

INSTRUCTIONS FROM THE MEDICAL OFFICER OF HEALTH

DATE: June 29, 2021

EFFECTIVE DATE: June 30, 2021 at 12:01 a.m.

TO: All persons responsible for a business, organization or facility in the Region of Waterloo (ROW)

First of all, I would like to thank you for your ongoing efforts to comply with public health requirements that aim to protect your staff, patrons and other members of our community. I would like to thank you for your strong commitment to encourage workers to receive their vaccinations against COVID-19 and your efforts in facilitating their ability to do so.

We have achieved much by working together in the face of this pandemic; however, at this time I must ask for your continued patience and support in the interests of protecting the health of our community, and to give us the best chance to re-open and successfully stay open.

With strong support from Ontario's Chief Medical Officer of Health and local health care leadership including all hospital CEOs, we will be taking a more gradual approach to reopening.

We must maintain Step 1 - level restrictions for approximately two weeks to minimize increased person-to-person interactions that would grow significantly with a move to Step 2 for our community at this time.

While our vaccination rates are growing daily, other trends in public health and health system indicators are concerning:

- Our data shows that ROW has had one of the highest rates of COVID-19 transmission in the province in the month of June 2021. As of June 28, 2021, our weekly case rate per 100,000 residents is over 5 times the provincial rate;
- We have seen COVID-19 spread in multiple, different types of settings in Waterloo Region, and rising infection rates in the younger age groups, including those under 20. There are multiple COVID-19 outbreaks in workplaces across the ROW. In essence, the variant is prevalent throughout the region and is not limited to one demographic;
- The surge in cases in our community has significantly affected our local hospitals. As of June 25, 2021, 60 individuals considered infectious for COVID-19 were hospitalized (this does not count those who are no longer infectious but still require hospital care), with 27 in the intensive-care unit, and our local hospitals had begun to transfer patients out of region for care;
- We have evidence that the Delta variant, significantly more transmissible than the Alpha variant (the variant driving Ontario's third wave), is the predominant

circulating strain in RoW. Public Health Ontario has estimated that the percentage of N501Y- and E484K- cases (a proxy for the Delta variant) was 81.4% in ROW from June 8, 2021 to June 14, 2021, and 93.9% in ROW from June 15, 2021 to June 21, 2021 (<https://www.publichealthontario.ca/-/media/documents/ncov/epi/covid-19-prevalence-growth-voc-mutation-epi-summary.pdf>). The Province has identified the ROW as one of the delta variant hotspots in Ontario.

These trends are worrisome and require a more cautious approaching to lifting public health restrictions at this time.

At this time, I anticipate these continued Step 1 - level restrictions will remain necessary for two additional weeks after most of Ontario moves to Step 2 on June 30, 2021, remaining in place until approximately mid-July, 2021. I will regularly assess our progress against key public health and health system indicators and will report publicly on our progress.

Ontario's new Step 2 Rule continues to require persons responsible for a business or organization to operate the business or organization in compliance with the instructions of public health officials. This includes the following instructions issued by me in this document pursuant to Regulation 263/20, as amended, under the Reopening Ontario (A Flexible Response to COVID-19) Act, 2020.

These instructions will be enforced by provincial offences officers and public health officials under one or more of the *Health Protection and Promotion Act*, *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020* and/or the *Emergency Management and Civil Protection Act*. Failure to comply is a provincial offence. Among enforcement actions that may be taken, you may be charged, and penalties imposed including fines, and/or closure of premises.

Should you have any questions, please do not hesitate to contact Region of Waterloo Public Health at 519-575-4400 or visit our website: www.regionofwaterloo.ca/Instructions

For additional resources for workplaces please visit our website at: <https://www.regionofwaterloo.ca/en/health-and-wellness/coronavirus-resources-for-workplaces.aspx>

These instructions remain in effect until amended or rescinded by me.

1. You must comply with the requirements and restrictions as set out in Appendix A herein - which are the Step 1 requirements and restrictions as set out in Ontario Regulation 82/20, Schedules 6, 7, 8, 9 and 10 - as applicable to your business, organization or facility and to the extent that they are more strict than the Step 2 requirements and restrictions as set out in Ontario Regulation 263/20, as amended.

2. (1) Without limiting section 1 and subject to sections 3 to 6 herein, no person who operates a business, organization or facility shall allow persons to attend any of the following at their business, organization or facility,
 - (a) an organized public event that is held indoors;
 - (b) a social gathering that is held indoors, including a social gathering associated with a gathering described in clause (d);
 - (c) an organized public event or social gathering of more than 10 people that is held outdoors, including a social gathering associated with a wedding, funeral or a religious service, rite or ceremony, but not including the wedding, funeral or a religious service, rite or ceremony itself;
 - (d) an indoor gathering for the purposes of a wedding, a funeral or a religious service, rite or ceremony where the number of persons occupying any particular room in a building or structure while attending the gathering exceeds 15 per cent of the capacity of the room; or
 - (e) an outdoor gathering for the purposes of a wedding, a funeral or a religious service, rite or ceremony where the number of persons attending the gathering exceeds the number that can maintain a physical distance of at least two metres from every other person in the space where the gathering is held.
 - (2) A person attending an organized public event, social gathering or a gathering for the purposes of a wedding, a funeral or a religious service, rite or ceremony shall comply with public health guidance on physical distancing.
 - (3) For greater certainty, subsections (1) and (2) apply with respect to an organized public event, social gathering or a gathering for the purposes of a wedding, a funeral or a religious service, rite or ceremony, even if it is held at a private dwelling.
 - (4) For greater certainty, the limits in clauses (1) (b) and (c) apply to a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony, such as a wedding reception, while the limits that apply to the wedding, funeral or religious service, rite or ceremony itself are set out in clauses (1) (d) and (e).
 - (5) Clause (1) (c) does not apply with respect to an outdoor end-of-school-year celebration ceremony held by a school or private school within the meaning of the *Education Act* that is in compliance with a direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health.
3. Section 2 does not apply with respect to,

- (a) a gathering of members of a single household;
 - (b) a gathering that includes members of a household and one other person from another household who lives alone; or
 - (c) a gathering that includes persons described in clause (a) or (b), and a caregiver for any of those persons.
4. Section 2 does not apply with respect to a gathering in a retirement home within the meaning of the *Retirement Homes Act, 2010* if it is in compliance with the policies or guidance, if any, issued by the Retirement Homes Regulatory Authority.
5. The prohibitions on attendance at an organized public event in subsection 2 (1) do not apply with respect to attendance at a business for a purpose related to providing or receiving the goods or services provided by the business if the business is not required to close.
6. (1) This section applies with respect to gatherings for the purposes of a wedding, funeral, religious service, rite or ceremony if the persons attending the gathering, other than those conducting the service, rite or ceremony, do so in a motor vehicle.
- (2) Clause 2 (1) (e) does not apply to a gathering to which this section applies if the person follows all of the following precautions that apply:
- 1. Each person attending the gathering, other than the persons conducting the service, rite or ceremony, must remain within a motor vehicle that is designed to be closed to the elements, except,
 - i. where necessary to use a washroom, or
 - ii. as may otherwise be necessary for the purposes of health and safety.
 - 2. The driver of a motor vehicle must ensure that it is positioned at least two metres away from other motor vehicles.
 - 3. A person who ordinarily uses a non-motorized vehicle because of their religious belief and who attends the gathering must remain within their non-motorized vehicle except where necessary to use a washroom or as may otherwise be required for the purposes of health and safety, and paragraph 2 applies with necessary modifications.

Dr. Hsiu-Li Wang, MD, FRCPC
Commissioner & Medical Officer of Health
Region of Waterloo Public Health & Emergency Services

These instructions shall be posted at:

<https://www.regionofwaterloo.ca/en/health-and-wellness/orders-and-instructions.aspx>

**APPENDIX A TO INSTRUCTIONS ISSUED BY THE MEDICAL OFFICER OF HEALTH FOR
THE REGIONAL MUNICIPALITY OF WATERLOO ON JUNE 29, 2021**

STEP 1

SCHEDULE 6
GENERAL RULES AT STEP 1

Closures

1. (1) Each person responsible for a business, or a part of a business, that is not listed in Schedule 7 or 8 shall ensure that the business, or part of the business, is closed.
- (2) Each person responsible for a business, or part of a business, that is listed in Schedule 7 or 8 subject to conditions shall ensure that the business, or part of the business, either meets those conditions or is closed.
- (3) Each person responsible for a place, or a part of a place, that is required to be closed by Schedule 8 shall ensure that the place, or part of the place, is closed in accordance with that Schedule.
- (4) Each person responsible for a place, or a part of a place, that is listed in Schedule 8 subject to conditions shall ensure that the place, or part of a place, either meets those conditions or is closed.
- (5) Each person responsible for a business or place, or part of a business or place, that does not comply with sections 2 to 11 of this Schedule shall ensure that it is closed.
- (6) Despite subsections (1) to (5), temporary access to a business or place, or part of a business or place, that is required to be closed is authorized, unless otherwise prohibited by any applicable law, for the purposes of,
 - (a) performing work at the business or place in order to comply with any applicable law;
 - (b) preparing the business or place to be reopened;

- (c) allowing for inspections, maintenance or repairs to be carried out at the business or place;
- (d) allowing for security services to be provided at the business or place; and
- (e) attending at the business or place temporarily,
 - (i) to deal with other critical matters relating to the closure of the business or place, if the critical matters cannot be attended to remotely, or
 - (ii) to access materials, goods or supplies that may be necessary for the business or place to be operated remotely.

(7) Nothing in this Order precludes a business or organization from operating remotely for the purpose of,

- (a) providing goods by mail or other forms of delivery or making goods available for pick-up; and
- (b) providing services online, by telephone or by other remote means.

(8) Nothing in this Order precludes a business or place from providing access to an outdoor recreational amenity that is permitted to open under section 4 of Schedule 8, including by opening such limited areas of the business or place as are necessary to enable access.

