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April 6, 2018

Caesar Palacio, Chair
Licensing and Standards Committee
City of Toronto, Council
10th floor, West Tower, City Hall
100 Queen Street West
Toronto, ON
M5H 2N2

Dear Councillor Palacio and Members of the Licensing and Standards Committee:

Re: Comprehensive Review of Body-Rub Parlour Regulations

I am making this submission on behalf of twenty-one licensed body-rub parlour owners in the City of Toronto (see list attached as Schedule "A").

I understand that City Council shall be undertaking a comprehensive review of, among other things, body-rub parlour regulations. In that context, my clients request that the outdated, unsafe and commercially unreasonable provisions of the Municipal Code that govern their business be amended.

My clients are asking your Committee and Council to acknowledge their status as "Adult Entertainment Establishments" as set out in the City of Toronto Act (see Schedule "B"). The current regulations, particularly the prohibitions on nudity and on operating past 9:00 p.m., do not reflect this status.

My clients are asking your Committee and Council to acknowledge that licensed body-rub parlour owners currently pay the significant sum of \$12,837.37 annually to renew their licences but must adhere to regulations that curtail their ability to run financially viable and safe businesses. In addition to not being able to operate past 9:00 p.m. and not being able to offer adult entertainment oriented services, my clients are not permitted to advertise their businesses in

print or on the internet, must keep their doors open to criminals and intoxicated persons, cannot utilize security cameras for safety and are subject to onerous record keeping requirements.

Specifically, my clients request that the provisions governing body-rub parlours in the Municipal Code be amended so that:

- The requirement that attendants be properly dressed is removed;
- The hours of operation are extended to the early morning hours;
- Security cameras are permitted;
- The principal means of access can be controlled by an internal locking device;
- Advertising on the internet and in print is permitted;
- They may have designated managers in addition to operators;
- Providing an itemized bill is no longer required;
- Attendants are no longer required to be under contract to one owner.

The cost of enforcement associated with body-rub parlours would be significantly reduced if the outdated, unsafe and commercially unreasonable regulations were amended. The primary focus should be ensuring that attendants are properly licensed and that services are being provided in a safe environment. Instead, there are numerous inspections and prosecutions related to such things as the use of security cameras, internet advertising or for remaining open for business during the hours in which adults actually seek their entertainment. \$320,934.25 is collected annually from the twenty-five licensed body-rub parlours and then promptly wasted on enforcing these antiquated, irrational and unfair regulations.

The foregoing list of proposed amendments is not exhaustive. I understand that the comprehensive review of the regulations governing body-rub parlours is just commencing and my clients want to provide input at every stage. My clients request that they be notified, through my office, throughout the entire process in advance of any meetings and be provided with any reports or other materials far enough in advance of any meeting so that they will have time to prepare and provide complete and meaningful submissions.

My clients thank you for taking the time to review this submission. We look forward to participating in this process.

Yours truly,

Noel Gerry

Noel D. Gerry

cc. Tracey Cook

SCHEDULE "A" – CLIENT LIST

Operating Name	Licence Holder	Address
A & R Massage Studio	A & R Body Care Ltd.	3631 Dundas Street West
Alpha Care Spa	2587019 Ontario Inc.	1270 Finch Avenue West, Unit 1
Ambassador Spa	2556100 Ontario Inc.	1270 Finch Avenue West, Unit 14
Flirt Spa	2252344 Ontario Inc.	1003 Finch Avenue West
Flirt 2 Spa	2101173 Ontario Inc.	3680 Victoria Park Avenue, Unit 1
I & P Studio	I & P Studio Corp	Currently relocating
Josephine's Spa	1541790 Ontario Inc.	280 Brown's Line
Minx Spa	2405490 Ontario Ltd.	3598 Dufferin Street
Muse Spa	1786424 Ontario Inc.	1290 Finch Avenue West, Unit 13
Palladium Spa	1610729 Ontario Limited	800 Petrolia Road, Unit 16
Perla Spa	2332980 Ontario Inc.	3670 Victoria Park Avenue, Unit 2A
Platinum Spa	2501170 Ontario Inc.	1230 Sheppard Avenue West, Unit 2
Pure Spa	2420797 Ontario Inc.	32 Mobile Drive
Pure Pleasure Spa	1133520 Ontario Inc.	2300 Finch Avenue West, Unit 59 & 60
Royal Tease Gentlemen's Spa	Royal Tease Gentlemen's Spa Inc.	155 Toryork Drive, Unit 13
Secrets Massage Spa & Gentlemen's Club	2435941 Ontario Inc.	370 Brown's Line
Seduction Spa	2549915 Ontario Inc.	4801 Keele Street, Unit 45
Studio 9	2501354 Ontario Inc.	77 Kincourt Street, Unit 85A
Sunshine Spa	2265205 Ontario Inc.	1290 Finch Avenue West, Units 4 & 5
Taboo Massage	2537967 Ontario Inc.	1170 Sheppard Avenue West, Unit 4
Vivid Spa	2300943 Ontario Inc.	4801 Steeles Avenue West, Unit 3

SCHEDULE "B" – EXCERPT FROM CITY OF TORONTO ACT

Restrictions re adult entertainment establishments

Premises

92(2) Any premises or any part of them is an adult entertainment establishment if, in the pursuance of a business,

- (a) goods, entertainment or services that are designed to appeal to erotic or sexual appetites or inclinations are provided in the premises or part of the premises; or
- (b) body-rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body, are performed, offered or solicited in the premises or part of the premises, but does not include premises or part of them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under a statute of Ontario. 2006, c. 11, Sched. A, s. 92 (2).

