

Ontario's New Stay Home Order Effective January 14, 2021

COVID-19 | Emergency Management and Civil Protection Act | Employment & Labour | Employment Law | Litigation | Litigation & Dispute Resolution | Ontario

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The Ontario government, in consultation with the Chief Medical Officer of Health and other health experts, has responded to the unsettling levels of mobility in the province and has declared a second provincial emergency under s. 7.0.1(1) of the *Emergency Management and Civil Protection Act* (EMPCA). The declaration is an attempt to reduce the mobility of Ontarians and stop the spread of COVID-19 as the province continues its vaccine rollout.

As of Thursday, 14 January 2021, at 12:01 a.m., the stay-at-home order is in effect and requires Ontarians to leave home only for essential activities. The Ontario government indicated the measures are in effect for all of Ontario and will remain in place until, at least, 11 February 2021. The exceptions include the following:

- Attending the grocery store or pharmacy;
- Accessing health care services;
- Exercise; or
- Work, where work cannot be done remotely for essential service providers.

There are new restrictions regarding the hours of operation for all non-essential retail stores, including hardware stores, alcohol or cannabis retailers, and stores conducting curbside pick-up or delivery. All non-essential retailers are restricted from operating outside the hours of 7:00 a.m. and 8:00 p.m., and so, all pick-up and in-store purchases must occur within this timeframe. These operating hour restrictions do not apply to: pharmacies, gas stations, convenience stores, stores that primarily sell food and restaurants open for takeout and delivery.

In addition, the province has restricted non-essential construction. Only types of construction deemed essential are allowed to continue operating. The list of essential construction projects are as follows:

- Permitted construction activities or projects, including land surveying and demolition services;
- Construction associated with health care and long-term care, including new facilities, conversion spaces; and schools, post-secondary and child-care centres within the meaning of the *Child Care and Early Years Act, 2014*;
- Municipal and provincial infrastructure: transit, transportation, energy, mining and justice sectors beyond day-to-day maintenance;
- Projects under the Investing in Canada Infrastructure Program;
- Construction that supports internet or cellular infrastructure;
- Critical industrial construction required for and related to:
 - petrochemical plants and facilities;
 - the production of PPE, medical devices or products that directly combat COVID-19;
- Construction for food, beverage or agricultural projects scheduled to be completed before July 2021;
- Projects commenced before 12 January 2021, and that would:
 - Provide logistical support, distribution services, warehousing, shipping and delivery services; or
 - Provide additional capacity in operation and delivery of IT services or telecommunication;
- Residential projects where:
 - a footing permit has been granted for single family, semi-detached and townhomes;
 - the project is a condominium, mixed use or other residential building; or
 - the project involves renovations to residential properties and construction work was started before 12 January 2021;

- Site preparation for an institutional, commercial, industrial or residential development, including any necessary excavation, grading, roads or utilities infrastructure;
- Construction and maintenance activities necessary to temporarily close construction sites that have paused or are not active to ensure ongoing public safety;
- Below grade multi-unit residential construction projects, such as apartments and condominiums.

The full list is available [here](#).

This blog was written with the assistance of **Olivia Rasekhi**.

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(This blog is provided for educational purposes only, and does not necessarily reflect the views of Gardiner Roberts LLP).

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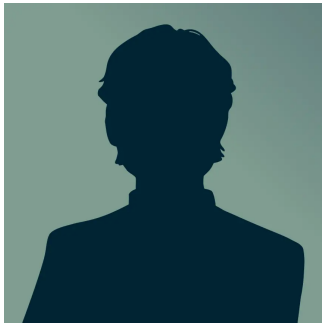


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