(9) Nothing in this Order precludes operations or delivery of services by the following in Ontario:

1. Any government.
2. Any person or publicly-funded agency or organization that delivers or supports government operations and services, including operations and services of the health care sector.

General compliance

2. (1) The person responsible for a business or organization that is open shall ensure that the business or organization operates in accordance with all applicable laws, including the *Accessibility for Ontarians with Disabilities Act, 2005* and the *Occupational Health and Safety Act* and the regulations made under them.

(2) The person responsible for a business or organization that is open shall operate the business or organization in compliance with the advice, recommendations and instructions of public health officials, including any advice, recommendations or instructions on physical distancing, cleaning or disinfecting.

(3) The person responsible for a business or organization that is open shall operate the business or organization in compliance with any advice, recommendations and instructions issued by the Office of the Chief Medical Officer of Health or another public health official on screening individuals by, among other things,

- (a) posting signs at all entrances to the premises of the business or organization, in a conspicuous location visible to the public, that inform individuals on how to screen themselves for COVID-19 prior to entering the premises; and
- (b) actively screening every person who works at the business or organization before they enter the premises of the business or organization.

(4) REVOKED: O. Reg. 440/21, s. 10 (3).

(5) The person responsible for a business or organization that is open shall ensure that any person in the indoor area of the premises of the business or organization, or in a vehicle that is operating as part of the business or organization, wears a mask or face covering in a manner that covers their mouth, nose and chin during any period when they are in the indoor area unless the person in the indoor area,

- (a) is a child who is younger than two years of age;
- (b) is attending a school or private school within the meaning of the *Education Act* that is operated in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health;
- (c) is attending a child care program at a place that is in compliance with the child care re-opening guidance issued by the Ministry of Education;
- (c.1) is attending a day camp for children that is in compliance with section 24 of Schedule 7;
- (d) is receiving residential services and supports in a residence listed in the definition of “residential services and supports” in subsection 4 (2) of the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008*;
- (e) is in a correctional institution or in a custody and detention program for young persons in conflict with the law;
- (f) is performing or rehearsing in a film or television production or in a concert, artistic event, theatrical performance or other performance;
- (g) has a medical condition that inhibits their ability to wear a mask or face covering;
- (h) is unable to put on or remove their mask or face covering without the assistance of another person;
- (i) needs to temporarily remove their mask or face covering while in the indoor area,

- (i) to receive services that require the removal of their mask or face covering,
 - (ii) to engage in an athletic or fitness activity,
 - (iii) to consume food or drink, or
 - (iv) as may be necessary for the purposes of health and safety;
- (j) is being accommodated in accordance with the *Accessibility for Ontarians with Disabilities Act, 2005*;
- (k) is being reasonably accommodated in accordance with the *Human Rights Code*;
or
- (l) performs work for the business or organization, is in an area that is not accessible to members of the public and is able to maintain a physical distance of at least two metres from every other person while in the indoor area.

(6) Subsection (5) does not apply with respect to premises that are used as a dwelling if the person responsible for the business or organization ensures that persons in the premises who are not entitled to an exception set out in subsection (5) wear a mask or face covering in a manner that covers their mouth, nose and chin in any common areas of the premises in which persons are unable to maintain a physical distance of at least two metres from other persons.

(6.1) The person responsible for a business or organization shall ensure that every person who performs work for the business or organization and whose mask or face covering is temporarily removed to consume food or drink under subclause (5) (i) (iii) is separated from every other person by,

- (a) a distance of at least two metres; or
- (b) plexiglass or some other impermeable barrier.

(7) For greater certainty, it is not necessary for a person to present evidence to the person responsible for a business or place that they are entitled to any of the exceptions set out in subsection (5).

(8) A person shall wear appropriate personal protective equipment that provides protection of the person's eyes, nose and mouth if, in the course of providing services, the person,

- (a) is required to come within two metres of another person who is not wearing a mask or face covering in a manner that covers that person's mouth, nose and chin during any period when that person is in an indoor area; and
- (b) is not separated by plexiglass or some other impermeable barrier from a person described in clause (a).

Work from home except where necessary

2.1 (1) Each person responsible for a business or organization that is open shall ensure that any person who performs work for the business or organization conducts their work remotely, unless the nature of their work requires them to be on-site at the workplace.

(2) Subsection (1) does not apply to a business or organization described in subsection 1 (9).

Capacity limits for businesses or facilities open to the public

3. (1) Subject to any other provisions set out in this Order, the person responsible for a place of business or facility that is open to the public shall limit the number of members of the public in the place of business or facility so that,

- (a) the members of the public are able to maintain a physical distance of at least two metres from every other person in the business or facility; and
- (b) the total number of members of the public in the business or facility at any one time does not exceed 50 per cent capacity, as determined in accordance with subsection (2).

(2) For the purposes of this Order, the maximum number of members of the public permitted in a business or facility that is operating at 50 per cent capacity is determined by taking the total square metres of floor area accessible to the public in the business or facility, not including shelving and store fixtures, dividing that number by 8 and rounding the result down to the nearest whole number.

(3) For the purposes of this Order, the maximum number of members of the public permitted in a business or facility that is operating at 25 per cent capacity is determined by taking the total square metres of floor area accessible to the public in the business or facility, not including shelving and store fixtures, dividing that number by 16 and rounding the result down to the nearest whole number.

(3.1) For the purposes of this Order, the maximum number of members of the public permitted in a business or facility that is operating at 15 per cent capacity is determined by taking the total square metres of floor area accessible to the public in the business or facility, not including shelving and store fixtures, dividing that number by 26.67 and rounding the result down to the nearest whole number.

(4) For greater certainty, subsection (1) does not require persons who are in compliance with public health guidance on households to maintain a physical distance of at least two metres from each other while in a place of business or facility.

(5) The person responsible for a place of business or facility that engages in retail sales to the public must post a sign in a conspicuous location visible to the public that states the maximum capacity they are permitted to operate under.

(6) Subsection (1) does not apply to schools and private schools within the meaning of the *Education Act* that are,

(a) operating in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health; or

(b) operated by,

(i) a band, a council of a band or the Crown in right of Canada,

(ii) an education authority that is authorized by a band, a council of a band or the Crown in right of Canada, or

(iii) an entity that participates in the Anishinabek Education System.

Requirements that apply to individuals

4. (1) Every person on the premises of a business or organization that is open shall wear a mask or face covering in a manner that covers their mouth, nose and chin during any period in which they are in an indoor area of the premises.

(2) Every person shall wear a mask or face covering in a manner that covers their mouth, nose and chin during any period in which they are,

(a) in attendance at an organized public event or gathering permitted by this Order;
and

(b) within two metres of another individual who is not part of their household.

(3) Subsections (1) and (2) do not require a person to wear a mask or face covering if they are subject to an exception set out in subsection 2 (5).

(4) Every member of the public in a place of business or facility that is open to the public, and every person in attendance at an organized public event or gathering permitted by this Order, shall maintain a physical distance of at least two metres from every other person, except from their caregiver or from members of the person's household.

(5) The physical distancing described in subsection (4) is not required,

(a) where necessary to complete a transaction or to receive a service, if the member of the public wears a mask or face covering in a manner that covers

their mouth, nose and chin or is subject to an exception set out in subsection 2 (5);

- (a.1) when attending a day camp for children that is in compliance with section 24 of Schedule 7;
- (b) when passing one another in a confined location, such as in a hallway or aisle, if the member of the public wears a mask or face covering in a manner that covers their mouth, nose and chin or is subject to an exception set out in subsection 2 (5); and
- (c) in situations where another provision of this Order expressly authorizes persons to be closer than two metres from each other.

(6) For greater certainty, nothing in subsection (5) affects the obligation of persons who provide services to comply with subsection 2 (8).

(7) No person shall use an indoor or outdoor recreational amenity that is required to close under this Order.

Physical distancing and masks or face coverings in lines, etc.

5. (1) The person responsible for a business or place that is open must not permit patrons to line up or congregate outside of the business or place unless they are maintaining a physical distance of at least two metres from other groups of persons.

(2) The person responsible for a business or place that is open must not permit patrons to line up inside the business or place unless they are,

- (a) maintaining a physical distance of at least two metres from other groups of persons; and
- (b) wearing a mask or face covering in a manner that covers their mouth, nose and chin, unless they are entitled to any of the exceptions set out in subsection 2 (5).

(3) This section does not apply with respect to day camps for children that are in compliance with section 24 of Schedule 7.

Safety plan

6. (1) The person responsible for a business that is open shall prepare and make available a safety plan in accordance with this section, or ensure that one is prepared and made available.

(2) The safety plan shall describe the measures and procedures which have been implemented or will be implemented in the business to reduce the transmission risk of COVID-19.

(3) Without limiting the generality of subsection (2), the safety plan shall describe how the requirements of this Order will be implemented in the location including by screening, physical distancing, masks or face coverings, cleaning and disinfecting of surfaces and objects, and the wearing of personal protective equipment.

(4) The safety plan shall be in writing and shall be made available to any person for review on request.

(5) The person responsible for the business shall ensure that a copy of the safety plan is posted in a conspicuous place where it is most likely to come to the attention of individuals working in or attending the business.

7. REVOKED: O. Reg. 440/21, s. 10 (8).

Meeting or event space

8. (1) The person responsible for a business or place that is open may only rent out meeting or event space if the meeting or event space is only rented out,

- (a) for a day camp for children described in section 24 of Schedule 7;
- (b) to a provider of child care within the meaning of the *Child Care and Early Years Act, 2014*;
- (c) for the purpose of the provision of social services;
- (d) for the purpose of collective bargaining, so long as no more than ten people are permitted to occupy the rented space;
- (e) for the purpose of delivering or supporting the delivery of court services;
- (f) for operations by or on behalf of a government;
- (g) for the purpose of delivering or supporting the delivery of government services;
- (h) for the purpose of delivering or supporting mental health support services or addictions support services, so long as no more than ten people are permitted to occupy the rented space; or
- (i) for the purpose of conducting in-person examinations for the registration, licensing or accreditation of persons in any of the fields or occupations described in subsection 2 (2) of Schedule 8, so long as no more than 50 students are permitted to occupy the rented space.

