

Provincial Reopening Plans - Information for Restaurants, Cafés and Other Food Service Establishments (Third Update)

June 29, 2020

This article is the third in a series of articles that we have prepared regarding the provincial and territorial reopening plans for restaurants, cafés, and other food service establishments. This article updates the information provided in our prior articles.

- For the May 15th edition, please click [here](#).
- For the May 5th edition, please click [here](#).

Preparing for Reopening

Preparing for and reopening in the current environment requires restaurant, café, and other food service establishment owners to consider novel issues regarding supply of essential supplies, implementing appropriate health and safety measures and ensuring that appropriate insurance coverage is in place before opening their doors to dine-in customers. In particular, as health authorities relax the restrictions on dine-in service, restaurant owners will need to ensure they adapt their operations accordingly.

Some of the issues that owners should consider as they prepare for and start to offer dine-in services include:

- Develop a COVID-19 safety plan that outlines the policies, guidelines, and procedures put in place to reduce the risk of COVID-19 transmission. Some provincial governments require owners to submit their plans for approval while others only require it to be posted at the worksite. Please see below for guidelines in your province.
- Provide training for staff to ensure that the COVID-19 safety plan is properly implemented.
- Develop a strategy to inform consumers regarding the measures being taken to ensure their health and safety – building customer confidence that they can safely enjoy dine-in services will be critical to successful reopening.
- Contact suppliers to ensure that they can provide key supplies in sufficient quantities to support customer demand and consider using multiple suppliers to maintain supply continuity.
- Work with suppliers to understand whether there will be limited availability of key supplies to allow menus to be adapted as required.
- Arrange delivery and staff schedules that support social distancing measures and reduce potential exposure to COVID-19.

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- Ensure sufficient supplies of items such as personal protective equipment, hand sanitizer, appropriate cleaning supplies, etc. needed to protect the health and safety of employees and customers.
- Purchase and install appropriate physical barriers to manage traffic flow and support social distancing requirements, as well items such as plexiglass barriers for cashiers and other employees who work in areas open to customers.
- Review insurance coverage with insurance providers to determine whether they provide adequate coverage for potential liability in the event of a COVID-19 incident.
- Ensure compliance with all relevant operating guidelines, as well as a system to proactively monitor for any changes in operating guidelines.
- Have back up plans in place to address potential issues relating to staffing, supply shortages and possible in-store infection.
- Consider whether there are opportunities for upselling – for example, sales of popular sauces or sides, as well as other items for take-home use.

In short, reopening in the current environment is not business as usual – restaurant owners will need to consider a novel range of COVID-19 related issues that will impact virtually all aspects of their business as they open their doors to dine-in customers.

Provincial Updates (Since May 12)

Ontario

Unlike other provinces, Ontario is implementing an approach that varies by region. Toronto and Peel public health areas were allowed to transition to Stage 2 on June 24. The city of Windsor and all other parts of Essex County except the Municipality of Leamington and the Town of Kingsville will transition to Stage 2 on June 25.

Restaurants, bars, and other establishments will be allowed to reopen for outdoor dine-in services under Stage 2, provided proper health and safety measures are in place. [Read more here.](#)

Helpful Links

- [Guidelines for Reopening Restaurants in Toronto](#)
- [Ontario's Reopening Plan](#)
- [Restaurant and Food Services Health and Safety During COVID-19](#)
- [Ontario's Response to COVID-19](#)

British Columbia

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British Columbia announced the transition to Phase 3 of their four-staged reopening plan on June 24. The move has important implications for restaurants reliant on tourism, as residents are now being encouraged to travel within the province.

Restaurants, cafés, and pubs were allowed to reopen under Phase 2 given enhanced protocols with distancing measures were in place. These protocols and measures had to include policies to enable and ensure individuals exhibiting symptoms do not come into the workplace, increased cleaning of "high touch" areas in workplaces, and increasing the use of temporary physical barriers, such as plexiglass at service counters and checkouts, where appropriate.

On May 22, the Office of the Provincial Health Officer issued an order allowing restaurants, cafés, and pubs to open dine-in services at fifty percent of their usual patron capacity. This order also restricted tables to parties of six people and requires two meters between patrons sitting at different tables, or at a bar or counter. COVID-19 safety plans do not have to be submitted to the government for approval, but are required to be posted at the worksite.

Helpful Links

- [British Columbia's Guidance for Restaurant Reopening](#)
- [Information on Action that Must be Taken by Businesses Reopening](#)
- [British Columbia's Reopening Plan](#)

Alberta

Alberta transitioned to Stage 2 of their three-part reopening plan on June 12. This will lift the fifty percent capacity restriction currently in place for restaurants, cafés, pubs, and bars to allow business to operate with no cap on gatherings – provided that physical distancing is maintained. Alberta is one of the first provinces to allow video lottery terminals and arcades in restaurants to reopen, under the provision they are cleaned and sanitized regularly.

