
REPORT TITLE: Termination of the Regional Declared Emergency (COVID-19)

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RECOMMENDATION

That the Regional Declaration of Emergency made on March 18, 2020 be terminated based on the stabilization of COVID-19 within Peel Region;

And further, that the termination of the Regional Declaration of Emergency take effect at 11:59 p.m. on March 24, 2022;

And further, that written notification of termination of the Regional Declaration of Emergency from the Regional Chair on behalf of the Regional Council, be provided to the Solicitor General through the Provincial Emergency Operations Centre as required by the *Emergency Management and Civil Protection Act* and the Region of Peel Emergency Plan.

REPORT HIGHLIGHTS

- The Regional Declaration of Emergency for COVID-19 is the longest declared emergency by The Regional Municipality of Peel.
 - It has been determined that the community conditions and impacts that warranted the Regional Declaration of Emergency on March 18, 2020, have been appropriately mitigated.
 - COVID-19 and its related impacts have largely stabilized within the Peel Region.
 - Staff recommend the termination of the Regional Declaration of Emergency by Regional Council and that the Regional Chair notify the Solicitor General as required by the *Emergency Management and Civil Protection Act* and the Region of Peel Emergency Plan.
 - Should the COVID-19 pandemic reemerge or destabilize, the Regional Chair may make another Declaration of Emergency, if the conditions meet the definition of an emergency in the *Emergency Management and Civil Protection Act*.
 - Further, should risks to the public's health associated with COVID-19 increase, the Medical Officer of Health, in consultation with Ontario's Chief Medical Officer of Health, may exercise existing powers under the *Health Protection and Promotion Act* to address immediate risks if conditions are met.
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DISCUSSION

1. Overview of the March 2020 Regional Declaration of an Emergency

On March 18, 2020, the Regional Chair declared an emergency under the *Emergency Management and Civil Protection Act (EMCPA)* due to “the outbreak of a communicable disease, namely COVID-19 coronavirus disease, which constitutes a danger of major proportions that could result in serious harm to persons within the entirety of the geographic area of jurisdiction of The Regional Municipality of Peel”.

This Regional Declaration of Emergency marked the beginning of the longest emergency response undertaken by The Regional Municipality of Peel (the Region) in its history.

At the time of the Declaration of Emergency, SARS-CoV-2, commonly known as COVID-19, (COVID-19) was a novel virus with no vaccines or treatments available. Having commenced emergency operations on January 26, 2020, at the time of the Declaration of Emergency, Peel Public Health had identified evidence of the establishment of community transmission of COVID-19 within Peel Region.

The establishment of community transmission of COVID-19 presented a material risk of exponential growth of infections within Peel Region community, which was fully susceptible to infection. This presented a further risk of cascading mortality and impacts to the healthcare system.

Accordingly, this threat was deemed to constitute a danger of major proportions that could result in serious harm to persons within the Region and formed the basis for the Regional Declaration of Emergency.

Throughout the duration of the Regional Emergency, four separate Provincial Declaration of Emergencies were declared under the *EMCPA*, through which the Provincial Government of Ontario (the Province) enacted, amended, and revoked many orders and regulations to address the changing needs related to COVID-19. The four Provincial Declaration of Emergencies occurred over the following time periods.

- Provincial Emergency – March 17, 2020 to July 24, 2020
- Provincial Emergency – January 12, 2021 to February 9, 2021
- Provincial Emergency – April 7, 2021 to June 2, 2021
- Provincial Emergency – February 11, 2022 to February 23, 2022

Additionally, the *Reopening Ontario (A Flexible Response to COVID-19) Act (ROA)* was enacted July 24, 2020, which enabled the Province to amend, extend, or remove regulations that were enacted under the *EMCPA* during the respective Provincial emergency periods.