(1.1) The person responsible for a business or place that rents out meeting or event space must ensure that the business or place actively screens individuals in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they enter the indoor premises of the business or place.

(2) The person responsible for a business or place that is open shall,

- (a) record the name and contact information of every member of the public who attends a meeting or event;
- (b) maintain the records for a period of at least one month; and
- (c) only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.

(3) Subsection (2) does not apply to the rental of meeting or event space for the purpose of delivering or supporting the delivery of court services.

9. REVOKED: O. Reg. 440/21, s. 10 (9).

Driving instruction

10. (1) The person responsible for a business or place shall ensure that no in-person driving instruction is provided by or at the business or place.

(2) Subsection (1) does not apply to in-person driving instruction for drivers of commercial motor vehicles,

- (a) where the instruction is part of the Ontario Driver Certification Program administered by the Ministry of Transportation and involves the operation of motor vehicles for which,
 - (i) a class of driver's licence other than Class G, G1, G2, M, M1 or M2 is required, or
 - (ii) an air brake endorsement is required; or
- (b) that is provided by a private career college that is in compliance with section 2 of Schedule 8.

(3) In this section,

“commercial motor vehicle” has the same meaning as in subsection 1 (1) of the *Highway Traffic Act*.

Cleaning requirements

11. (1) The person responsible for a business or place that is open shall ensure that,
- (a) any washrooms, locker rooms, change rooms, showers or similar amenities made available to the public are cleaned and disinfected as frequently as is necessary to maintain a sanitary condition; and
 - (b) any equipment that is rented to, provided to or provided for the use of members of the public must be cleaned and disinfected as frequently as is necessary to maintain a sanitary condition.
- (2) For greater certainty, clause (1) (b) applies to computers, electronics and other machines or devices that members of the public are permitted to operate.

Professional and elite amateur sports

12. (1) In this section,
- “Framework” means the document titled “Return-to-Play Framework for Professional and Elite Amateur Sport Leagues and Events” approved by the Office of the Chief Medical Officer of Health under subsection (2), as amended from time to time; (“cadre”)
- “International Single Sport Event” means an international single sport event hosted by a national sport organization that is either funded by Sport Canada or recognized by the Canadian Olympic Committee or the Canadian Paralympic Committee; (“Manifestation internationale unisport”)
- “participant” means a person who is a member of a specified participant group in a return-to-play plan; (“participant”)
- “return-to-play plan” means a return-to-play plan for,
- (a) a sport league or association listed in the Tables to subsection (3), or
 - (b) an International Single Sport Event. (“plan de retour au jeu”)
- (2) The Office of the Chief Medical Officer of Health may approve the Framework.
- (3) The person responsible for a sport league or association in the Tables to this subsection shall ensure that a return-to-play plan that is consistent with the Framework has been established before that sport league or association can, in accordance with this section, return to play the sport referred to in Column 3:

**TABLE 1
PROFESSIONAL SPORT LEAGUES OR ASSOCIATIONS**

Column 1	Column 2 Professional Sport Leagues or Associations	Column 3 Sport
1.	American Hockey League	Hockey

2.	Canadian Elite Basketball League	Basketball
3.	Canadian Football League	Football
4.	Canadian Premier League	Soccer
5.	Major League Baseball	Baseball
6.	Major League Soccer	Soccer
7.	NBA G League	Basketball
8.	National Basketball Association	Basketball
9.	National Hockey League	Hockey
10.	National Lacrosse League	Lacrosse
11.	National Women's Hockey League	Hockey
12.	Professional Women's Hockey Players Association	Hockey
13.	USL League 1	Soccer

Column 1	Column 2 Elite Amateur Sport Leagues or Associations	Column 3 Sport
1.	Canadian Hockey League	Hockey
2.	Elite Baseball League of Ontario U 18 Division	Baseball
3.	League 1 Ontario	Soccer
4.	Ontario Junior "A" Lacrosse League	Lacrosse
5.	Ontario Scholastic Basketball Association	Basketball
6.	Ontario Women's Field Lacrosse U 19 "A" League	Lacrosse
7.	Provincial Women's Hockey League	Hockey

**TABLE 2
ELITE AMATEUR SPORT LEAGUES OR ASSOCIATIONS**

(4) Before an International Single Sport Event can return to play in accordance with this section, the person responsible for that International Single Sport Event must ensure that a return-to-play plan has been established that is,

- (a) consistent with the Framework; and
- (b) approved by a national sport organization that is either funded by Sport Canada or recognized by the Canadian Olympic Committee or the Canadian Paralympic Committee.

(5) The person responsible for an International Single Sport Event or a sport league or association listed in the Tables to subsection (3) must provide notice of its intent to return to play to the local Medical Officer of Health for each Public Health Unit region in which the International Single Sport Event or the sport league or association, as the case may be, intends to operate before returning to play.

(6) The return-to-play plan shall,

- (a) list the businesses and places that may be used by the participants, which may include,
 - (i) hotels,
 - (ii) facilities for indoor or outdoor sports and recreational fitness activities,
 - (iii) businesses or places that are in hotels or facilities mentioned in subclause (i) or (ii), and
 - (iv) restaurants or bars;
- (b) list specified groups of persons who are participants; and
- (c) describe the measures and procedures which have been implemented or will be implemented in the businesses or places referred to in clause (a) to reduce the transmission risk of COVID-19.

(7) A business or place that is listed in the return-to-play plan as being available for the use of participants may open for use by participants if the business or place complies with the following conditions:

1. The business or place must operate in accordance with the return-to-play plan.
2. No spectators may be permitted at the business or place.
3. The business or place must ensure that any other conditions or requirements set out in this section are complied with on the premises of the business or place.

(8) The return-to-play plan shall be in writing and shall be made available by the person responsible for the International Single Sport Event or the sport league or association listed in the Tables to subsection (3), as the case may be, to any provincial offences officer upon request.

(9) The following provisions do not apply to the provision of goods or services to a participant by a business or place listed, in accordance with clause (6) (a), in the return-to-play plan when they are provided in accordance with the return-to-play plan:

1. Subsection 2 (5) of this Schedule, but only in respect of players and coaches in an International Single Sport Event or a sport league or association listed in the Tables to subsection (3).

2. Sections 3, 6 and 8 of this Schedule.
3. Section 45 of Schedule 7.
4. Clauses 1 (1) (a) and (b) of Schedule 9.

(10) Businesses and places listed in the return-to-play plan may provide in-person dining for participants if they meet the following conditions:

1. Participants must be seated at all times in any area of the establishment in which food or drink is permitted except,
 - i. while entering the area and while moving to their table,
 - ii. while placing or picking up an order,
 - iii. while paying for an order,
 - iv. while exiting the area,
 - v. while going to or returning from a washroom,
 - vi. while lining up to do anything described in subparagraphs i to v, or
 - vii. where necessary for the purposes of health and safety.
2. The person responsible for the establishment must,
 - i. record the name and contact information of every participant that enters an area of the establishment, unless the participant temporarily enters the area to place, pick up or pay for a takeout order,
 - ii. maintain the records for a period of at least one month, and
 - iii. only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.
3. No participant may be permitted to line up or congregate outside of the establishment unless they are maintaining a physical distance of at least two metres from other groups of persons inside or outside the establishment.
4. No participant may be permitted to line up or congregate inside the establishment unless they are,
 - i. maintaining a physical distance of at least two metres from other groups of persons inside or outside the establishment, and

- ii. wearing a mask or face covering in a manner that covers their mouth, nose and chin, unless they are entitled to any of the exceptions set out in subsection 2 (5) of Schedule 6.

5. No participant shall dance, sing or perform music at the establishment.

(11) Hotels listed in the return-to-play plan may open meeting and event spaces and indoor pools, indoor fitness centres or other indoor recreational facilities that are part of the operation of the hotels, other than communal steam rooms, saunas and whirlpools, if the following conditions are met:

1. The hotels must ensure that the facilities are open only for the use of participants.
2. The hotels must ensure that the facilities are used in accordance with the return-to-play plan.

(12) Therapists referred to in the return-to-play plan may open for the sole purpose of providing services to players in an International Single Sport Event or in a sport league or association listed in the Tables to subsection (3), as the case may be, and shall provide such services in accordance with the return-to-play plan.

(13) Television productions relating to an International Single Sport Event or a game of a sport league or association listed in the Tables to subsection (3), as the case may be, that are in compliance with the return-to-play plan may open, and the conditions set out in paragraphs 1 to 5 of subsection 60 (1) of Schedule 7 do not apply to such television productions.

13. REVOKED: O. Reg. 440/21, s. 10 (10).

O. Reg. 96/21, s. 10; O. Reg. 117/21, s. 2; O. Reg. 126/21, s. 3; O. Reg. 144/21, s. 3; O. Reg. 162/21, s. 3; O. Reg. 216/21, s. 2; O. Reg. 313/21, s. 1; O. Reg. 440/21, s. 10; O. Reg. 482/21, s. 1; O. Reg. 489/21, s. 1.

SCHEDULE 7 BUSINESSES THAT MAY OPEN AT STEP 1

Supply chains

1. Businesses that supply businesses or places that are permitted to open within Ontario, or that supply businesses or services that have been declared essential in a jurisdiction outside of Ontario, with the support, products, supplies, systems, or services, including processing, packaging, warehousing, distribution, delivery, and maintenance necessary to operate.

