | CONCURRENCE OF GENERAL MANAGER | |
| Budgets | | Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | | | |
| Law | | Y <input checked="" type="checkbox"/> N <input type="checkbox"/> | | | |
| REVIEWED BY TAG | | YES | NO | REVIEWED BY CAO | |
| <input checked="" type="checkbox"/> | | <input checked="" type="checkbox"/> | <input type="checkbox"/> | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | |

Staff Report

Origin

British Columbia is the fourth-largest overall film and television production centre in North America behind Los Angeles, New York and Toronto. Although recent tax credit incentive changes in Ontario and other jurisdictions have made this sector more competitive, as outlined in a recent Government of British Columbia press release, BC Film & TV Spending Up, (Attachment 1), 2011 film and television production expenditures in B.C. have increased 16% to approximately \$1.18 billion.

With a goal of attracting more production activity locally, City Council adopted a Richmond Film Strategy in 2007. This strategy committed to establishing a dedicated film office with the objective of making the City 'film friendly' through offering 'One Stop Shop Service' delivery to the film and television industry.

The purpose of this report is to provide:

1. An update on film and TV production activity in the City of Richmond; and,
2. To propose amendments to the Filming Application and Fees Bylaw No. 8172 and the Consolidated Fees Bylaw No. 8636.

Analysis

1. Update on Film and TV Activity in the City of Richmond

Since the creation of the Richmond Film Office (RFO) in 2007 there has been a steady volume of filming requests in the City. In 2011, the RFO generated over \$160,000 in service and location rental charges from production activity. Of this, approximately \$113,990 went directly to City Departments and \$51,000 to the RCMP.

In addition to City service and location rental charges, the film and TV sector also contributes significantly to the local economy. Individual productions can generate up to \$60,000 in direct local spending for each production day of activity. Based on the number of filming days in 2011, approximately up to \$500,000 of economic activity was generated in the local community.

As well, local Richmond residents who were employed in the film and TV production sector received approximately \$12 million in direct wages in 2010¹.

Richmond has become a popular location for filming and particular areas of the City, such as Steveston are in high demand. In 2011 a total of thirty-two movies, commercials and television shows (often multiple episodes) were shot in Richmond. These included high profile productions such as Mission Impossible 4, Diary of a Wimpy Kid 3, Once Upon a Time, The Secret Circle, The Killing, Fringe and Supernatural. A number of these shows filmed repeatedly in the City or stayed for an extended period for a shoot.

¹ Information provided by the BC Film Commission.

There were approximately eighty-four (84) filming days in 2011, an increase of about 20% over 2010 at sixty-eight (68) filming days in 2010. The locations for filming were varied, but included City parks, City Hall, Finn Slough and rural land in East Richmond.

The following feature films, TV Series and commercials filmed in Richmond in 2011 include:

| Feature Films | TV Series | Commercials |
|------------------------|-------------------|------------------------------|
| Mission Impossible 4 | Human Target | TR Promo Shoot |
| Diary of a Wimpy Kid 3 | Fringe | Means of Production |
| The Gay Dude | The Killing | Work Safe BC |
| Big Time Movie | Once Upon a Time | Woolite |
| Love Hua (Indian Film) | The Secret Circle | Campbell's Soup |
| Deck the Halls | Chaos | Mark's Work Wearhouse |
| Untitled Sardo Project | Psych | Kal Tire |
| Various Student films | Geek Charming | Coast Capital Savings |
| | Eureka | Hyundai Canada |
| | Supernatural | Ride to Conquer Cancer |
| | Psych Music Video | Will Minsky Lighting Project |
| | Fairly Legal | |

The most popular location in Richmond continues to be Steveston Village, due to its unique small village look and feel. There are very few locations in the lower mainland that have these attributes, and for that reason the RFO anticipates that requests for this area will increase at a steady rate. RFO staff continues to liaise with the merchants and residents in this area to ensure that the needs of the community are balanced with the production demands.

