

**From:** Belinda Degano  
**Sent:** Monday, November 02, 2020 6:39 AM  
**To:** Regional Chair <[regional.chair@york.ca](mailto:regional.chair@york.ca)>  
**Cc:** Belinda Degano (N); Linda Barrett; Linda Barrett <[linda@modoyoganewmarket.com](mailto:linda@modoyoganewmarket.com)>  
**Subject:** Reopening of York Region Businesses

Dear York Region Chairman and CEO, Wayne Emmerson

We are writing to you to express the importance of letting us reopen our businesses. We have 2 yoga studios: Modo Yoga Aurora and Modo Yoga Newmarket.

The protocols that we have had in place, at both studios, have been above and beyond what we were required to implement; and actually kept the percentage of Covid cases down. We did not have one case of Covid in either of our studios.

This broad sweeping modified stage 2 closure has unfairly targeted businesses like ours that have done all that we have been asked to do. We have been keeping our community and members safe; and now we are suffering an incredible loss and inability to serve our community with essential services that provide mental, emotional and physical health and well being.

Our Newmarket location was inspected by the Ministry of Labour Training and Skills Development over the Thanksgiving long weekend. No orders were issued and we have had no cases in either studio- and still we were closed down. Please see our inspection report attached.

In your discussions pertaining to further reopening restrictions, we kindly ask that you take into consideration that we have been safely and successfully operating with more than 2 meters between yoga mats; and have not had an outbreak in our studios. If we are asked to further restrict our capacity to 10 people per class, our businesses will not survive; as we will not be able to pay our overhead costs; even with government assistance.

Thank you for your time and consideration.

Sincerely,

Belinda Degano and Linda Barrett

Studio Owners  
Modo Yoga Aurora  
Modo Yoga Newmarket

Operations Division Occupational Health and Safety

Field Visit Report

Page 1 of 3

OHS Case ID: **02647PSGQ956**

Field Visit no: **02647PSGQ957**

Visit Date: **2020-OCT-10**

Field Visit Type: **INITIAL**

Workplace Identification: **MODO YOGA NEWMARKET**

Notice ID:

**17235 YONGE STREET, NEWMARKET, ON, CANADA L3Y 8E4**

Telephone:  
**(905) 952-0101**

JHSC Status:  
**Not required**

Work Force #:  
**2**

Completed %:

Persons Contacted: **DAWN AUSTIN, RECEPTION.**

Visit Purpose: **INSPECTION RE: COVID-19 AND REOPENING ONTARIO ACT (ROA)**

Visit Location: **RECEPTION/LOBBY, MENS CHANGEROOM AND FITNESS STUDIOS.**

Visit Summary: **NO ORDERS ISSUED.**

**Detailed Narrative:**

Met in person with the workplace parties noted above and identified myself as Mike Smith, Occupational Health and Safety Inspector with the MOLTSD.

The reason for this visit is to audit compliance with the Occupational Health and Safety Act and its Regulations as they relate to COVID-19 and the Reopening Ontario Act (ROA).

The workplace parties indicated they have measures and procedures in place addressing the following:

Information & Instruction to Workers:

- Health and Safety Polices, including H&S, COVID-19 and worker and client safety. Worker infoamtion, instruction and training is ongoing.
- Signage and notices posted upon entry re: screening, distancing and mask use inside the facility.
- Members schedule classes. Drop in attendance is discouraged.
- Active screening measures in place for staff.
- Passive screening and mask use required for clients. Clients bring their own equipment. Rental equipment is not available at this time.

Discussed the Reopening Ontario Act (ROA) O. Reg. 364/20 Amendments as it relates to Sports and fitness facilities province wide.

