

COVID-19 Update: Ontario Announces Extension Of Stay-at-Home Order And Framework For Transitioning Out Of Shutdown



On February 8, 2021, the Government of Ontario announced an extension to the province-wide shutdown, including the stay-at-home order, for the majority of Ontario's public health regions. As part of the announcement, the Ontario Government stated that it would return to a regional approach to gradually transition the province's 34 public health regions from shutdown to a revised and strengthened *COVID-19 Response Framework: Keeping Ontario Safe and Open* (the "Framework").

Changes to the Stay-at-Home Order

Prior to the announcement, Ontario was subject to a province-wide shutdown which saw the same rules apply across all public health regions. As of February 10, 2021, Ontario will return to a regional approach to reopening the province's 34 public health regions in accordance with the Framework. Further, as of February 10, 2021 at 12:01 a.m., the following public health regions will no longer be subject to the stay-at-home order, and will move to the "Green-Prevent" level in the Framework:

- Hastings Prince Edward Public Health Region;
- Kingston, Frontenac and Lennox & Addington Public Health Region; and
- Renfrew County and District Health Region

All other public health regions, with the exception of Toronto, Peel and York regions, will continue to be subject to the stay-at-home order until February 16, 2021. The final three regions (i.e. Toronto Public Health, Peel Public Health and York Regional Public Health Services) will be subject to the stay-at-home order until February 22, 2021.

The Government of Ontario also introduced an "emergency brake" that permits the Chief Medical Officer of Health, in consultation with local health officials, the authority to immediately move a public health region into the Grey-Lockdown level, in the event there is a rapid outbreak of COVID-19 transmission.

Changes to Non-Essential Shopping in Measures in the Framework

In addition to the foregoing, the Government of Ontario also announced that in-person shopping at non-essential retail stores, in all levels of the Framework, may resume operations with additional public health and safety measures in place. The following is a summary of the additional measures which have been added to the Framework in order to protect the health and safety of retail patrons and workers:

i. Grey-Lockdown Level

Non-essential stores located in a Grey-Lockdown region are permitted to offer in-person shopping, subject to a 25 percent capacity limit. Essential stores, such as supermarkets, other stores that primarily sell groceries, convenience stores and pharmacies, are subject to a 50 percent capacity limit. Store capacity limits must be posted publicly. Additionally, businesses and organizations are required to comply with recommendations and instructions issued by the Chief Medical Officer of Health and other public health officials. This includes, but is not limited to:

- Posting signs at all entrances that informs individuals on how to screen themselves for COVID-19 prior to entering the premises;
- Actively screening all workers before they enter the premises;
- Actively screening all patrons entering indoor malls; and
- Ensuring individuals maintain at least two metres of physical distance and wear a face mask/covering, with limited exceptions.

ii. Red-Control Level

Non-essential stores located in a Red-Control region are permitted to offer in-person shopping, subject to a 50 percent capacity limit. Essential stores such as supermarkets, other stores that primarily sell groceries, convenience stores and pharmacies, are subject to a 75 percent capacity limit.

Further, businesses and organizations are required to comply with the recommendations and instructions issued by the Chief Medical Officer of Health and other public health officials, including but not limited to the screening workers and patrons. Other rules, such as enforcing physical distancing and the wearing of a face mask/covering continue to apply.

iii. Green-Prevent, Yellow-Protect, Orange-Restrict and Other Sectors

Businesses and organizations in the remaining levels of the Framework are required to continue to comply with the recommendations and instructions issued by the Chief Medical Officer of Health and other public health officials. Passive screening is permissible for all businesses and organizations, with the exception of indoor malls which are required to actively screen patrons and workers prior to entering the premises.

Other requirements, such as enforcing physical distancing and wearing a face mask or covering continue to apply.

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