

## FTR Now

# Ontario Moves to Step 2 of Reopening Plan

**Date:** June 28, 2021

Effective June 30, 2021, all public health units in Ontario will be permitted to move to Step 2 of the province's [Roadmap to Reopen](#).

Once this occurs, all public health units in the province will be subject to the conditions established by [O. Reg. 263/20](#), Rules for Areas in Step 2, as amended by [O. Reg. 488/21](#), along with any other conditions which may apply in specific public health units. Note that not all public health units will move into Step 2 at this time, including for example the Region of Waterloo, due to a surge of cases in certain regions.

In this *FTR Now*, we provide a general overview of the conditions which will apply at Step 2 and how these conditions differ from those at Step 1.

## Organized Public Events, Certain Gatherings

At Step 2, the number of persons who may attend an organized public event has increased to 5 persons where the event is held indoors and 25 persons where the event is held outdoors. Similar restrictions apply for social gatherings, including social gatherings associated with weddings, funerals or religious services, rites or ceremonies (e.g. a wedding reception).

Subject to capacity limits elsewhere in O. Reg. 263/20, for outdoor weddings, funerals or religious services, rites or ceremonies, there is no capacity limit as long as public health guidance on physical distancing can be maintained.

For indoor weddings, funerals or religious services, rites or ceremonies, the number of persons attending must not exceed 25% of the capacity of the particular room and all persons attending the gathering must comply with public health guidance on physical distancing.

## General Capacity Limits

Subject to specific capacity limits set out elsewhere in O. Reg. 263/20, including for example the 25% capacity limit which applies to certain retailers, public libraries and rented meeting and event spaces, among others, the general capacity limit for businesses and facilities open to the public is now 50%.

Both the 25% and 50% capacity limits must be determined in accordance with a prescribed formula based on the total square metres of the premises. There is still a requirement for persons to maintain physical distancing of two metres from each other.

## Working Remotely

Similar to Step 1, Step 2 requires each person responsible for a business or organization that is open to ensure that persons who perform work for that business or organization conduct their work remotely, unless the nature of their work requires them to be on-site. This provision does not apply to government or to entities that deliver or support government operations.

## Safety Plans

In addition to the existing requirements, safety plans prepared by a person responsible for a business that is open must now include measures and procedures for preventing crowds and gatherings. Additional information is required for certain businesses, places or events that will likely involve crowds, such as certain sports or recreational activities, outdoor concerts, theatres and cinemas, museums, amusement parks and outdoor festivals.

## Meeting and Event Space

Outdoor meeting or event spaces may now be rented out where the members of the public can maintain a physical distance of two metres from each other and there is a 25% capacity limit. Other conditions also apply.

At Step 2, as at Step 1, indoor meeting and event spaces are only permitted to be rented out for prescribed purposes.

## Tents and Canopies

The Step 2 rules set out certain requirements for outdoor areas of businesses that are covered by a roof, awning or other elements to ensure that a portion of the area is open to the outside.

## Restaurants, Bars and Other Establishments

The number of persons who may be seated at an outdoor table for dining has increased from four to six persons who are not from the same household. The limitation on hours of operation has been removed. Indoor dining and buffet style service remains prohibited at Step 2.

## Services

Key changes in Step 2 for certain services include the following:

- public libraries may open if the total number of members of the public in the library at any one time does not exceed 25% capacity
- community centres and multi-purpose facilities may now open to permit space to be used for a day camp or overnight camp, sports or recreational fitness activities and for indoor activities and services
- personal care services may open, subject to a range of conditions
- convention and conference centres may open for outdoor events or trade shows, subject to a range of conditions, including a 25% capacity limit.

## Retail

A number of retail businesses may now open with a 50% capacity limit. This includes, but is not limited to, supermarkets, grocery stores, pharmacies, discount and big box retailers, safety supply stores, stores that sell liquor and outdoor garden centres. Businesses located within an indoor farmer's market are limited to a 25% capacity limit.

Other retailers may open if the number of members of the public in the place of business does not exceed a 25% capacity limit.

## Post-Secondary Institutions and In-person Teaching and Instruction

At Step 2 the total number of students permitted to be in a post-secondary instructional space has been increased to 50 persons indoors and 100 persons outdoors as long as physical distancing of two metres can be maintained (at Step 1, in-person instruction was limited to those students in prescribed programs, such as medicine or dentistry).

For businesses that provide in-person teaching and instruction, the total number of students permitted in each instructional space is limited to the number that can maintain two metres of physical distancing from each other (at Step 1 it was limited to 10 persons).

## Outdoor Recreational Amenities

Outdoor recreational amenities may now open and are no longer limited to a prescribed list, as was the case at Step 1. However, a range of conditions continue to apply.

## Camps for Children

Camps that provide supervised overnight accommodation may now open provided that they operate in a manner consistent with COVID-19 safety guidelines produced by the Office of the Chief Medical Officer of Health.

## Media Industries

Commercial film and television production sets are no longer limited to 50 performers, as was the case at Step 1. However, a range of conditions continue to apply.

## Entertainment

Indoor concert venues, theatres and cinemas, which may open for the purpose of rehearsing or performing for a recorded broadcast, are no longer limited to 10 performers.

The following businesses may now open, subject to a 25% capacity limit and to a range of additional conditions:

- outdoor concert venues, theatres and cinemas
- museums, galleries, aquariums, zoos, science centres, landmarks, historic sites, botanical gardens and other attractions
- amusement parks, racing venues and outdoor fairs, rural exhibitions and festivals.

Readers should consult the full text of O. Reg. 263/20 to determine how these changes impact their organization and are welcome to contact their regular [Hicks Morley lawyer](#) for further information about Step 2.

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