

Ontario Amends Essential Services List

Noble C. Chummar

April 6, 2020

On April 3, 2020 the Government of Ontario updated the list of essential businesses that can remain open during the mandatory closure of all non-essential business. This new list will went into effect at 11:59pm on April 4, 2020, and can be found [here](#). The mandatory closure has been effective since March 25, 2020, will remain effective up until April 13, 2020, and may be extended.

For the most part, the new list contains many of the essential businesses that appeared on the initial list. However, there have been some changes to the essential services list, the significant of which are:

- Cannabis stores must close their physical store locations but can provide *click-and-collect* and delivery of cannabis products. Please see our Cassels Comment on this topic for more details.
- Non-critical construction projects are no longer considered essential. Construction permitted to continue include projects associated with:
 - The healthcare sector;
 - The petrochemical sector;
 - The production, maintenance and/or enhancement of personal protective equipment, medical devices and other identified products directly related to combatting the COVID-19 pandemic;
 - Residential and/or condominium projects where a footing permit has been granted, above grade structural permits have been granted, or where the project involves renovation to residential properties and construction work was started before April 4, 2020; and
 - Activities necessary to temporarily close construction sites that have paused or are not active and to ensure ongoing public safety.
- Stores that sell the following items must provide them to customers now only through an alternative method of sale such as curbside pick-up or delivery:
 - Hardware products;
 - Vehicle parts and supplies;
 - Pet and animal supplies;
 - Office supplies and computer products including computer repair; or
 - Safety supplies.
- Big box retailers selling groceries are now explicitly listed as an essential service.
- Any shared spaces, including gyms, meeting rooms and other recreational facilities, that are a part of hotels, motels, shared rental units and similar facilities, including student residences, are considered non-essential.
- Mineral exploration and development not relating to the domestic and global continuity of supply of resources are no longer considered essential.

Cassels

- Only non-profit 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, are considered essential.
- Leasing services are no longer considered essential.
- Only urgent veterinary services are considered essential.
- Business that provide home care service or personal support service, to seniors and/or persons with disabilities only, are considered essential.

The authors of this article gratefully acknowledge the contributions of articling student Reza Sarsangi.

This publication is a general summary of the law. It does not replace legal advice tailored to your specific circumstances.