

Bylaws and Brothels: An analysis of Toronto's adult entertainment governance strategy

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The Court of Appeal for Ontario held that the Criminal Code provisions are unconstitutional and must be struck down because they do not accord with the principles of fundamental justice enshrined in s. 7 of the *Canadian Charter*. In April 2012, the Federal Government of Canada launched an appeal to the Supreme Court of Canada on the Court of Appeal for Ontario's decision. The hearing is set for early 2013.

The findings of this report were derived from a variety of sources and methods of data collection: a literature review of adult entertainment zoning strategies; a review of international examples drawn from brothel zoning approaches in Sydney, Brisbane, and Auckland, a policy review of Toronto's bylaws and licensing processes and interviews with two informants.

The literature review outlines ways in which municipalities have used a variety of zoning techniques to control where adult businesses operate. The review highlights the history of the zoning of the sex industry, examining the three different approaches: red light districts, placing businesses at the city periphery, and scattering businesses throughout the city. Some cities have taken the approach of grouping similar adult entertainment businesses in a concentrated district. Others have zoned so that adult entertainment establishments are located at the periphery of the city in industrial areas. Municipalities have also

that accompanies the municipal bylaws and licensing process, the Adult Entertainment and Sex Industry Premises Development Control Plan (2006). The tool represents a comprehensive document that covers all elements of governing the sex industry in the city of Sydney. Locational restrictions, internal and external design standards, operational requirements, and health and safety standards are all detailed in a single document that serves to protect owners, employees, and

