

Please find **the unofficial list** of essential construction workplaces and activities below.

We anticipate the amending regulation to be posted shortly.

Please ensure you refer to the posted regulation as the only official guidance issued by the government on what is considered essential.

As always, we are happy to provide general clarifications, and encourage you to seek legal counsel for specific questions and queries relating to specific projects. Please feel free to reach out to Brandon Crandall at Brandon.Crandall@ontario.ca.

We appreciate your patience and support through this tough period for all Ontario residents and businesses. Thank you for all you do.

We've persevered and overcome before, and we certainly will again.

Construction

43. Construction activities or projects and related services, including land surveying and demolition services, that,

- (a) are associated with the health care sector or long-term care, including new facilities, expansions, renovations and conversion of spaces that could be repurposed for health care space;
- (b) ensure safe and reliable operations of, or provide new capacity in,
 - (i) municipal infrastructure, or
 - (ii) provincial infrastructure, including but not limited to, the transit, transportation, resource, energy and justice sectors;
- (c) support the operations of, or provide new capacity in, electricity generation, transmission, distribution and storage, natural gas distribution, transmission and storage or in the supply of resources;
- (d) support the operations of, or provide new capacity in, schools, colleges, universities or child care centres within the meaning of the *Child Care and Early Years Act, 2014*;
- (e) are required for,
 - (i) the maintenance and operations of petrochemical plants and refineries,
 - (ii) significant industrial petrochemical projects where preliminary work commenced before April 7, 2021, or
 - (iii) industrial construction and modifications to existing industrial structures limited solely to work necessary for the production, maintenance or enhancement of personal protective equipment, medical devices such as ventilators and other identified products directly related to combatting the COVID-19 pandemic;

- (f) would provide additional capacity in the production, processing, manufacturing or distribution of food, beverages or agricultural products;
- (g) were commenced before April 7, 2021 and that would,
 - (i) provide additional capacity for businesses that provide logistical support, distribution services, warehousing, storage or shipping and delivery services,
 - (ii) provide additional capacity in the operation and delivery of Information Technology (IT) services or telecommunications services, or
 - (iii) provide additional capacity to, or enhance the efficiency or operations of, businesses that extract, manufacture, process and distribute goods, products, equipment and materials.
- (h) support the operations of broadband internet and cellular technologies and services;
- (i) are residential construction activities or projects and related services;
- (j) prepare a site for an institutional, commercial, industrial or residential development, including any necessary excavation, grading, roads or utilities infrastructure;
- (k) are necessary to temporarily close construction sites that have paused, or that are not active, to ensure ongoing public safety;
- (l) are funded in whole or in part by,
 - (i) the Crown in right of Canada or in right of Ontario,
 - (ii) an agency of the Crown in right of Canada or in right of Ontario, or
 - (iii) a municipality;
- (m) are,
 - (i) intended to provide shelter or supports for vulnerable persons or affordable housing; and
 - (ii) being funded in whole or in part by, or are being undertaken by,
 - (A) the Crown in right of Canada or in right of Ontario,
 - (B) an agency of the Crown in right of Canada or in right of Ontario,
 - (C) a municipality,
 - (D) a service manager as defined the *Housing Services Act, 2011*, or
 - (E) a registered charity within the meaning of the *Income Tax Act (Canada)*,
or
 - (F) a not-for-profit corporation.