Discussed specific requirements under the ROA for gymnasiums, health clubs, community centres, multi-purpose facilities, arenas, exercise studios, yoga and dance studios include:

- Everyone must maintain a physical distance of at least 2m from every other person at all times (except team sports).
- Members of the public (not staff) indoors limited to 50, outdoors limited to 100.
- Spectators must maintain 2m physical distance from others and cannot exceed 50 indoors and 100 outdoors.
- If there are weights or exercise machines in the facility, everyone must maintain 2m physical distance from others and cannot exceed 50.

	Inspector Data	
	<b>MICHAEL SMITH</b>	
Name _____	CONSTRUCTION HEALTH & SAFETY INSPECTOR PROVINCIAL OFFENCES OFFICER	Name _____
	101-17345 Leslie Street, Newmarket ON, L3Y 0A4	
Title _____	MOLComplianceFormsNewmarket@ontario.ca	Title _____
	Tel: 416-570-0970	
	Fax: (905) 715-7609	
Signature _____	Signature 	Signature _____

You are required under the Occupational Health and Safety Act to post a copy of this report in a conspicuous place at the workplace and provide a copy to the health and safety representative or the joint health and safety committee if any. Failure to comply with an order, decision or requirement of an inspector is an offence under Section 66 of the Occupational Health and Safety Act. You have the right to appeal any order or decision within 30 days of the date of the order issued and to request suspension of the order or decision by filing your appeal and request in writing on the appropriate forms with the Ontario Labour Relations Board, 505 University Ave., 2nd Floor, Toronto, Ontario M5G 2P1. You may also contact the Board by phone at (416) 326-7500 or 1-877-339-3335 (toll free), mail or by website at <http://www.olrb.gov.on.ca/english/homepage.htm> for more information.

The Government of Ontario wants to hear from you. You can provide feedback on this visit at 1-888-745-8888

Operations Division Occupational Health and Safety

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- All items noted appeared to be in place and followed at this facility at the time of the inspection.
- Less than 50 members observed at the time of the inspection (approx 28). Members sign in and out electronically and the number in attendance is monitored. This system also is used for potential contact tracing as per staff.
- Discussed enforcement of the ROA and corporate policies, and potential fines under the legislation.

Staff appear to be able to maintain Social/Physical Distancing Measures from patrons and each other.

- Clear barriers installed at the front desk.
- Marks on the floor at reception and in class studio to ensure social distancing.
- As per staff, cleaning and disinfecting is taking place continuously on high touch surfaces, and on fitness equipment hourly and between each use.
- Air purifier installed in hot yoga studio (main studio)

No orders issued.

Resources that may assist workers and employers:

Ontario Ministry of Health Emergency Planning and Preparedness  
<http://www.health.gov.on.ca/en/pro/programs/publichealth/coronavirus/Default.aspx>

Public Health Ontario  
<https://www.publichealthontario.ca/en/diseases-and-conditions/infectious-diseases/respiratory-diseases/novel-coronavirus>

Mask Use for Non-Healthcare Workers (Public Health Ontario)  
<https://www.publichealthontario.ca/-/media/documents/ncov/factsheet/2020/05/factsheet-covid-19-masks-not-healthcare.pdf?la=en>

Public Health Agency of Canada  
<https://www.canada.ca/en/public-health/services/diseases/coronavirus-disease-covid-19.html#faq>

Health and Safety System Partners  
<https://www.labour.gov.on.ca/english/hs/websites.php>

Recipient	Inspector Data	Worker Representative
Name _____	<b>MICHAEL SMITH</b> CONSTRUCTION HEALTH & SAFETY INSPECTOR PROVINCIAL OFFENCES OFFICER	Name _____
Title _____	101-17345 Leslie Street, Newmarket ON, L3Y 0A4 MOLComplianceFormsNewmarket@ontario.ca Tel: 416-570-0970 Fax: (905) 715-7609	Title _____
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Additional Guidance  
[www.ontario.ca/coronavirus](http://www.ontario.ca/coronavirus)

You may also contact Telehealth Ontario at 1-866-797-0000

A copy of this report is to be posted in the workplace.

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