

**Public Meeting Minutes
Massage Parlour Text Amendment
Wednesday, November 6, 2019
Foran Greene Room, City Hall**

Present: **Facilitator**
 Glenn Barnes

City of St. John's

Jason Sinyard, Deputy City Manager, Planning, Engineering and
Regulatory Services

Ken O'Brien, Chief Municipal Planner

Lindsay Lyghtle-Brushett, Urban Planner

Linda Bishop, Legal Council

Maureen Harvey, Legislative Assistant

There were approximately twenty-five people in attendance including Councillors Jamieson, Hickman and Burton.

To protect the anonymity of those present, there was no attendance record kept.

CALL TO ORDER AND BACKGROUND PRESENTATIONS

The facilitator opened the meeting at 7:00 pm. He outlined his role as facilitator noting that his presence is to facilitate the meeting, and to keep the process efficient, effective and respectful.

Mr. Barnes acknowledged receipt of the 40+ submissions, some of which elaborate on the comments made at the meeting and which will be appended to this report. He proceeded to outline how the comments of this meeting will be captured and forwarded to Council:

- a. All written submissions received to date will redacted in accordance with Privacy Legislation and will be appended to this report.
- b. Comments made at the meeting will be referenced by the name of the person responsible, ONLY if it is their wish that their name be referenced.
- c. All other comments will be summarized and presented

Those in attendance were encouraged, if not already done, to submit their position in writing to the City Clerk and as noted above, these will be redacted and forwarded to Council with this report.

He then invited the City's Planning Officials to speak about the proposed amendment which was followed by feedback from those in attendance.

PURPOSE OF MEETING

Ken O'Brien, Chief Municipal Planner for the City outlined the purpose of the meeting which is to consider a text amendment to the St. John's Development Regulations to add Massage Parlour as a Permitted Use in the following commercial Zones: Commercial Highway, Commercial Regional, Commercial Mixed Use, Commercial Central Mixed and Commercial, Kenmount. The restrictions on the places for such service include:

- **Not be permitted within**
 - **50 metres of the Newfoundland War Memorial**
 - **25 metres of a Residential or an Apartment Zone**
 - **150 metres of a School, Place of Worship or Daycare Centre**

An amendment to the St. John's Municipal Plan would not be required.

Discussion – Background and Current Status:

Council placed a moratorium on the approval of new massage parlors in 2015 (see Council Directive CD#R2015-02-23/13). In the interim, staff prepared the draft Envision St. John's Development Regulations which create a new definition of massage parlor (so it is no longer included under other definitions), set out separation standards from schools, daycares and so on, and made it a Permitted Use in a variety of commercial zones. As a Permitted Use, an application for a massage parlour would not have to be advertised.

The draft Envision Regulations were adopted-in-principle by Council on March 4, 2019 and sent to the Province. We await provincial release, so we can continue the process of bringing them into effect. Meanwhile, this amendment package is being brought forward by request of Council, to effect change now.

Due to concerns expressed by registered massage therapists, staff propose replacing "Massage Parlor" with "Body Rub Parlour", a term used in Toronto, Vancouver and other municipalities in western Canada.

Under the existing Development Regulations "Massage parlours" or "Body Rub Parlours" (as defined for this memo) are considered under the defined use of "Service Shop" and are permitted in many of the city's commercial zones, along with two residential zones (Residential Mixed Use and Residential Quidi Vidi Zones). Prior to being processed as a Service Shop, the use was also considered under the definition of Clinic.

Under the draft Envision St. John's Development Regulations, Massage Parlours (Body Rub Parlours) have been defined and identified as a permitted land use in several commercial zones, along with siting criteria, which sets a minimum distance from a

Residential Zone or Apartment Zone, school, daycare, place of worship or the Newfoundland National War Memorial.

COMMENTS FROM THE FACILITATOR

The facilitator noted that this meeting will likely focus on mainly two topics:

- a. Whether massage parlours should be considered as a separate entity (not grouped in under service shops) in the City's Development Regulations and listed as a permitted use in many of the city's commercial zones (Commercial Highway, Commercial Regional, Commercial Mixed Use, Commercial Central Mixed and Commercial Kenmount)
- b. Whether the place of service in question should be named massage parlours, body rub parlours or any other name.

COMMENTS FROM THE FLOOR

The following comments, which are not referenced by person or organization, summarize and highlight the positions put forward:

- The name body rub parlour is inappropriate – further negatively stigmatizes the work of those in the sex industry i.e. massage parlour vs massage clinic
- The City should pause in lifting the moratorium to allow more time for collaboration with all stakeholders (including sex workers) to address things such as regulation, licensing and safety.
- While the purpose of the meeting is to deal with the text amendment only, which addresses the locations where such massage parlours are situated, it was suggested the City should be looking beyond its legislated mandate and working collaboratively with other levels of government and stakeholders to address safety issues.
- Registered Massage Therapists are opposed to the use of the name “massage parlour”.
- In accordance with research undertaken, lifting the ban on massage parlours will negate the efforts of the Coalition Against the Sexual Exploitation of Youth (CASEY).
- With the limited number of people attending the meeting, Council is not able to properly gauge the support or opposition – more engagement, protecting the privacy of individuals, is needed.
- There is concern that if massage parlours are located near where young people frequent (e.g. group homes, community centres, and so on), there is an increased risk for vulnerable youth.
- The two key issues being discussed (location of massage parlours and the name of the service) should be the subject of independent meetings as each has a distinct group of stakeholders.
- Based on lived experience, massage parlours are home to violence and drugs putting sex workers at high risk.

- The issue of safety is much bigger than that of zoning and as such it should be explored further before any changes are made.
- Pushing the location of permitted massage parlours to the outskirts of densely populated areas heightens the risk to those people who are working in the industry.
- Council should not be looking to lift the ban given that the three approved massage parlours in the City are encountering difficulty in staffing. Slow down the process....there is no urgency. More can be done to address the issue of safety if the process is slowed.
- If the City is going to allow this service, be honest about the definition of the service.....these places are brothels and nothing more. Council should not be using a name of a service that it is not.
- More people with lived experience need a non-judgmental medium to articulate their thoughts and comments.
- Imposing the moratorium caused more problems as it forced people to go into an underground industry with higher risk.
- The City ought to engage in a forum (suggestion of an online survey) to reach out to people who work in the industry.
- More consultation is required in terms of defining the service.

CONCLUDING REMARKS

Facilitator Glenn Barnes indicated that once the minutes of this meeting are prepared and combined with written redacted submissions, the matter will be included in the published Council Agenda in due course. Those present were once again encouraged, if they had not already done so, to submit their comments.

ADJOURNMENT

The meeting adjourned 7:55 pm.

Glenn Barnes
Chairperson/Facilitator