



**Ontario**  
Home Builders'  
Association

20 Upjohn Rd., Suite 101  
North York, Ontario, M3B 2V9  
[www.ohba.ca](http://www.ohba.ca)

(416) 443-1545  
Toll Free 1-800-387-0109  
[info@ohba.ca](mailto:info@ohba.ca)

November 16, 2023

To: [PublicSafetyandOperationsPolicyBranch@ontario.ca](mailto:PublicSafetyandOperationsPolicyBranch@ontario.ca)

Ministry of Public and Business Service Delivery  
Public Safety and Operations Policy Branch  
56 Wellesley St. West, 6<sup>th</sup> Floor  
Toronto, ON, M7A 1C1

**Proposal Number: 23-MPBSD013**

**RE: Consultation on a draft regulation proposal to specify large project locate requests under the Ontario Underground Infrastructure Notification System Act, 2012**

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### **The Ontario Home Builders' Association**

The Ontario Home Builders' Association (OHBA) is the voice of the residential construction industry in Ontario, representing 4,000 member companies organized into 27 local associations across the province. Members include builders, developers, professional renovators, trade contractors, suppliers and manufacturers serving the residential construction industry. The residential construction industry employed over 550,000 workers, paying \$38.8 billion in wages, and contributing over \$80 billion in investment value to Ontario's economy in 2022. Our members have the vital responsibility to build the housing supply that current Ontario residents are counting on at all stages of their lives and be the voice of future home buyers who want to call our province home.

The OHBA's response regarding this consultation is developed through input from members and chapters across Ontario. We hope this feedback will foster a more predictable and efficient utility locate system for the province.

### **Detailed Feedback**

We appreciate the Ministry of Public and Business Service Delivery's (MPBSD) effort to improve the services of Ontario One Call (One Call) and the opportunity to comment on the proposed changes to enhance the locate delivery system in Ontario.

The OHBA and its members unequivocally cannot support an extension to the locates period of 10 days. We would note that the One Call system is frequently not achieving the current 5-day maximum period for locates. We believe that extending the locates period actively works against the interests of facilitating the construction of 1.5 million homes and the housing supportive infrastructure needed over the next decade. This proposal is not in any way assisting in addressing the housing crisis and urgency in delivering housing units to meet this ambitious goal.

As outlined in our submission this past summer on the previous consultation on enhancements to locating Ontario's Underground Utility Infrastructure, the OHBA noted the important and much-needed steps the government has taken previously to improve the utility locate system in the *Getting Ontario Connected Act*.

The OHBA noted the longstanding and reciprocal nature of the no-cost utility locates model. We have seen that select utilities have been exploring charges for locates; if the no-cost model collapses, it stands to dramatically impact housing costs that would be passed on directly to the consumer.

OHBA recommended that the best strategy to improve the utility locates system is to increase efficiencies by further resourcing One Call, with education, training, and support of the utility locator profession to form a robust labour force with an emphasis on streamlining the process where existing standards are not being met. Specifically, changing timelines at this moment would be premature until these and other measures to enhance the validity of locates are met.

Regarding the proposed changes to the regulation, OHBA understands the stated goal is to provide more flexibility to underground infrastructure operators when completing locates for large projects while also limiting cost impacts for locates. In response to address stakeholder feedback, we offer the following:

### **Phase 1**

While the OHBA understands the terms of the larger goal supporting flexibility around the locates process, Phase One of these proposed regulations, which proposes doubling the locate timeframe to 10 days instead of the current 5, is the wrong approach to addressing the challenges facing utility locates and One Call. This change would only serve to slow down the process by providing additional time for infrastructure operators to answer a locate request. There is no guarantee in this proposed change of maintaining timely service delivery; the extended window would increase locate management disruption to project work, potentially adding further costs to consumers and without any mechanism to increase the accountability of service providers to excavators.

### **Phase 2**

Phase 2 of these proposed changes also does not address the core issues facing the utility locate system in Ontario. The listed proposed new process obligations for excavators requiring grouping of multiple locate requests within 30-day periods and advanced notice of 20 – 30 business days for large dig projects is also evidently something that's best for the infrastructure operators.

The above comments on Phase 1 apply again to Phase 2, in that while there may legitimately be a need for some flexibility in the locates system for infrastructure operators, providing that measures to do so do not undermine the effectiveness of the locate system at large. Neither of the suggestions in Phases 1 or 2 offer any certainty of timely service delivery or accountability of service providers to locate requestors. The proposal in our respectful submission can only threaten to be more disruptive to projects by extending timelines.

The contents of this proposal avoid addressing the issue of utility providers potentially beginning to charge for locates, which will immediately translate into higher costs for home buyers. One Call's ability to provide free locates is critical to continuing to construct affordable housing and housing supportive infrastructure.

We recognize that there are costs associated with locates for utility providers, but those could be distributed through the utility service to avoid putting the cost directly on new home buyers. Especially since, with most utility providers, there is no competition, and thus, there is only the potential for those costs to rise.

OHBA will continue to emphasize that it is imperative that utility providers and One Call focus on process and meeting existing delivery standards.

The most important factor for a locate request is to ensure that it is completed on time. Increased profiling of sharing locates, and expansion of the Dedicated Locator Model (DLM) are important developments, but the fundamental focus must be on the certainty and delivery of accountable service for locate requests. This is accomplished by supporting and resourcing the services at One Call to streamline the locate process.

We appreciate the opportunity to comment on this proposal. We look forward to continuing our ongoing engagement with the Ministry staff to ensure that our collective efforts are fulfilling our shared goals of delivering on Ontario's housing supply targets while improving housing attainability for current and future Ontarians.



**Dave Depencier**  
President, Ontario Home Builders' Association



**Neil Rodgers**  
Interim CEO, Ontario Home Builders' Association