Staff regularly attend the areas of high volume filming to meet with the locals to determine how filming is affecting them, and to ensure that concerns are documented and minimised. Film Office staff meets with the Steveston Merchants Association (SMA), members of the Steveston 20/20 group and local Steveston businesses to discuss any issues of concern and work together to reap the benefits filming can have in the area. Staff have committed to ensuring an ongoing dialogue with the SMA to improve the environment for film crews and merchants alike.

A certain amount of disruption is sometimes inevitable when filming takes place, however the RFO works to ensure that the disruption is kept to a minimum, and that all productions adhere to the professional Code of Conduct, as set out by the BCFC.

A limited amount of filming was done at the Richmond Olympic Oval in 2011. Filming events at the Oval were approved only in cases where impact to members was minimised and day-to-day operations maintained. The legal agreements used by Oval Staff for filming at the facility include specific clauses that limit use of Olympic marks, including the Olympic wordmark and the Olympic Rings. City Hall and Oval staff will collaborate in the coming year to market the Oval for filming and coordinate filming activity in the area.

To remain 'film friendly', in the past twelve months, major revisions have been made to the City film agreement, including the creation of a short version for smaller filming events. This has

reduced significantly the amount of time the Law Department needs to spend on each filming agreement, making the process for filming on City property more streamlined as well as making the contract more customer friendly.

Staff are currently working to update the 2007 Richmond Film Strategy and will bring recommendations forward to Committee at a later date. This will include a comprehensive review of facility filming rates to ensure that the City remains competitive with other jurisdictions and that an inventory of City facilities and sites available for filming are updated. Staff will also be reviewing the information and updating the City's website. The review will also seek to harmonise City filming processes with the Richmond Olympic Oval. A market survey on municipal rates is attached. (Attachment 2)

In addition, staff have reviewed the City Council Policy 1000 - Filming on Location in Richmond and feel that the policy is up to date and meets the needs of the City and the film industry.

2. Proposed Amendments to the Filming Application and Fees Bylaw No. 8172 and the Consolidated Fees Bylaw No. 8636.

As part of being a 'film friendly' City, staff regularly liaise with the BCFC and the production industry as well as review best practises in other municipalities. The RFO strives to improve the bylaws and other requirements which govern film and TV production activity in the City.

The Community Affairs office at the BCFC works to keep all film stakeholders in the loop on current issues and events that impact filming activity. The BCFC provides guidance with protocols, assists location managers and municipal staff with location selection and acts as a resource to the industry. The BCFC plays an active role with each municipality in troubleshooting unique issues that may arise on location.

RFO and Law staff have conducted a review of the Filming Application and Fees Bylaw No. 8172 and the Consolidated Fees Bylaw No. 8636 and proposed changes are attached.

- Filming Regulation Bylaw No. 8708 (Attachment 3)
- Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 8709 (Attachment 4)

The majority of the proposed changes are of "housekeeping" nature, and designed to facilitate more efficient management of film production activity in the City. The changes include rescinding the current Filming Application and Fees Bylaw and replacing it with a new Filming Regulation Bylaw.

This proposed Filming Regulation Bylaw 8708 removes the rates for the use of City locations and only includes fees that are required under the Community Charter. Any city owned facility, site and/or location charges will be created as a schedule responsive to market rates. A General Manager or the Chief Administrative Officer approves rates included in each film agreement. All rates are market driven and site specific. The proposed new bylaw presents a streamlined approach with an emphasis on being able to charge specific fees for the provision of certain services.

All other fees have been moved into the Consolidated Fees Bylaw No. 8636 in accordance with current Community Charter requirements in this regard. Fees related to filming in this bylaw are subject to a 20% administration fee to offset city overhead costs.

One noteworthy change in the proposed Filming Regulation Bylaw No. 8708 is the requirement that anyone who wishes to film for commercial purposes on non-City owned property must first apply to the City for permission. Prior to these amendments only those filming on City owned or controlled property needed to apply to the City. In practise, the majority of filmmakers have already been applying to the City; however, with the recent increase in filming in Richmond it is important to formalise this.

