

FTR Now

Ontario Extends Stay-at-Home Order; Implements Further Restrictions

Date: April 19, 2021

On April 16, 2021, the [Ontario government extended](#) the declared emergency made under the *Emergency Management and Civil Protection Act* (EMCPA) [as well as](#) the [Stay-at-Home Order](#) until May 5, 2021.

[Additional restrictions](#) for the [Rules for Areas in Stage 1](#) (Shutdown Zone), made under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*, have been imposed. In addition, some of these restrictions were [amended](#) subsequent to the government's April 16th announcement. All Orders under that Act, including the additional restrictions to the Shutdown Zone, have been extended until May 20, 2021. The Shutdown Zone currently applies to all regions in the province.

In this *FTR Now*, we review the new regulations and highlight some of the changes which will be of interest to employers.

Amendments to the Rules for Areas in Stage 1

A number of amendments have been made to the Rules for Areas In Stage 1 and will remain in effect until May 20, 2021.

Retail Businesses

Effective April 17, 2021, the rules for certain retail businesses that are permitted to remain open to the public, including supermarkets, grocery stores, convenience stores, indoor farmers' markets, other stores that primarily sell food, pharmacies and outdoor markets, have changed to limit the total number of people permitted in a business at one time to 25% capacity. The capacity limit is calculated in accordance with a prescribed formula based on total square metres of the area.

Items that discount and big box retailers are now [permitted to sell for in-store](#) shopping include school supplies and household safety supplies.

Construction

A broad range of construction activities were previously permitted to open in the Shutdown Zone. These activities have again been restricted effective April 17, 2021. Those that are permitted to remain open include, but are not limited to, activities that:

- are associated with the healthcare sector or long-term care
- support municipal or provincial infrastructure, such as the transportation and energy sectors
- support the operations of resource supply and electricity generation
- are residential construction activities or projects
- prepare a site for a commercial, institutional, industrial or residential development, including any necessary excavation, grading, roads or utilities infrastructure
- support the operations of broadband internet, and
- support the operations of, or provide new capacity in, schools, colleges, universities or child care centres within the meaning of the *Child Care and Early Years Act, 2014*.

The full list of construction projects that can continue to operate in the Shutdown Zone can be found in [section 43 of O. Reg. 297/21](#).

The analysis regarding whether a specific construction project fits into this list can be complicated. If you require assistance in making this determination please contact any member of Hicks Morley's [Construction Law Group](#).

Outdoor Amenities

A number of outdoor recreational amenities that were previously permitted to be open must now close. These include the following:

- all outdoor sports facilities and multi-use fields such as baseball diamonds, soccer fields, golf courses, tennis and basketball courts
- portions of parks containing outdoor fitness equipment, and
- picnic sites and picnic tables.

These closures came into effect on April 17, 2021.

An outdoor recreational amenity that is an off-leash dog area, park bench, outdoor playground, outdoor play structure or outdoor play equipment may remain open.

Events and Gatherings

The rules regarding indoor and outdoor gatherings for the purposes of a wedding, funeral, or religious service have changed to limit the number of people who may attend to 10.

This limit does not apply where a person attends a gathering for a religious service, rite or ceremony in a motor vehicle, so long as that person complies with all applicable restrictions, including remaining within a vehicle closed to the elements and positioning the vehicle at least two metres away from other vehicles.

The changes that relate to events and gatherings came into force on April 19, 2021.

Closure Of Public Lands For Recreational Camping

Effective April 16, 2021, [recreational camping on public lands is prohibited](#), with certain limited exceptions. These rules are made under the EMCPA and will remain in effect until May 5, 2021.

Workplace Inspections

In its [news release of April 15, 2021](#), the government stated that starting April 16, 2021, it would begin targeted provincewide inspections of 1,300 construction sites. Over 200 workplace inspectors, along with provincial offences officers, will be making these site visits in order to enforce safety requirements.

The government also announced that officers will be visiting over 500 workplaces, including big box stores, food processors, manufacturers and warehouses in hot spots in Ottawa, Toronto and York Region.

Enforcement Measures

As we noted in our *FTR Now* of [January 14, 2021](#), the government made an Order under the EMCPA titled "[Enforcement of COVID-19 Measures](#)" as part of its declaration of a second emergency under the EMCPA.

This Order [has been amended](#) to permit a police officer or other provincial offences officer who suspects that an individual

may be participating in an organized public event or social gathering that is prohibited in the Shutdown Zone to require the individual to provide information for the purpose of determining whether they are in compliance with the rules. The individual must comply with the request.

This amendment came into effect on April 17, 2021. The Order will remain in force until May 5, 2021.

Restrictions on Interprovincial Travel

The government made a new Order under the EMCPA titled “[Persons Entering Ontario From Quebec Or Manitoba](#)” which restricts travel into Ontario from Manitoba and Quebec, with certain exceptions. The order, which came into effect as of 12:01 am on April 19, 2021, states that no person shall travel into Ontario from these two bordering provinces except for a purpose specified in the regulation, which include but are not limited to:

- the person’s principal residence is in Ontario
- the person is travelling to perform work in Ontario
- the person is transporting goods into or through Ontario as part of the operation of a business, and
- the person’s health makes it necessary to travel into Ontario to obtain health care or social services.

Police officers and other officials have been given powers to enforce these travel restrictions, including the authority to direct an individual to return to Manitoba or Quebec if they reasonably believe the person is contravening this regulation.

This Order will remain in effect until May 5, 2021.

For assistance with how these new restrictions may impact your organization, please contact your regular [Hicks Morley lawyer](#).