Retailers

2. (1) The following businesses that engage in retail sales to the public and that meet the conditions set out in subsection (2):

1. Supermarkets, grocery stores, convenience stores, indoor farmers' markets and other stores that primarily sell food, other than establishments described in section 3.
2. Pharmacies.
3. Discount and big box retailers selling groceries.
4. Safety supply stores.
5. Businesses that primarily sell, rent or repair assistive devices, aids or supplies, mobility devices, aids or supplies or medical devices, aids or supplies.
6. Optical stores that sell prescription eyewear to the public.
7. Retail stores operated by telecommunications providers.
8. Stores, other than establishments described in section 3, that sell liquor, including beer, wine and spirits.
9. Outdoor garden centres and plant nurseries.
10. Indoor greenhouses.

(2) The business must comply with the following conditions:

1. They must limit the total number of members of the public in the place of business so that the total number of members of the public in the place of business at any one time does not exceed 25 per cent capacity, as determined in accordance with subsection 3 (3) of Schedule 6.
2. They must ensure that any music played at the place of business is not at a decibel level that exceeds the level at which normal conversation is possible.

(3) For greater certainty, paragraph 1 of subsection (1) includes stores that predominately sell one category of food.

(4) Nothing in this section permits a business located within an indoor farmer's market to exceed 15 per cent capacity for in-store shopping unless it is a business that primarily sells food.

3. (1) Restaurants, bars, food trucks, concession stands and other food or drink establishments that meet the conditions set out in subsection (2).

(2) A business described in subsection (1) may open only if it complies with the following conditions:

1. No indoor dining or buffet-style service may be provided.

2. Patrons must be seated at all times in any outdoor dining area of the establishment except,

- i. while entering the area and while moving to their table,
- ii. while placing or picking up an order,
- iii. while paying for an order,
- iv. while exiting the area,
- v. while going to or returning from a washroom,
- vi. while lining up to do anything described in subparagraphs i to v, or
- vii. where necessary for the purposes of health and safety.

3. The outdoor dining area must be configured so that patrons seated at different tables are separated by,

- i. a distance of at least two metres, or
- ii. plexiglass or some other impermeable barrier.

4. The person responsible for the establishment must,

- i. record the name and contact information of every patron that enters an area of the establishment, unless the patron temporarily enters the area to place, pick up or pay for a takeout order,
- ii. maintain the records for a period of at least one month, and
- iii. only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.

5. REVOKED: O. Reg. 440/21, s. 11 (3).

6. No patron may be permitted to line up or congregate outside of the establishment unless they are maintaining a physical distance of at least two metres from other groups of persons inside or outside the establishment.

6.1 No patron may be permitted to line up inside the establishment unless they are,

- i. maintaining a physical distance of at least two metres from other groups of persons inside or outside the establishment, and

- ii. wearing a mask or face covering in a manner that covers their mouth, nose and chin, unless they are entitled to any of the exceptions set out in subsection 2 (5) of Schedule 6.

7. No more than four people may be seated together at an outdoor table at the establishment unless everyone seated at the table is,

- i. a member of the same household,
- ii. a member of up to one other household who lives alone, or
- iii. a caregiver for any member of either household.

8. The total number of patrons permitted to be seated outdoors at the establishment must be limited to the number that can maintain a physical distance of at least two metres from every other person at the establishment.

9. The person responsible for the establishment must post a sign in a conspicuous location visible to the public that states the maximum capacity they are permitted to operate under.

10. Music must not be played at a decibel level that exceeds the level at which normal conversation is possible.

11. No person shall dance, sing or perform music at the establishment.

12. If an outdoor dining area at the establishment is covered by a roof, canopy, tent, awning or other element, at least two full sides of the entire outdoor dining area must be open to the outdoors and must not be substantially blocked by any walls or other impermeable physical barriers.

13. If an outdoor dining area at the establishment is equipped with a retractable roof and the roof is retracted, at least one full side of the outdoor dining area must be open to the outdoors and must not be substantially blocked by any walls or other impermeable physical barriers.

14. The establishment must actively screen any dine-in patrons in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they enter the premises of the establishment.

(3) Despite subsection (2), the following establishments may provide indoor dining if they meet the conditions set out in paragraphs 1, 2, 3, 4, 6, 8.1, 9, 10, 12, and 13 of subsection 1 (1) of Schedule 2 to Ontario Regulation 263/20 made under the Act:

- 1. Establishments on hospital premises.
- 2. Establishments in airports.

3. Establishments located within a business or place where the only patrons permitted at the establishment are persons who perform work for the business or place in which the establishment is located.

(4) The physical distancing described in subsections 3 (1) and 4 (4) of Schedule 6 is not required when patrons are seated together at a table in an establishment.

(5) The capacity limits set out in clause 3 (1) (b) of Schedule 6 do not apply to outdoor dining areas in an establishment.

4. Nightclubs and strip clubs that open solely as food or drink establishments and that comply with the conditions set out in section 3.

5. (1) Shopping malls that comply with the following conditions:

1. Despite section 7, the only businesses in the shopping mall that may open for in-person retail sales to the public are,

- i. businesses described in section 2, and
- ii. any other businesses that have a public entrance that opens onto a street or exterior sidewalk.

2. Members of the public must only be permitted to enter the shopping mall,

- i. for the purpose of accessing a business or place that is permitted to be open under this Order,
- ii. for the purpose of accessing a designated location described in subsection (4) or (5),
- iii. for the purpose of delivering or supporting the delivery of court services,
- iv. for operations by or on behalf of a government, or
- v. for the purpose of delivering or supporting the delivery of government services.

3. Members of the public who enter the shopping mall for a reason described in paragraph 2 must not be permitted to loiter in any area of the shopping mall that is not related to the purpose of their visit.

4. If a business or place in the shopping mall has a public entrance that opens onto a street or exterior sidewalk,

- i. members of the public may only be permitted to enter and exit the business or place through a public entrance that opens onto a street or exterior sidewalk, and

ii. members of the public must be prohibited from entering or exiting the business or place through any entrance that opens directly into the shopping mall.

5. Any interior dining spaces inside the shopping mall, including any tables and seating in food courts, must be closed.
6. The shopping mall must ensure that any music played at the shopping mall is not at a decibel level that exceeds the level at which normal conversation is possible.
7. If the shopping mall is an indoor shopping mall, the shopping mall must actively screen individuals in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they enter the indoor premises of the mall.

(2) Any business in the shopping mall that is not permitted to open for in-person retail sales to the public may open for the purpose of,

- (a) making sales using an alternative method of sale that does not require patrons to enter the shopping mall, including curbside pick-up or delivery; or
- (b) permitting patrons to pick up items at a designated location established by the shopping mall under subsection (4) or (5).

(3) For greater certainty, paragraph 5 of subsection (1) does not prevent a restaurant, bar or other food or drink establishment within a shopping mall from opening and operating in compliance with section 3.

(4) A shopping mall may establish a single designated location inside the shopping mall for the purpose of allowing patrons to pick up an order from a business or place inside the shopping mall. Patrons may only pick up orders from the indoor designated location by making a prior appointment, and an item may only be provided for pick-up if the patron ordered the item before arriving at the business premises.

(5) A shopping mall may establish any number of designated locations outside the shopping mall for the purpose of allowing patrons to pick up an order from a business or place inside the shopping mall. Patrons may only pick up orders from the outdoor designated location by making a prior appointment, and an item may only be provided for pick-up if the patron ordered the item before arriving at the business premises.

5.1 REVOKED: O. Reg. 440/21, s. 11 (8).

5.2 (1) Businesses that meet the conditions set out in subsection (2) and that sell,

- (a) motor vehicles, including cars, trucks and motorcycles;
- (b) recreational vehicles, including motor homes;
- (c) trailers and travel trailers;

- (d) boats and other watercraft; or
- (e) other motorized vehicles, including power-assisted bicycles, golf carts, scooters, snowmobiles and all-terrain vehicles.

(2) A business described in subsection (1) may only open if they meet the following conditions:

1. Members of the public must not be permitted in areas where the products described in subsection (1) are neither sold nor displayed for sale.
2. If members of the public are permitted to test drive any of the vehicles, boats or watercraft,
 - i. the test drive must be limited to no more than 10 minutes,
 - ii. a maximum of two people, including up to one sales representative, may be present in the vehicle, boat or watercraft during the test drive, and
 - iii. if two people who are not members of the same household are present in the vehicle during the test drive, any windows in the vehicle, boat or watercraft must be opened at all times.

6. Outdoor markets, including farmer's markets and holiday markets, that meet the following conditions:

1. They primarily sell food to the public.
2. If an area at the market is covered by a roof, canopy, tent, awning or other element, at least two full sides of the entire area must be open to the outdoors and must not be substantially blocked by any walls or other impermeable physical barriers.
3. If an area at the market is equipped with a retractable roof and the roof is retracted, at least one full side of the area must be open to the outdoors and must not be substantially blocked by any walls or other impermeable physical barriers.
4. The market must limit the number of members of the public in the place of business so that the total number of members of the public in the place of business at any one time does not exceed 25 per cent capacity, as determined in accordance with subsection 3 (3) of Schedule 6.

7. (1) Businesses not already described in sections 2 to 6 that engage in retail sales to the public and that comply with the following conditions:

1. They must limit the number of members of the public in the place of business so that the total number of members of the public in the place of business at any

one time does not exceed 15 per cent capacity, as determined in accordance with subsection 3 (3.1) of Schedule 6.

2. They must ensure that any music played at the place of business is not at a decibel level that exceeds the level at which normal conversation is possible.

(2) Despite anything else in this Order, any business that engages in retail sales to the public and that is not already described in sections 1 to 6 must comply with the conditions set out in subsection (1).

(3) Cannabis retail stores operating under the authority of a retail store authorization issued under the *Cannabis Licence Act, 2018* may open if they comply with the conditions set out in subsection (1) and provide products to patrons through in-person sales or through an alternative method of sale, such as curbside pick-up or delivery.