This new requirement springs from the desire that the RFO is made aware of all filming in the City so that impacts to neighbourhoods can be managed. For example, due to the high demand for filming in Steveston, the RFO has a role in ensuring that disruption is minimized and that there are not an excessive number of film productions taking place in that location at the same time.

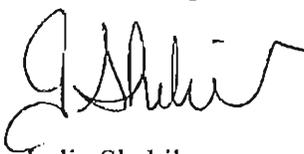
RFO staff have consulted with a range of industry location managers and BCFC staff on the proposed bylaw amendments and have received no negative feedback.

Financial Impact

The proposed application fee increase to \$200 will result in approximately \$6000 in additional cost recovery fees (based on 2011 production activity).

Conclusion

The Richmond Film Office continues to work strategically with the BC Film Commission and film and television production companies to position Richmond as a 'film friendly' community. The office offers 'one stop shop' service to the production industry, facilitating access to City land, buildings, staff, exhibits or services that may be needed for film and television production.



Jodie Shebib
Major Events and Film Liaison
Enterprise Services Unit
(604-247-4689)

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| Attachment 1: BC Government Press Release – BC Film & TV Spending Up |
| Attachment 2: Market Survey on Municipal Rates |
| Attachment 3: Filming Regulation Bylaw No. 8708 |
| Attachment 4: Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 8709 |



**THE BC
JOBS PLAN**



NEWS RELEASE

For Immediate Release
2012CSCD0008-000230
March 5, 2012

Ministry of Community, Sport and Cultural Development

B.C. film and TV spending up

VICTORIA – Film and television production spending in British Columbia rose by 16 per cent during 2011, Minister of Community, Sport and Cultural Development Ida Chong announced today.

BC Film Commission data shows film and television expenditures in 2011 topped \$1.188 billion, an increase of \$167 million over 2010. A total of 281 productions were undertaken in B.C. in 2011 (35 more than in 2010):

- 134 foreign productions: 58 feature films, 24 television series, 25 television projects and 27 animated series or projects.
- 147 domestic productions: 19 feature films, 45 television series, 74 television projects and nine animated series or projects.

Television series (\$504 million) and feature films (\$447 million) provided the most production activity for 2011. Other television projects and animation accounted for the remaining \$237 million.

Foreign feature film activity for 2011 increased 55 per cent over the previous year to \$430 million. Visual effects produced by B.C. studios contributed much of this growth. Domestic production spending in B.C. decreased to \$209 million in 2011 from \$244 million in 2010.

Quotes:

Ida Chong, Minister of Community, Sport and Cultural Development –

“British Columbia shines as a hub for film and TV production. The industry provides good jobs for British Columbians and helps promote B.C.’s unique identity as a great place to live, work and invest.”

“We will continue to support the success of film and TV through strategic tax credits, as well as funding for organizations that help filmmakers do business in our province.”

Peter Leitch, chair, Motion Picture Production Industry Association of British Columbia –

"B.C. has earned its reputation for excellence in film and TV production, having built an enviable infrastructure and an outstanding talent pool behind and in front of the camera. We are now competing in a dramatically shifting global environment, which presents considerable challenges, but even greater potential."

"The industry is committed to working together with government to ensure that B.C. is a world leader in screen-based entertainment production, creating new jobs and investment for future generations."

Quick Facts:

- British Columbia is the fourth-largest overall film and television production centre in North America (behind Los Angeles, New York and Toronto).
- Film and television production contribute over a billion dollars annually to the provincial economy, employing 20,000 people directly while supporting 15,000 jobs indirectly.
- Film, television and animation projects produced in British Columbia in 2011 include:
 - Twilight Saga: Breaking Dawn
 - Superman: Man of Steel
 - Elysium
 - Foreverland
 - The Grey
 - Mission Impossible: Ghost Protocol
 - Arctic Air
 - Alcatraz
 - Sanctuary S.4
 - Once Upon a Time
 - Real Housewives of Vancouver
 - Consumed
 - Bob's Burgers
 - League of Super Evil S.3
 - Thomas and Friends
- The provincial government promotes B.C.'s film industry through a film-favourable tax regime, nearly \$200 million in tax credits and funding for the BC Film Commission, BC Film + Media and regional film commissions.
- Vancouver's robust digital media sector represents a major asset that will grow increasingly important as film, TV and digital continue to converge.
- British Columbia has more than 600 digital media companies employing 16,000 people and generating \$2.3 billion in annual sales.