Furthermore, additional public health measures were implemented by way of orders under Section 22 of the *Health Protection and Promotion Act (HPPA)*. The *HPPA* provided a separate and distinct mechanism to the Medical Officer of Health to issue orders necessary to decrease or eliminate communicable diseases when there are reasonable and probable grounds that a communicable disease exists and presents an immediate risk of an outbreak to the health unit. In addition, provision of health programs and services for the control of infectious disease and diseases of public significance is a mandated obligation for every

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board of health pursuant to s. 5 of the *HPPA*, so ongoing work by Peel Public Health will be continued as a normal business operation.

During the Regional Declaration of Emergency, based on the Provincial Orders, Section 22 Orders, Letters of Instruction and By-laws, various local measures were implemented in response to the changing COVID-19 risks in the Region. These included changes to service delivery and operating practices across a range of Regional programs and services, as well as the initiation of new programs, including the Region of Peel's contributions to the largest vaccination roll-out in Canadian history.

With the present stabilization of COVID-19 and its related impacts, some Regional programs and services are returning to regular operations, in a safe, measured and controlled fashion, ensuring staff who have been dedicated to the pandemic an appropriate time to recover. However, for programs like Public Health and Long-Term Care that continue to respond to COVID-19 and have not yet returned to regular operations, there may be continued specialized operations and longer term impacts to operations which persist. Additional allowance will be made for these programs to be supported in recovery once their emergency operations conclude.

The level of vaccine uptake by residents of the Region and the Province, as well as residual immunity remaining in the community from five subsequent waves during the course of the emergency, have reduced the novelty of COVID-19 and provide a new level of protection against severe illness for a large proportion of the Region's residents. Recent positive trends at both the provincial and local levels have supported the lifting of most public health measures.

Hence, while some uncertainty remains surrounding the future of COVID-19, barring the emergence of a new variant of concern with a significantly different set of characteristics from recent lineages, the end of the recent Omicron wave marks an important transition point in the community's exit from the acute phase of the COVID-19 pandemic.

As the conditions that warranted the Regional Declaration of Emergency in March of 2020 have stabilized or been mitigated, it is thus recommended that the Regional Declaration of Emergency be terminated by Regional Council and written notification be provided by the Regional Chair to the Solicitor General.

Further, the termination of the Regional Declaration of Emergency would take effect March 24, 2022 at 11:59 p.m. with notification being provided to the Solicitor General by the Regional Chair through the Provincial Emergency Operations Centre as per the *EMCPA* and the Region of Peel Emergency Plan.

2. Local Municipal Declarations of Emergencies

Each of the municipalities in Peel made Emergency Declarations on the following dates:

- Town of Caledon – March 18, 2020
- City of Mississauga – March 23, 2020
- City of Brampton – March 24, 2020

The Regional Declaration of Emergency and those of the area municipalities are not bound to one another. Similar to the four Provincial Declarations that have been made and

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revoked, termination of the Regional Declared Emergency does not result in the automatic termination of the declarations made by each of the municipalities, save and except if the local municipal Council has procedurally linked (i.e. through a motion) the termination of their own declaration of emergency to the termination of the Regional Declared Emergency.

RISK CONSIDERATIONS

Future respiratory illness seasons will likely see co-circulation of COVID-19 with other common respiratory viruses. This may necessitate the return of individual-level measures such as masks or booster immunizations for COVID-19.

Given the shifting risk context, however, the use of further extraordinary measures to suppress transmission of COVID-19 is not required nor anticipated at this time.

In the event there is a resurgence of COVID-19 that threatens public health within the Region, the Medical Officer of Health may issue Section 22 Orders under the *HHPA* to address immediate risk if conditions are met.

The Region could consider any other measures when and if indicated. The context for a Declaration of Emergency under the *EMCPA* is where “*a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise*” exists within the Region.

CONCLUSION

Given the current COVID-19 conditions, specifically, the stabilization in incidence rates, passing of the surge associated with the Omicron variant, and community vaccination rates, the Regional Declaration of Emergency is no longer required and its termination is recommended.

In the event of a resurgence of COVID-19 impacts and consequences within the community, existing provisions of the *EMCPA* and *HPPA* and may be implemented as appropriate.

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