(4) A business that, as of December 26, 2020, was permitted to be open only in accordance with the conditions described in subsection (1) as it read on that date may only continue to be open in accordance with the conditions under that subsection as amended whether or not, after that date, it modified its operations or the type of products it sells.

(5) Despite subsection 32 (2) of Ontario Regulation 268/18 (General) made under the *Smoke-Free Ontario Act, 2017*, a person responsible for a specialty vape store as defined in that Regulation that is permitted to be open in accordance with the conditions described in subsection (1) shall not permit an electronic cigarette to be used for the purpose of sampling a vapour product in the specialty vape store.

Services

8. Rental and leasing services, including automobile, commercial and light industrial machinery and equipment rental.

9. Gas stations and other fuel suppliers.

10. Automated and self-service car washes.

11. Laundromats and drycleaners.

12. Lawn care services, snow clearing and landscaping services.

13. Security services for residences, businesses and other properties.

14. Domestic services that support children, seniors or vulnerable persons, including housekeeping, cooking, indoor and outdoor cleaning and maintenance services.

15. Vehicle and equipment repair and essential maintenance and vehicle and equipment rental services.

16. Courier, postal, shipping, moving and delivery services.

17. Funeral and related services.

18. Staffing services including providing temporary help.

19. (1) Veterinary services and other businesses that provide for the health and welfare of animals, including farms, boarding kennels, stables, animal shelters, and research facilities.

(2) For greater certainty, nothing in this Order precludes a person responsible for a boarding kennel or stable from allowing an animal's owner or their representative to visit the animal, assist in the care or feeding of the animal or, as applicable, ride the animal.

20. 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.

21. (1) Child care providers, subject to subsections (2) and (3).

(2) A child care centre may open if it meets the following conditions:

1. The centre shall not operate a before or after school program on any school day for a child unless the child's school is permitted under this Order to provide in-person teaching or instruction to the child on that day.
2. The centre shall not provide child care on school days during typical school hours for a child whose school is not permitted under this Order to provide in-person teaching or instruction to the child on that day and who, immediately before April 12, 2021,

i. was enrolled in school, and

ii. was not registered to attend the centre on those days and during those hours.

3. If the Minister of Education designates a child care centre as an emergency child care centre that provides care for children of individuals listed in Schedule 10, paragraph 2 does not apply with respect to the provision of child care by the centre to the children of those individuals.

(3) A provider of authorized recreational and skill building programs shall not provide such a program to a child on a school day unless the child is enrolled in a school that is permitted under this Order to provide in-person teaching or instruction on that day.

(4) In this section,

“authorized recreational and skill building programs”, “child care”, “child care centre” and “child care provider” have the same meaning as in the *Child Care and Early Years Act, 2014*; (“programme autorisé de loisirs et de développement des compétences”, “garde d’enfants”, “centre de garde”, “fournisseur de services de garde”)

“school day” has the same meaning as in the *Education Act*. (“jour d’école”)

21.1 Businesses providing short term rental accommodation that meet the following condition:

1. Any indoor pools, communal steam rooms, saunas or indoor whirlpools, indoor fitness centres, or other indoor recreational facilities that are part of the operation of these businesses, are closed.

22. Hotels, motels, lodges, cabins, cottages, resorts and other shared rental accommodation, including student residences, that meet the following condition:

1. Any indoor pools, communal steam rooms, saunas or indoor whirlpools, indoor fitness centres, or other indoor recreational facilities that are part of the operation of these businesses, are closed.

22.1 (1) Establishments that operate for the purposes of providing access to sensory deprivation pods that are being used for a therapeutic purpose prescribed by, or administered by, a regulated health professional and that comply with the following conditions:

1. Persons who provide services in the business must wear appropriate personal protective equipment.
2. No member of the public may be permitted to enter the premises except by appointment.
3. No member of the public may be permitted to be in the premises except for the period of time during which they are receiving sensory deprivation pod services.
4. The total number of patrons permitted indoors in the establishment must be limited to the number that can maintain a physical distance of at least two metres from every other person in the establishment, and in any event cannot exceed the lesser of,

i. five patrons, and

ii. 25 per cent capacity as determined in accordance with subsection 3 (3) of Schedule 6.

(2) Paragraph 3 of subsection (1) does not apply to a single caregiver accompanying an individual receiving the sensory deprivation pod service or to a single child of such individual.

23. Campgrounds that meet the following condition:

1. Any restaurant, indoor pool, communal steam room, sauna or indoor whirlpool, meeting room, indoor fitness centre or other indoor recreational facility on the premises must be closed to the public, except for any portion of those areas that,

- i. is used to provide first aid services,
- ii. is used to provide take-out or delivery service or outdoor dining in accordance with section 3,
- iii. contains a washroom, or
- iv. provides access to an area described in subparagraph i, ii or iii.

24. (1) Day camps for children that are operated in a manner consistent with the safety guidelines for COVID-19 for day camps produced by the Office of the Chief Medical Officer of Health.

(2) REVOKED: 345/21, s. 1 (1).

24.1 REVOKED: O. Reg. 440/21, s. 11 (17).

25. (1) Community centres and multi-purpose facilities that open to provide space for any, some or all of the following and that meet the requirements set out in subsection (2):

- 1. A day camp for children described in section 24.
- 2. A provider of child care within the meaning of the *Child Care and Early Years Act, 2014*.
- 3. Mental health support services or addictions support services, so long as no more than ten people are permitted to occupy the space.
- 4. The provision of social services.

(2) The person responsible for a community centre or multi-purpose facility that is open shall,

- (a) record the name and contact information of every member of the public who attends the community centre or multi-purpose facility;

- (b) maintain the records for a period of at least one month; and
- (c) only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.

26. Cheque cashing services.

Financial services

27. Businesses that provide the following financial services:

1. Capital markets and related securities trading and advisory services.
2. Banking/credit union activities including credit intermediation.
3. Insurance.
4. Land registration services.
5. Pension and benefits payment services.
6. Financial services including payroll and payment processing and accounting and tax services.

28. (1) Real estate agent services that do not host, provide or support any open house events.

(2) Nothing in subsection (1) prevents a real estate agency from showing a property by appointment.

Telecommunications and IT infrastructure/service providers

29. Information Technology (IT) services, including online services, software products and the facilities necessary for their operation and delivery.

30. (1) Telecommunications providers and services (phone, internet, radio, cell phones etc.) and facilities necessary for their operation and delivery.

(2) For greater certainty, retail stores operated by telecommunications providers are required to comply with the rules set out in section 2.

31. Newspapers, radio and television broadcasting.

Maintenance

32. 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.

Transportation services

33. Businesses and facilities that provide transportation services, including,

- (a) transportation services provided by air, water, road and rail, including taxis and other private transportation providers; and
- (b) support services for transportation services, including,
 - (i) logistical support, distribution services, warehousing and storage, truck stops and tow operators, and
 - (ii) services that support the operations and safety of transportation systems including maintenance and repairs.

34. (1) Marinas, boating clubs and other organizations that maintain docking facilities for members or patrons that meet the following condition:

- 1. Any clubhouse, restaurant, indoor pool, communal steam room, sauna or indoor whirlpool, meeting room, indoor fitness centre or other indoor recreational facility on the premises must be closed to the public, except for any portion of those areas that,

- i. is used to provide first aid services,
- ii. is used to provide take-out or delivery service or outdoor dining in accordance with section 3,
- iii. contains a washroom, or
- iv. provides access to an area described in subparagraph i, ii or iii.

(2) For greater certainty, nothing in this Order precludes a person responsible for a marina, boating club or other organization that maintains docking facilities for members or patrons from operating a grocery or convenience store on the premises or from providing fuel supply, watercraft repair and servicing, watercraft docking and watercraft launching services.

35. Businesses that provide and support online retail, including by providing warehousing, storage and distribution of goods that are ordered online.

Manufacturing

36. Businesses that extract, manufacture, process and distribute goods, products, equipment and materials, including businesses that manufacture inputs to other manufacturers (e.g. primary metal/steel, blow molding, component manufacturers, chemicals, etc. that feed the end-product manufacturer), regardless of whether those other manufacturers are inside or outside of Ontario, together with businesses that support and facilitate the movement of goods within integrated North American and global supply chains.

Agriculture and food production

37. Businesses that produce food and beverages, and agricultural products including plants, including by farming, harvesting, aquaculture, hunting and fishing.

38. Businesses that process, manufacture or distribute food, beverages, crops, agricultural products, animal products and by-products.

39. Businesses that support the food or agricultural products supply chains and the health and safety of food, animals and plants.

Construction

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

41. Land surveyors.

Resources and energy

42. Businesses that provide and ensure the domestic and global continuity of supply of resources, including, resource exploration, mining, forestry, aggregates, petroleum, petroleum by-products and chemicals.

43. Electricity generation, transmission, distribution and storage and natural gas distribution, transmission and storage.

Community services

44. Businesses that deliver or support the delivery of community services including,

- (a) sewage treatment and disposal;
- (b) collecting, transporting, storing, processing, disposing or recycling of any type of waste;
- (c) potable drinking water;

- (d) critical infrastructure repair and maintenance including roads, dams, bridges, etc.;
- (e) environmental rehabilitation, management and monitoring, and spill clean-up and response;
- (f) administrative authorities that regulate and inspect businesses;
- (g) professional and social services that support the legal and justice system;
- (h) government services including but not limited to policing and law enforcement, fire and emergency services, paramedics, coroner and pathology services, corrections and court services, licences and permits; and
- (i) allotment gardens or community gardens.

Facilities for indoor or outdoor sports and recreational fitness activities

45. (1) Facilities for indoor or outdoor sports and recreational fitness activities that meet the conditions set out in subsection (2), (3), (4) or (7), as applicable.

