

ONTARIO REGULATION 223/20

made under the

EMERGENCY MANAGEMENT AND CIVIL PROTECTION ACT

Made: May 18, 2020 (6:40 p.m.)
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Amending O. Reg. 82/20

(ORDER UNDER SUBSECTION 7.0.2 (4) - CLOSURE OF PLACES OF NON-ESSENTIAL BUSINESSES)

1. Section 0.1 of Schedule 1 to Ontario Regulation 82/20 is amended by adding the following subsection:

(7) The amendments made by Ontario Regulation 223/20 take effect at 12:01 a.m. on Tuesday, May 19, 2020.

2. Subsection 1 (1.1) of Schedule 1 to the Regulation is revoked.

3. Paragraph 2.1 of Schedule 2 to the Regulation is revoked and the following substituted:

2.1 Businesses that sell,

- i. motor vehicles, including cars, trucks and motorcycles,
- ii. recreational vehicles, including motor homes,
- iii. trailers and travel trailers,
- iv. boats and other watercraft, or
- v. other motorized vehicles, including power-assisted bicycles, golf carts, scooters, snowmobiles and all-terrain vehicles.

4. Schedule 2 to the Regulation is amended by adding the following paragraph:

2.5 Businesses that engage in the retail sale, or rental, of items to the public, that have a public entrance that opens onto a street or exterior sidewalk and that are in compliance with section 2 of Schedule 3.

5. Schedule 2 to the Regulation is amended by adding the following paragraph:

6.1 Domestic services that support the operation of households, including housekeeping, cooking, indoor and outdoor cleaning and maintenance services.

6. Paragraph 11 of Schedule 2 to the Regulation is amended by striking out “(urgent care only)”.

7. Schedule 2 to the Regulation is amended by adding the following paragraph:

11.1 Businesses that provide pet services, including pet grooming services, pet sitting services, pet walking services and pet training services, including services for the training and provision of service animals.

8. Paragraph 20 of Schedule 2 to the Regulation is revoked and the following substituted:

Maintenance

20. Maintenance, repair and property management services that manage and maintain the safety, security, sanitation and operation of institutional, commercial, industrial and residential properties and buildings.

9. Paragraphs 27, 28, 28.1, 29, 29.1, 29.2, 30, 30.1 and 31 of Schedule 2 to the Regulation are revoked and the following substituted:

Construction

27. Construction activities or projects and related services that support construction activities or projects, including demolition services.

28. Land surveyors.

10. Schedule 2 to the Regulation is amended by adding the following paragraphs:

34.2 The following facilities for outdoor sports and activities that are in compliance with section 7 of Schedule 3:

- i. Baseball diamonds.

- ii. Soccer fields.
- iii. Tennis, platform tennis, table tennis and pickleball courts.
- iv. Basketball courts.
- v. BMX parks.
- vi. Skate parks.
- vii. Motorsport tracks.
- viii. Frisbee golf locations.
- ix. Cycling tracks and bike trails.
- x. Horse riding facilities.
- xi. Shooting ranges, including those operated by rod and gun clubs.

34.3 The following facilities for indoor sports and activities that are in compliance with section 7 of Schedule 3:

- i. Indoor golf driving ranges.
- ii. Indoor horse riding facilities.
- iii. Indoor shooting ranges, including those operated by rod and gun clubs.

34.4 Facilities, other than pools, that are in compliance with section 8 of Schedule 3 and that are being used by one or more of the following organizations, leagues or clubs to train amateur or professional athletes or to run amateur or professional athletic competitions:

- i. A national sport organization funded by Sport Canada or a member club of such an organization.
- ii. A provincial sport or multi-sport organization recognized by the Ministry of Heritage, Sport, Tourism and Culture Industries or a member club of such an organization.
- iii. A professional sport league or a member club of such a league.

34.5 Horse racing tracks that are in compliance with section 9 of Schedule 3.

11. Paragraph 38 of Schedule 2 to the Regulation is revoked and the following substituted:

38. Regulated health professionals.

38.1 Professionals or organizations that provide in-person counselling services.

12. Paragraph 43 of Schedule 2 to the Regulation is amended by striking out “Not-for-profit” at the beginning.

13. Schedule 2 to the Regulation is amended by adding the following paragraphs:

Media industries

- 45. Sound recording, production, publishing and distribution businesses.
- 46. Film and television post-production, visual effects and animation studios.
- 47. Book and periodical production, publishing and distribution businesses.
- 48. Interactive digital media businesses, including,
 - i. computer system software or application developers and publishers, and
 - ii. video game developers and publishers.

