



City Councillor
Dianne Saxe
Ward 11, University-Rosedale

Granting Temporary Exemption to Mokaben Inc. and By The Way Café from components of Chapter 742 and Chapter 693 of the City of Toronto Municipal Code

SUMMARY:

Mokaben Inc and By The Way Café have operated a sidewalk patio at 400 Bloor St W. for many years in the same location. Because the café is located on Bloor Street, they are not eligible for a CafeTO roadway encroachment permit; the sidewalk is their only patio option. This is a valuable local institution with significant local support, which should be permitted to continue.

Councillor Saxe has been working with staff to clarify appropriate rules for sidewalk patios in locations that are ineligible for roadway patios, but there is considerable work still to be done. In the interim, Mokaben Inc and By The Way Café require clarity on their right to operate.

RECOMMENDATIONS:

Councillor Dianne Saxe recommends that:

1. That City Council grant a temporary exemption from January 1, 2023 to December 31, 2024 to Mokaben Inc. and By The Way Café operating at 400 Bloor St. W. from any restrictions on the location and use of their existing patio that may be created by Chapter 742, Section 10.12A, Section 10.8A(2), Section 9.7A(2) or Section 10.9A(1) or Chapter 693, Section 17B(1) of the Toronto Municipal Code, provided that the dimensions of the patio remain no greater than they were on August 1, 2023.