(2) A facility for indoor or outdoor sports and recreational fitness activities may open if it meets the following conditions:

1. The facility is,

- i. operated by, or for the sole use of, persons who are athletes, coaches or officials training or competing to be a part of Team Canada at the next summer or winter Olympic Games or Paralympic Games, if the persons are,
 - A. identified by a national sport organization that is either funded by Sport Canada or recognized by the Canadian Olympic Committee or the Canadian Paralympic Committee, and
 - B. permitted to train, compete, coach or officiate under the safety protocols put in place by a national sport organization mentioned in sub-subparagraph A, or
- ii. REVOKED: O. Reg. 489/21, s. 2 (1).

2. REVOKED: O. Reg. 489/21, s. 2 (2).

If the facility is operated by a sports team, the team's league must have established a health and safety protocol for the use of training facilities, and the facility must be operated in compliance with the health and safety protocol.

3. The only persons permitted to enter and use the facility must be,

- i. players, athletes, coaches or officials who are using the facility for the purposes of training or conditioning, and

- ii. such staff as are strictly necessary to operate the facility and support the training or conditioning of the players.

(3) A facility for indoor or outdoor sports and recreational fitness activities may open if it meets the following conditions:

- 1. The facility must open solely for the purpose of providing space for any, some or all of the following:

- i. A day camp for children described in section 24.
- ii. A provider of child care within the meaning of the *Child Care and Early Years Act, 2014*.
- iii. Mental health support services or addictions support services, so long as no more than ten people are permitted to occupy the space.
- iv. The provision of social services.

- 2. The person responsible for the facility must,

- i. record the name and contact information of every member of the public who attends the space described in paragraph 1,
- ii. maintain the records for a period of at least one month, and
- iii. only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.

(4) A facility for indoor or outdoor sports and recreational fitness activities may, but is not required to, open if it meets the following conditions:

- 1. The facility must be open solely for the purpose of allowing use of the facility by,

- i. persons with a disability, within the meaning of the *Accessibility for Ontarians with Disabilities Act, 2005*, who,
 - A. have received a written instruction for physical therapy from a regulated health professional who is qualified to provide the instruction, and
 - B. are not able to engage in the physical therapy elsewhere,
- ii. such staff as are strictly necessary to operate the facility and support the provision of the physical therapy, and

- iii. such support persons or service animals as may be necessary for the person with a disability.
 - 2. The facility must have established a health and safety protocol for the use of the facility that is consistent with sections 2, 3, 4, 5, 6 and 11 of Schedule 6, and the facility must be operated in compliance with the health and safety protocol.
 - 3. The person responsible for the facility must,
 - i. record the name and contact information of every person described in paragraph 1 who enters and uses the facility,
 - ii. maintain the records for a period of at least one month, and
 - iii. only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.

(5) Despite paragraph 1 of subsection (3) and paragraph 1 of subsection (4), a facility may be open for both purposes described subsections (3) and (4) if the facility meets the conditions in both subsections.

(6) For greater certainty, no indoor or outdoor sports or recreational classes are permitted at any indoor or outdoor sport and recreational facilities, except as permitted under subsection (7).

(7) A facility for outdoor sports and recreational fitness activities, including a facility for indoor sports and recreational fitness activities that has such outdoor facilities, may be open if it complies with the following conditions:

- 1. The only activities permitted on the premises are outdoor fitness classes, personal training and training for team and individual sports.
- 2. No patrons are permitted to be in the indoor areas of the facility, except as may be necessary,
 - i. to access a washroom,
 - ii. to access an outdoor area that can only be accessed through an indoor route, or
 - iii. as may be necessary for the purposes of health and safety.
- 3. No more than 10 patrons may participate,
 - i. in an outdoor fitness class at any one time, or

- ii. as a group in personal training or in training for team or individual sports.
 - 4. No spectators are permitted to be at the facility. However, a person under the age of 18 years who is engaged in activities in the facility may be accompanied by one parent or guardian.
 - 5. Any person who enters or uses the facility must maintain a physical distance of at least three metres from any other person who is using the facility.
 - 6. For greater certainty, team sports must not be practised or played at the facility, with the exception of training sessions for members of a sports team that do not include games or scrimmage games.
 - 7. Activities that are likely to result in individuals coming within three metres of each other must not be practised or played at the facility.
 - 8. The person responsible for the facility must,
- i. record the name and contact information of every member of the public who enters the facility,
- ii. maintain the records for a period of at least one month, and
- iii. only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.
 - 9. The facility must actively screen individuals in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they enter the facility.

(8) Despite paragraph 1 of subsection (2) , paragraph 1 of subsection (3) and paragraph 1 of subsection (4), a facility may be open for both a purpose described in subsection (2), (3) or (4) as applicable and a purpose described in subsection (7) if the facility meets the conditions in both subsections.

(9) REVOKED: O. Reg. 440/21, s. 11 (21).

Personal physical fitness, etc.

45.1 Personal physical fitness and sports trainers that meet the following conditions:

- 1. Any services must be provided outside.
- 2. Services may not be provided to more than 10 patrons at one time.

3. No spectators are permitted. However, a person under the age of 18 years who is engaged in physical fitness or sports training activities may be accompanied by one parent or guardian.
4. Any person who is engaged in physical fitness or sports training activities must maintain a physical distance of at least three metres from any other person.
5. Training sessions for members of a sports team cannot include games or scrimmage games.
6. Activities that are likely to result in individuals coming within three metres of each other must not be practised or played.
7. The personal trainer or sports trainer must,
 - i. record the name and contact information of every member of the public who they are providing services to,
 - ii. maintain the records for a period of at least one month, and
 - iii. only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.
8. The personal trainer or sports trainer must actively screen individuals in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they engage in personal physical fitness or sports training activities.

Recreation

46. (1) Subject to subsection (2), businesses whose primary purpose is to operate an outdoor recreational amenity that is permitted to open under section 4 of Schedule 8.

(2) Amusement parks and water parks must be closed.

47. Outdoor horse racing tracks, car racing tracks and other similar venues may open for training and races if they comply with the following conditions:

1. No members of the public are permitted at the venue.
2. Only persons who are essential to the training, race or operation of the venue are permitted to be on the premises of the venue.

Research

48. Businesses and organizations that maintain research facilities and engage in research, including medical research and other research and development activities.

Health care and social services

49. Organizations and providers that deliver home care services or personal support services to seniors and persons with disabilities.

50. Regulated health professionals.

50.1 Osteopathic manual practitioners.

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

52. Organizations that provide health care including retirement homes, hospitals, clinics, long-term care facilities, independent health facilities and mental health and addictions counselling supports.

53. Laboratories and specimen collection centres.

54. Manufacturers, wholesalers, distributors and retailers of pharmaceutical products and medical supplies, including medications, medical isotopes, vaccines and antivirals, medical devices and medical supplies.

55. Manufacturers, distributors and businesses that provide logistical support of or for products and/or services that support the delivery of health care in all locations.

56. Organizations that provide critical personal support services in home or residential services for individuals with physical disabilities.

57. Organizations that support the provision of food, shelter, safety or protection, and/or social services and other necessities of life to economically disadvantaged and other vulnerable individuals.

Teaching and instruction

57.1 Businesses that open to provide in-person teaching and instruction and that meet the following conditions:

1. The instructional space for the in-person teaching and instruction must be outdoors.
2. The students must maintain a physical distance of at least two metres from every other person in the instructional space, except where necessary for teaching and instruction that cannot be effectively provided if physical distancing is maintained.
3. The total number of students permitted to be in each instructional space at any one time must be limited to 10 persons.

4. If the in-person teaching or instruction involves singing or the playing of brass or wind instruments,
 - i. every person who is singing or playing must be separated from every other person by plexiglass or some other impermeable barrier, or
 - ii. every person in the instructional space must remain at least three metres apart from every other person in the instructional space.
5. Students must be actively screened in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they enter the business.
6. The person responsible for the business shall,
 - i. record the name and contact information of every student who attends the in-person teaching and instruction,
 - ii. maintain the records for a period of at least one month, and
 - iii. only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.

58. Businesses that are primarily engaged in the provision of health and safety training and that meet the following conditions:

1. The instructional space for any in-person training must be operated to enable students to maintain a physical distance of at least two metres from every other person in the instructional space, except where necessary for teaching and instruction that cannot be effectively provided if physical distancing is maintained.
2. The total number of students permitted to be in each instructional space at any one time must be limited to the number that can maintain a physical distance of at least two metres from every other person in the business or place, and in any event cannot exceed 10 persons.

Media industries

59. Sound recording, production, publishing and distribution businesses.

60. (1) Commercial film and television production, including all supporting activities such as hair, makeup and wardrobe, that meet the following conditions:

1. No studio audiences may be permitted to be on the film or television set.
 - 1.1 No more than 50 performers may be permitted to be on the film or television set.

2. The set must be configured and operated in such a way as to enable persons on the set to maintain a physical distance of at least two metres from other persons, except where necessary for the filming of the film or television production.
3. Persons who provide hair or makeup services must wear appropriate personal protective equipment.
4. REVOKED: O. Reg. 440/21, s. 11 (28).
5. The person responsible for the film or television production must ensure that the production operates in accordance with the guidance document titled "Film and television industry health and safety during COVID-19" issued by the Film and Television Health and Safety Advisory Committee of the Ministry of Labour, Training and Skills Development, as amended from time to time.

(2) For greater certainty, for the purposes of this section, the film or television set may be located in any business or place, including any business or place that is otherwise required to be closed under this Order.

61. Film and television post-production, visual effects and animation studios.

62. Book and periodical production, publishing and distribution businesses.

63. Commercial and industrial photography.

63.1 Photography studios and services that meet the following conditions:

1. Photography may only be provided by appointment.
2. Any in-person services provided to patrons, including the taking of photographs, must be provided outdoors.
3. Patrons must be actively screened in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before photography is provided.

64. Interactive digital media businesses, including,

- (a) computer system software or application developers and publishers; and
- (b) video game developers and publishers.