14. Section 2 of Schedule 3 to the Regulation is revoked and the following substituted:

Places of business that engage in the retail sale or rental of items to the public

2. (1) The person responsible for a place of business that engages in the retail sale, or rental, of items to the public, other than a business described in paragraph 2, 2.1, 2.2, 2.3, 2.4, 3 or 4 of Schedule 2, shall use one or more of the following methods to ensure that persons in the place of business can maintain physical distancing of at least two metres from each other at all times:

- 1. Using alternative methods of sale such as curb side pick-up or delivery.
- 2. Operating by appointment.
- 3. Limiting the number of people who may be in the place of business at any one time.

(2) A person responsible for a place of business described in subsection (1) that has a fitting room shall ensure that the fitting room remain closed unless,

- (a) the fitting room stalls are equipped with a solid door that may be closed;
- (b) customers are not permitted to occupy adjacent fitting room stalls at any one time; and
- (c) the fitting room stalls are cleaned and disinfected after each use.

15. Section 2.1 of Schedule 3 to the Regulation is revoked.

16. Section 2.1.1 of Schedule 3 to the Regulation is amended by striking out “who operates” and substituting “responsible for”.

17. Subsection 2.2 (1) of Schedule 3 to the Regulation is amended by striking out “who operates” and substituting “responsible for”.

18. Section 3.1 of Schedule 3 to the Regulation is amended by striking out “who operates” in the portion before clause (a) and substituting “responsible for”.

19. (1) Subsection 5 (1) of Schedule 3 to the Regulation is amended by striking out “who operates” and substituting “responsible for”.

(2) Subsection 5 (4) of Schedule 3 to the Regulation is amended by striking out “who operates” and substituting “responsible for”.

20. Schedule 3 to the Regulation is amended by adding the following sections:

Indoor or outdoor sports facilities

7. Every person responsible for a facility described in paragraph 34.2 or 34.3 of Schedule 2 shall ensure that,

- (a) any person who enters or uses the facility maintains a physical distance of at least two metres from any other person who is using the facility;
- (b) team sports are not practised or played within the facility;
- (c) other sports or games that are likely to result in individuals coming within two metres of each other are not practised or played within the facility; and
- (d) any locker rooms, change rooms, showers and clubhouses in the facility remain closed, except to the extent they provide access to a washroom or a portion of the facility that is used to provide first aid.

Facilities for athletic training or competitions

8. Every person responsible for a facility described in paragraph 34.4 of Schedule 2 shall ensure that,

- (a) the only persons permitted to use the facility are athletes who are members of an organization, league or club described in paragraph 34.4 of Schedule 2;
- (b) any person who enters or uses the facility maintains a physical distance of at least two metres from any other person who is using the facility;
- (c) team sports and pool-based sports are not practised or played within the facility;
- (d) other sports or games that are likely to result in individuals coming within two metres of each other are not practised or played within the facility;
- (e) all sport activities are conducted in accordance with the rules and policies of the applicable organization identified in paragraph 34.4 of Schedule 2, including the rules and policies put in place to enable a safe return to the sport;
- (f) no spectators are permitted at the facility, other than up to one accompanying parent, guardian or other adult for each athlete under the age of 18; and
- (g) any locker rooms, change rooms, showers and clubhouses in the facility remain closed, except to the extent they provide access to a washroom or a portion of the facility that is used to provide first aid.

Horse racing tracks

9. Every person responsible for a horse racing track shall ensure that it is closed to spectators.

Under the authority delegated by Order in Council 574/2020,
and with the agreement of other ministers as required under that delegation,

En vertu du pouvoir délégué par le décret 574/2020,
et avec l'accord d'autres ministres, tel qu'exigé dans le cadre de cette délégation,

Made by:
Pris par :

Le ministre du Développement économique, de la Création d'emplois et du Commerce,

VICTOR FEDELI
Minister of Economic Development, Job Creation and Trade

Date made: May 18, 2020 (6:40 p.m.)
Pris le : 18 mai 2020 (18 h 40)