Stage 3, will fully reopen all businesses and services, with some limited restrictions still in place. The timing of Stage 3 will be determined based on the success of the previous stages.

Helpful Links

- [Workplace Guidance for Business Owners](#)
- [Alberta's Reopening Plan](#)

Quebec

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The government of Quebec recently announced an aggressive plan to reopen the province. Business activities in the restaurant industry outside the Montreal Metropolitan Area, the Joliette Regional County Municipality and the city of L'Épiphanie are authorized to restart on Monday, June 15. For the areas listed above, these activities may resume beginning June 22. Buffet service can be provided but only by an attendant. Self-service facilities are prohibited.

Bars will not be allowed to open and there is no date yet for when they will be allowed to do so.

Restaurants and other food service businesses will have to meet numerous restrictions to reopen dine-in services. To minimize risks, the recommendation is that items such as menus and condiments no longer be kept on the table and possibly replaced by single-use products. Non-disposable dishes and utensils must be washed and sanitized according to the usual methods recommended by the Ministry of Agriculture, Fisheries, and Food (MAPAQ).

Helpful Links

- Information on Restaurants, Cafés, and Pubs Returning to Safe Operation in Quebec
- Protective Measures that Must be Implemented to Protect People's Health at Restaurants
- Quebec's Reopening Plan
- Quebec's Response to COVID-19

New Brunswick

On May 8, New Brunswick transitioned to Phase 2, or the "Orange Level," of its reopening plan, allowing restaurants and other similar venues to open if they can respect physical distancing measures except for brief exchanges that cannot be avoided. During Phase 2, businesses allowed to reopen must maintain physical distancing measures, follow the general guidance from the province's public health department, and follow guidelines for workplaces issued by WorkSafe NB. All zones in the province except for the Campbellton region in the north of the province are scheduled to move to Phase 3, or the "Yellow Level," on June 19, but the loosening of restrictions in this category do not affect the restaurant industry.

Businesses permitted to reopen do not need to be inspected prior to reopening, but must prepare an operational plan that can be provided to officials if requested.

Helpful Links

- New Brunswick's Reopening Plan
- General Guidelines Released by the Province's Public Health Department (*which businesses must follow when reopening*)
- Guidelines Released by WorkSafeNB (*which businesses must follow when reopening*)

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- Information on How to Plan and Create Your own Unique COVID-19 Operational Plan
- New Brunswick's Response to COVID-19

Nova Scotia

The Nova Scotia government announced that beginning June 5, restaurants are allowed to offer in-person dining service provided they follow certain guidelines. Restaurants must maintain physical distance of two meters or a physical barrier between tables, booths, and single seats; as well as adhering to a fifty percent maximum capacity limit and prohibit entry to groups of patrons of more than ten people. Restaurants must submit their workplace COVID-19 prevention plan to the government at nseconomy@novascotia.ca.

Helpful Links

- Information on Restaurants, Cafés, and Pubs Returning to Safe Operation
- Nova Scotia's Reopening Plan
- Nova Scotia's Response to COVID-19

Prince Edward Island

Prince Edward Island transitioned to Phase 3 on June 1, allowing restaurants, cafés, and pubs to reopen with physical distancing restrictions in place. These limits include a maximum of fifty patrons at any time, with more allowed on a patio outside, and no greater than six patrons per table.

- Prince Edward Island's Food Premises Guidance Listing General Considerations
- Prince Edward Island's Reopening Plan
- Prince Edward Island's Response to COVID-19

Newfoundland and Labrador

The province moved down to Level 3 on June 2, allowing restaurants to reopen with physical distancing restrictions. Bars and lounges are not permitted to operate until the province transitions to Level 2, which will take at least twenty-eight days from the move to Level 3 to determine whether it is safe to do so. Alcohol can be served with food in restaurants – however, restaurants must close once the kitchen is no longer serving food. Recreation areas within restaurants such as children's play spaces or arcades are not currently permitted in Level 3.

Helpful Links

- Information on Restaurants, Cafés, and Pubs Returning to Safe Operation
- Newfoundland and Labrador's Reopening Plan

- Newfoundland and Labrador's Response to COVID-19

Atlantic Canada

The premiers of New Brunswick, Prince Edward Island, Nova Scotia, and Newfoundland and Labrador announced that the Atlantic Provinces have agreed to a regional bubble between themselves beginning July 3. The move has important implications for restaurants reliant on tourism, as residents are now being encouraged to travel within the Atlantic provinces and will not have to adhere to isolation restrictions when crossing provincial borders.

The author of this article gratefully acknowledges the contributions of summer student Michael Marot.

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