Entertainment

65. (1) Concert venues, theatres and cinemas that meet the conditions set out in subsection (2) or (3).

(2) Concert venues, theatres and cinemas may open for the purpose of rehearsing or performing a recorded or broadcasted concert, artistic event, theatrical performance or other performance on outdoor premises if they comply with the following conditions:

1. No spectators may be permitted anywhere on the premises.
2. Only persons who are essential to the rehearsal or performance are permitted anywhere on the premises.
3. No more than 10 performers may be permitted to participate in the rehearsal or performance.
4. Every performer and other person who performs work for the concert venue, theatre or cinema must maintain a physical distance of at least three metres from every other person.
5. No performer or other person who performs work for the concert venue, theatre or cinema may be permitted in an indoor area of the concert venue, theatre or cinema, except,

- i. where necessary to use a washroom,
- ii. where necessary to access an outdoor area that can only be accessed through an indoor route, or
- iii. as may otherwise be required for the purposes of health and safety.

6. The person responsible for the concert venue, theatre or cinema must,

- i. record the name and contact information of every performer or other person who is present at the rehearsal or performance,
- ii. maintain the records for a period of at least one month, and
- iii. only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.

7. The person responsible for the concert venue, theatre or cinema must ensure that individuals are actively screened in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they enter the premises.

(3) Concert venues, theatres and cinemas may open if they comply with the following conditions:

1. The movie, concert, artistic event, theatrical performance or other performance must be provided in a drive-in or drive-through format.
2. Each person in attendance at the drive-in cinema or the drive-in or drive-through concert, event or performance, other than persons who perform work for the drive-in cinema or the drive-in or drive-through concert, event or performance, must remain within a motor vehicle designed to be closed to the elements except,
 - i. where necessary to purchase admission,
 - ii. where necessary to use a washroom, or
 - iii. as may otherwise be required for the purposes of health and safety.
3. Every motor vehicle at the drive-in cinema or the drive-in or drive-through concert, event or performance may only contain members of a single household plus a maximum of one additional person from outside that household who lives alone.
4. The driver of a motor vehicle at the drive-in cinema or the drive-in or drive-through concert, event or performance must ensure that it is positioned at least two metres away from other motor vehicles.

66. Businesses that provide outdoor tour and guide services, including guided fishing and hunting trips, tastings and tours for wineries, breweries and distilleries, trail riding tours, walking tours and bicycle tours, but not motor vehicle tours or boat tours other than boat tours for guided fishing trips, may open if they comply with the following conditions:

1. The tour must be operated to enable every person on the tour, including tour guides, to maintain a physical distance of at least two metres from every other person, except where necessary,
 - i. to facilitate payment, or
 - ii. for the purposes of health and safety.
2. Every person on the tour must wear a mask or face covering in a manner that covers their mouth, nose and chin during any period in which they come within two metres of another person, unless they are entitled to any of the exceptions set out in subsection 2 (5) of Schedule 6.
3. The number of members of the public on the tour must not exceed the number of persons that would permit compliance with paragraph 1 while on the tour, and in any event cannot exceed 10 persons.

4. Every member of the public who intends to participate in the tour must be actively screened in accordance with the advice, recommendations and instructions of the Office of the Chief Medical Officer of Health before they participate in the tour.
5. The persons on the tour must remain outdoors at all times, except where necessary to use a washroom or as may otherwise be required for the purposes of health and safety.
6. The tour or guide service must,
 - i. record the name and contact information of every patron that participates in the tour,
 - ii. maintain the records for a period of at least one month, and
 - iii. only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.

O. Reg. 96/21, s. 10; O. Reg. 103/21, s. 2; O. Reg. 126/21, s. 4; O. Reg. 144/21, s. 4; O. Reg. 162/21, s. 4; O. Reg. 216/21, s. 3; O. Reg. 221/21, s. 5; O. Reg. 239/21, s. 4; O. Reg. 345/21, s. 1; O. Reg. 440/21, s. 11; O. Reg. 481/21, s. 1; O. Reg. 489/21, s. 2.

SCHEDULE 8

PLACES THAT MUST CLOSE OR THAT ARE SUBJECT TO CONDITIONS AT STEP 1

Public libraries

1. (1) Public libraries may only open if they comply with the following conditions:

1. Circulating materials must be reserved over the telephone or online.
2. Circulating materials may only be exchanged with members of the public through contactless drop-off, pick-up or delivery.
3. Patrons must only be permitted to enter the premises to facilitate contactless drop-off and pick-up or to access computers, photocopiers or similar services.
4. Patrons must not be permitted to be in the book stacks, or to handle circulating materials that are shelved, or in other areas of library storage.
5. REVOKED: O. Reg. 440/21, s. 12 (2).
6. The person responsible for the public library must comply with subsection (3), if applicable.

(2) The conditions set out in paragraphs 3 and 4 of subsection (1) do not apply with respect to any space the library provides for,

- (a) a day camp for children described in section 24 of Schedule 7;
- (b) a provider of child care within the meaning of the *Child Care and Early Years Act, 2014*;
- (c) mental health support services or addictions support services, so long as no more than ten people are permitted to occupy the space; or
- (d) the provision of social services.

(3) The person responsible for a public library shall,

- (a) record the name and contact information of every member of the public who attends the space described in subsection (2);
- (b) maintain the records for a period of at least one month; and
- (c) only disclose the records to a medical officer of health or an inspector under the *Health Protection and Promotion Act* on request for a purpose specified in section 2 of that Act or as otherwise required by law.

Post-secondary institutions

2. (1) Post-secondary institutions may only open if they meet the following conditions:

1. In-person teaching or instruction may only be provided if the following conditions are met:

- i. The subject matter of the teaching or instruction requires that it be taught in-person, such as clinical training or training related to a trade.
 - ii. The instructional space must be operated to enable students to maintain a physical distance of at least two metres from every other person in the instructional space, except where necessary for teaching and instruction that cannot be effectively provided if physical distancing is maintained.
 - iii. The total number of students permitted to be in each instructional space at the institution at any one time must be limited to the number that can maintain a physical distance of at least two metres from every other person in the business or place, and in any event cannot exceed,
 - A. 50 persons, in the case of an instructional program described in subsection (2), and
 - B. 10 persons, in any other case.
2. If in-person teaching or instruction at the institution involves singing or the playing of brass or wind instruments,

- i. every person who is singing or playing must be separated from every other person by plexiglass or some other impermeable barrier, or
- ii. every person in the instructional space must remain at least three metres apart from every other person in the instructional space.

3. Any in-person examinations must be provided in accordance with the following rules:

- i. Every person in the examination room must remain at least two metres apart from every other person in the examination room.
- ii. The total number of persons who may take the examination in the same room at the same time cannot exceed,
 - A. 50 persons, in the case of an examination for an instructional program described in subsection (2), and
 - B. 10 persons, in any other case.

(2) An instructional program referred to in sub-subparagraphs 1 iii A and 3 ii A of subsection (1) is an instructional program in any of the following fields or an instructional program to train an individual for any of the following occupations, as the case may be:

0.1 Dental hygiene.

0.2 Dentistry.

- 1. Diagnostic cardiac sonography.
- 2. Diagnostic medical sonography.
- 3. Diagnostic ultrasound.
- 4. Medical imaging.
- 5. Medical laboratory assistant.
- 6. Medical laboratory technician.
 - 6.1 Medical laboratory technologist.
- 7. Medical radiation technology.
- 8. Medicine.
 - 9. Mental health and addictions services, including psychology services, social work services and counselling services.
 - 9.1 Midwifery.
- 10. Nursing.

- 10.1 Optometry.
- 11. Paramedic.
- 12. Personal support worker, supportive care worker, home care worker or a similar occupation.
- 13. Pharmacy/pharmacy technician.
- 13.1 Physician assistant.
- 14. Public health inspector, if the program is accredited by the Canadian Institute of Public Health Inspectors.
- 15. Rehabilitation sciences (nutrition, speech language pathology, occupational science, and physiotherapy).
- 16. Respiratory therapy.
- 17. Veterinary medicine.

(3) In this section,

“post-secondary institution” means,

- (a) a university,
- (b) a college of applied arts and technology,
- (c) a private career college,
- (d) an Indigenous Institute prescribed for the purposes of section 6 of the *Indigenous Institutes Act, 2017*,
- (e) an institution that is authorized to grant a degree by an act of the Legislature,
- (f) a person who is delivering in-person teaching or instruction in accordance with a consent given under section 4 of the *Post-secondary Education Choice and Excellence Act, 2000*,
- (g) a person approved to provide training for apprenticeship programs under paragraph 5 of section 64 of the *Ontario College of Trades and Apprenticeship Act, 2009*, or
- (h) any other institution that is a designated learning institution within the meaning of section 211.1 of the *Immigration and Refugee Protection Regulations (Canada)*, other than a school or private school within the meaning of the *Education Act*.

Schools and private schools

3. (1) Schools and private schools within the meaning of the *Education Act* shall not provide in-person teaching or instruction.

(2) Despite subsection (1), schools and private schools within the meaning of the *Education Act* may open,

- (a) to the extent necessary to facilitate the operation of a child care centre within the meaning of the *Child Care and Early Years Act, 2014*;
- (b) if approved by the Minister of Education, to the extent necessary to facilitate the operation of an extended day program, as defined in the *Education Act*, for the provision of emergency child care for the children of individuals listed in Schedule 10 during the period when schools are not permitted to provide in-person teaching or instruction;
- (c) to allow staff of the school or private school to provide remote teaching, instruction or support to pupils, so long as the school or private school operates in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health;
- (d) to the extent necessary to provide in-person instruction to pupils with special education needs who cannot be accommodated through remote learning and who wish to attend a school or their private school for in-person instruction, so long as the school or private school operates in accordance with a return to school direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health; or
- (e) to facilitate the operation of a day camp for children described in section 24 of Schedule 7.