Learn More:

- For a closer look at how the B.C. government helps film production in the province, visit the BC Film Commission at: <http://www.bcfilmcommission.com/>
- Check out the provincial government's role in supporting artists, arts and cultural organizations through the Ministry of Community, Sport and Cultural Development at: <http://www.gov.bc.ca/cscd>
- View a backgrounder with financial details for 2011 film and television spending in B.C. at: <http://www.newsroom.gov.bc.ca/downloads/Film-Backgrounder.pdf>

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Connect with the Province of B.C. at: www.gov.bc.ca/connect

Filming Fees: City Comparisons

| City | Application Fee | Permit Fee | Filming in Parks Per Day | Filming at City Hall Per Day | Police Rate/Hr | Business Licence Fee |
|-----------------|---------------------|---|-----------------------------|------------------------------------|-------------------|----------------------|
| Burnaby | \$150 | N/A | \$740 | \$1100 | \$100 | \$125 - \$189 |
| North Vancouver | N/A | \$650-\$900 Dependant on length of shoot | \$600 | \$600 | \$90 | \$107 - \$498 |
| West Vancouver | \$500 | \$450-\$750 Dependant on length of shoot | \$1020 | \$400-\$500 | \$105 | \$142 |
| New Westminster | N/A | \$275 Flat Rate Plus \$50/each additional location | \$565 | \$5000 Interior \$1000 Exterior | \$100 | \$150 |
| Vancouver | \$100 | \$150 per location and per a day | \$832 | \$1000 | \$50 - \$136 | \$86 |
| Richmond | \$200 (proposed) | N/A | \$500-\$750 | \$2040 | \$100 | \$121 |

Description of Fees:

Application and Permit Fees are the fees charged to process the permit or application by the Film Office and/or other City departments. Some Cities charge both fees, while others have an either/or approach to recover costs. In addition to the costs in this table actual miscellaneous costs such as staff time, room rentals, labour required for a film shoot, etc are also charged to the production company.



City of Richmond

Bylaw 8708

Filming Regulation Bylaw No. 8708

The Council of the City of Richmond enacts as follows:

1. No person (other than the City) may use or affect the use of any real property located in the City of Richmond, for the purpose of **film production** for a **commercial purpose** without first applying to the City for permission.
2. A person applying to the City for permission for the purpose of **film production** as contemplated by section 1 of this bylaw, shall pay the City the application fees in the amount set from time to time in the Consolidated Fees Bylaw No. 8636.
3. No person (other than the City) may use or affect the use of real or personal property owned, held by or in the possession or control of the City, including, without limitation, lands, roads, sidewalks, boulevards, buildings, facilities, equipment, vehicles, materials and supplies, for the purpose of **film production** for a **commercial purpose** or for a **non-commercial purpose** without first applying to the City for permission.
4. If, on reviewing an application by a person under section 3, the City considers that a filming agreement is necessary or advisable, a person intending to carry out **film production** shall enter into a filming agreement with the City in relation to the proposed **film production**.
5. In addition to obligations established in and agreed to in a filming agreement with the City:
 - (a) a person applying to the City for permission for the purpose of **film production** as contemplated by section 3 of this bylaw, shall pay the City the application fees in the amount set from time to time in the Consolidated Fees Bylaw No. 8636;
 - (b) a person using the services of City employees, RCMP employees, contractors provided by the City, and equipment, vehicles, materials and supplies provided by the City, all for the purpose of **film production**, shall pay the City the costs in the amount set from time to time in the Consolidated Fees Bylaw No. 8636; and

- (c) a person using **special effects** for the purpose of **film production**, shall pay the City the costs in the amount set from time to time in the Consolidated Fees Bylaw No. 8636.
6. Applicable fees must be submitted to the City at least one business day prior to a person undertaking **film production**.
7. A person holding the position of General Manager or Chief Administrative Officer at the City is authorized to execute filming agreements on behalf of the City.
8. In this bylaw:

commercial purpose means any purpose for which the person can reasonably anticipate the receipt of monetary gain from the direct or indirect use of the product resulting from the **film production**;

film production means the photographing, filming, and production of a photoplay, film, motion picture, television production, or other recording, and includes preparation activities and dismantling and removal and restoration activities;

non-commercial purpose means any purpose for which the person cannot reasonably anticipate the receipt of monetary gain from the direct or indirect use of the product resulting from the **film production**; and

special effects include, but are not limited to:

- (a) fire;
 - (b) explosives;
 - (c) detonators;
 - (d) guns;
 - (e) squibs;
 - (f) bombs/mock-ups;
 - (g) gunfire;
 - (h) flash powder;
 - (i) vehicle collisions; and
 - (j) other material, equipment or activity, whether actual or simulated, that is or may reasonably be viewed as hazardous to the safety or health of human beings or to the safety or integrity of property.
9. This Bylaw is cited as "Filming Regulation Bylaw No. 8708".

10. Filming Application and Fees Bylaw No. 8172 is repealed.

FIRST READING

SECOND READING

THIRD READING

ADOPTED

| |
|---|
| CITY OF RICHMOND |
| APPROVED for content by originating dept. |
| AA |
| APPROVED for legality by Solicitor |
| BDS |

MAYOR

CORPORATE OFFICER



City of Richmond

Bylaw 8709

**Consolidated Fees Bylaw No. 8636,
Amendment Bylaw No. 8709**

The Council of the City of Richmond enacts as follows:

1. The Schedule entitled "Schedule-Filming Application and Fees" of the Bylaw shall be deleted and replaced with the attached Schedule A.
2. This Bylaw is cited as "Consolidated Fees Bylaw No. 8636, Amendment Bylaw No. 8709".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

| |
|---|
| CITY OF RICHMOND |
| APPROVED for content by originating dept. <i>[Signature]</i> |
| APPROVED for legality by Solicitor BOS |

MAYOR

CORPORATE OFFICER

**SCHEDULE A to Consolidated Fees Bylaw No. 8636,
Amendment Bylaw No. 8709**

SCHEDULE – FILMING FEES

**Filming Regulation Bylaw No. 8708
Sections 2 and 5**

A. Application Fees

Application for **film production** in the City of Richmond
(commercial purpose) \$200.00

Application for **film production** in the City of Richmond
(non-commercial purpose) \$ 50.00

B. City Employee Costs

All fees for services provided by City employees (including fire fighters) shall be charged at the hourly wage paid for the employees attending as determined by the applicable working/collective agreement or pay grid for nonunion employees plus an amount per hour per employee which equates to the employee fringe benefits and all deductions and all applicable taxes incurred by the City for each hour of service provided.

C. RCMP Costs

All fees for services provided by RCMP employees shall be charged at the hourly wage paid for the employees attending as determined by the applicable working/collective agreement or pay grid for nonunion employees plus an amount per hour per employee which equates to the employee fringe benefits and all deductions and all applicable taxes incurred by the City for each hour of service provided.

D. Contractor Costs

All fees for services provided by contractors provided by the City shall be charged at the City's actual cost of providing such services.

E. Equipment, Vehicles, Materials and Supplies Costs

All fees for equipment, vehicles, materials and supplies provided by the City shall be charged at the City's prevailing rates for providing such equipment, vehicles, materials and supplies.

F. Special Effects

Use of **special effects** per day \$110.00