(3) Subsections (1) and (2) do not apply to schools that meet the condition set out in subsection (4) and that are operated by,

- (a) a band, a council of a band or the Crown in right of Canada;
- (b) an education authority that is authorized by a band, a council of a band or the Crown in right of Canada; or
- (c) an entity that participates in the Anishinabek Education System.

(4) A school described in subsection (3) may open if it meets the following condition:

- 1. If a person who holds a study permit issued under the *Immigration and Refugee Protection Act (Canada)* and who entered Canada on or after November 17, 2020 attends the school, in-person teaching or instruction may only be provided to that person if the school or private school,
 - i. has a plan respecting COVID-19 that has been approved by the Minister of Education, and
 - ii. operates in accordance with the approved plan.

(5) A school or private school may allow persons, other than persons allowed to be at the school or private school under subsection (2), to enter the school or private school temporarily, as necessary,

- (a) to prepare for an end-of-school-year celebration ceremony described in subsection 1 (5) of Schedule 9, if the person is a staff member or student at the school or private school and is required to be indoors for such preparation;
- (b) to use a washroom or as may otherwise be required for the purposes of health and safety while attending the end-of-school-year celebration; or
- (c) to return goods or supplies or retrieve personal belongings.

Recreational amenities

4. (1) Each person responsible for an indoor or outdoor recreational amenity that is not in compliance with this section, and that is not a facility for indoor or outdoor sports and recreational fitness activities that is permitted to open under section 45 of Schedule 7, must ensure that it is closed.

(2) The following outdoor recreational amenities may open if they are in compliance with subsection (3):

1. Parks and recreational areas.
2. Baseball diamonds.
3. Batting cages.
4. Soccer, football and sports fields.
5. Tennis, platform tennis, table tennis and pickleball courts.
6. Basketball courts.
7. BMX parks.
8. Skate parks.
9. Golf courses and driving ranges.
10. Frisbee golf locations.
11. Cycling tracks.
12. Trails.
13. Horse riding facilities.
14. Shooting ranges, including those operated by rod and gun clubs.
15. Playgrounds.
16. Portions of parks or recreational areas containing outdoor fitness equipment.

17. Archery ranges.
18. Boat and watercraft launches.
19. Lawn game courts, including lawn bowling, bocce and croquet courts.
20. Horseshoe pits.
21. Outdoor pools, splash pads, spray pads, whirlpools, wading pools and water slides.

(3) An outdoor recreational amenity described in subsection (2) may only open if the following conditions are met:

1. Subject to paragraph 2, any person who enters or uses the amenity must maintain a physical distance of at least two metres from any other person who is using the amenity.
2. Any person who engages in physical exercise in the amenity, including by engaging in a training session, sport or game, must maintain a physical distance of at least three metres from any other person who is using the amenity.
3. Team sports must not be practised or played within the amenity, with the exception of training sessions for members of a sports team that do not include games or scrimmage games.
4. Other sports or games that are likely to result in individuals coming within three metres of each other must not be played within the amenity.
5. Clubhouses on the premises must be closed, except to the extent that they,
 - i. are used in conjunction with an outdoor pool, splash pad, spray pad, whirlpool, wading pool or water slide, or
 - ii. provide access to equipment storage, a washroom or a portion of the amenity that is used to provide first aid.

(4) Paragraphs 1 and 2 of subsection (3) do not apply in respect of the following persons who enter or use an outdoor recreational amenity:

1. Paraspport participants and their attendants or guides.
2. Members of a single household.

(5) Paragraphs 1 to 4 of subsection (3) do not apply with respect to an amenity, or a particular area of an amenity, during periods when the amenity or the particular area is exclusively being used by persons who are athletes, coaches and officials training or competing to be a part of Team Canada at the next summer or winter Olympic Games or Paralympic Games if the persons are,

- (a) identified by a national sport organization that is either funded by Sport Canada or recognized by the Canadian Olympic Committee or the Canadian Paralympic Committee; and
- (b) permitted to train, compete, coach or officiate under the safety protocols put in place by a national sport organization mentioned in clause (a).

(6) Each person responsible for a boat or watercraft shall ensure that if a group of persons uses that boat or watercraft together for recreational purposes, the members of the group are all members of the same household or one other person from outside that household who lives alone or a caregiver for any member of the household.

Museums, etc.

5. (1) Subject to subsections (2) and (3), museums, galleries, aquariums, zoos, science centres, landmarks, historic sites, botanical gardens and similar attractions must be closed to members of the public.

(2) An attraction described in subsection (1) may open to provide drive-in or drive-through access to the public if it complies with the conditions set out in section 65 of Schedule 7, subject to any necessary modifications.

(3) An outdoor attraction described in subsection (1) may open if it complies with the following conditions:

1. The number of members of the public in the attraction must be limited so that the total number of members of the public in the outdoor ticketed area of the attraction at any one time does not exceed 15 per cent capacity, determined by taking the total square metres of outdoor ticketed area accessible to the public in the attraction, dividing that number by 26.67 and rounding the result down to the nearest whole number.
2. The person responsible for the attraction must post a sign in a conspicuous location visible to the public that states the maximum capacity they are permitted to operate under.
3. No member of the public may enter a ticketed area of the attraction unless they have made a reservation to do so.
4. No member of the public may be permitted access to interactive exhibits or exhibits that would create a high risk of personal contact.
5. No member of the public may be permitted to enter any indoor area of the premises, except,

i. to access a washroom,

ii. to access an outdoor area that can only be accessed through an indoor route, or

iii. as may be necessary for the purposes of health and safety.

6. No amusement rides or tour vehicles may be operated by the attraction.

O. Reg. 96/21, s. 10; O. Reg. 348/21, s. 2; O. Reg. 440/21, s. 12.

SCHEDULE 9 ORGANIZED PUBLIC EVENTS, CERTAIN GATHERINGS AT STEP 1

Gatherings

1. (1) Subject to sections 2 to 4, no person shall attend,
 - (a) an organized public event that is held indoors;
 - (b) a social gathering that is held indoors, including a social gathering associated with a gathering described in clause (d);
 - (c) an organized public event or social gathering of more than 10 people that is held outdoors, including a social gathering associated with a wedding, funeral or a religious service, rite or ceremony, but not including the wedding, funeral or a religious service, rite or ceremony itself;
 - (d) an indoor gathering for the purposes of a wedding, a funeral or a religious service, rite or ceremony where the number of persons occupying any particular room in a building or structure while attending the gathering exceeds 15 per cent of the capacity of the room; or
 - (e) an outdoor gathering for the purposes of a wedding, a funeral or a religious service, rite or ceremony where the number of persons attending the gathering exceeds the number that can maintain a physical distance of at least two metres from every other person in the space where the gathering is held.
- (2) A person attending an organized public event, social gathering or a gathering for the purposes of a wedding, a funeral or a religious service, rite or ceremony shall comply with public health guidance on physical distancing.
- (3) For greater certainty, subsections (1) and (2) apply with respect to an organized public event, social gathering or a gathering for the purposes of a wedding, a funeral or a religious service, rite or ceremony, even if it is held at a private dwelling.
- (4) For greater certainty, the limits in clauses (1) (b) and (c) apply to a social gathering associated with a wedding, a funeral or a religious service, rite or ceremony, such as a wedding reception, while the limits that apply to the wedding, funeral or religious service, rite or ceremony itself are set out in clauses (1) (d) and (e).
- (5) Clause (1) (c) does not apply with respect to an outdoor end-of-school-year celebration ceremony held by a school or private school within the meaning of

the *Education Act* that is in compliance with a direction issued by the Ministry of Education and approved by the Office of the Chief Medical Officer of Health.

(6) All persons participating in an end-of-school-year celebration ceremony described in subsection (5) must remain outdoors at all times, except as permitted under subsection 3 (5) of Schedule 8.

(7) Clauses 1 (a) and (c) do not apply with respect to day camps for children that are in compliance with section 24 of Schedule 7.

Exception, single household, etc.

2. Section 1 does not apply with respect to,

- (a) a gathering of members of a single household;
- (b) a gathering that includes members of a household and one other person from another household who lives alone; or
- (c) a gathering that includes persons described in clause (a) or (b), and a caregiver for any of those persons.

Exception, retirement homes

2.1 Section 1 does not apply with respect to a gathering in a retirement home within the meaning of the *Retirement Homes Act, 2010* if it is in compliance with the policies or guidance, if any, issued by the Retirement Homes Regulatory Authority.

Exception, attendance at business

3. The prohibitions on attendance at an organized public event in subsection 1 (1) do not apply with respect to attendance at a business for a purpose related to providing or receiving the goods or services provided by the business if the business is not required to close under this Order.

Gathering in motor vehicles for religious service, rite or ceremony

4. (1) This section applies with respect to gatherings for the purposes of a wedding, funeral, religious service, rite or ceremony if the persons attending the gathering, other than those conducting the service, rite or ceremony, do so in a motor vehicle.

(2) Clause 1 (1) (e) does not apply to a person who attends a gathering to which this section applies if the person follows all of the following precautions that apply to the person:

1. Each person attending the gathering, other than the persons conducting the service, rite or ceremony, must remain within a motor vehicle that is designed to be closed to the elements, except,

i. where necessary to use a washroom, or

ii. as may otherwise be necessary for the purposes of health and safety.

2. The driver of a motor vehicle must ensure that it is positioned at least two metres away from other motor vehicles.

3. A person who ordinarily uses a non-motorized vehicle because of their religious belief and who attends the gathering must remain within their non-motorized vehicle except where necessary to use a washroom or as may otherwise be required for the purposes of health and safety, and paragraph 2 applies with necessary modifications.

O. Reg. 96/21, s. 10; O. Reg. 189/21, s. 1; O. Reg. 221/21, s. 6; O. Reg. 440/21, s. 13; O. Reg. 482/21, s. 2.