Manitoba Professional Planners Institute

October 19, 2012

Mayor Sam Katz
Mayor's Office, City Hall
City of Winnipeg
510 Main Street
Winnipeg, MB R3B 1B9

Re: Proposed Name Act Legislation for the Planning Profession in Manitoba

Dear Mayor Katz,

On behalf of the Manitoba Professional Planners Institute (MPPI), we wish to bring to your attention the enclosed materials in regards to professional planners within the Province of Manitoba. We are seeking the City of Winnipeg's support to bring forward legislation to reserve the title Registered Professional Planner (RPP) for use by Manitoba members of the Canadian Institute of Planners. We would also like the opportunity to meet with yourself and/or the Chairs of Downtown and Property and Development committees to discuss this proposal at your earliest convenience.

MPPI is the Manitoba affiliate of the Canadian Institute of Planners (CIP), which consists of seven affiliates and represents approximately 7,500 members across Canada. CIP is the national professional accreditation body for urban and regional planners and university planning programs in Canada. CIP oversees compliance with national membership standards and the Code of Ethics and Professional Conduct, accredits university planning programs, and represents the urban planning profession nationally. Through its recent *Planning for the Future* (PFF) initiative, CIP has increased certification standards, heightened requirements for continuing professional development, and initiated nationally the transition to a new professional planning designation: Registered Professional Planner (RPP).

Planners help communities manage change. Manitoba planners provide and perform a wide range of critical roles and services for our cities, towns, villages, and rural municipalities as identified in *The Planning Act, The City of Winnipeg Charter*, and other legislation and policy documents. *The Planning Act* Section 44(1) indicates that "*…when preparing a development plan, a board or council must….consult with a qualified land use planner*", and the *Provincial Land Use Policies (PLUPs)* Section 4(2) states *"…the planning authority must undertake the required analysis and surveys with the assistance of qualified professionals in planning and other related disciplines…"*.

While planners provide services under a variety of planning related Acts and policies, Manitoba is the only western Canadian province which does not regulate who may represent themselves as a 'professional planners'. All other provinces in eastern Canada have adopted legislation in regard to 'professional planners', with the exception of Prince Edward Island, and Newfoundland and Labrador, which have Acts in various stages of process.

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In each jurisdiction within Canada where legislation has been enacted to regulate who can represent themselves as a 'professional planner', the legislation is commonly known as 'Name Act' or 'right to title' legislation (see attached table for comparison). The legislation, which identifies the provincial affiliate of CIP as the regulating body, will bring Manitoba into line with other jurisdictions, and identify CIP (with MPPI as its affiliate) as the regulating body for the planning profession in Manitoba.

The key benefits of the proposed legislation are:

- Advancing the Public Good – By engaging planners bearing the RPP designation, citizens, organizations, and government entities are assured that planning is conducted to a high quality, meets high professional standards, incorporates the latest knowledge and expertise in the field, and is representative of stakeholders. Transparency, clarity, ethical conduct, and equitable and engaging public participation processes are all hallmarks of planning services conducted by RPP designated planners – all of which advances and protects the public good;
- Protecting Public Interests – Through recognition of an RPP designation, practicing planners will be subject to the Code of Ethics and Professional Conduct, maintain accreditation via continuous professional development, and are subject to investigation and disciplinary proceedings for failure to adhere to the Code of Ethics and Professional Conduct. Also, all members of MPPI are enrolled in the Institute's Group Plan that provides professional liability insurance. The Institute's professional liability program provides each member with errors and omissions insurance as part of the services provided and funded by the annual professional fees payable to the Institute. In addition, citizens, organizations, educational institutions, government departments and local governments (municipalities and planning districts) can be assured that planners bearing the RPP designation are recognized by CIP, and are held accountable to a high level of professionalism and professional development;
- Promoting Economic Competitiveness and Agreement on Internal Trade – Establishing an RPP designation will enable Manitoba planners and consulting firms to practice in other provinces and internationally with the recognition of Canada's nationally Registered Professional Planner designation. The RPP designation will improve portability of expertise and reduced barriers to export services thus increasing opportunities for economic competitiveness, labour and services mobility, and economic growth.

We welcome the opportunity to meet with you and/or your Council members at your earliest convenience to discuss this proposal further and secure the City's support for the proposed legislation.

Sincerely,

Valdene Buckley, MCIP
President

cc Councillor Jeff Browaty
Councillor Justin Swandel
Deepak Joshi, COO
Barry Thorgrimson, Director, Planning Property and Development Dept.

Attachments:

1. Frequently Asked Questions (FAQs)
2. Comparison Table – Name Act Legislation Across Canada
3. Sample Letter of Support

Name Legislation for the Planning Profession in Manitoba
Frequently Asked Questions (FAQs)

Planning is all about the future of our province and our communities.

Who we are

- In Manitoba, we represent 115 professional planners who work in our municipalities both urban and rural, planning districts, for the provincial government in many departments, universities, and the private sector, plus 31 students enrolled in the recognized planning program at the University of Manitoba.
- The Manitoba Professional Planners Institute (MPPI) is an affiliate of the Canadian Institute of Planners (CIP).
- There are affiliates in all other regions of Canada, seven in total with a total membership of approximately 7,500 across Canada.
- CIP and its affiliates, including MPPI is the only professional body in Canada with established membership standards and practices for planners, which certifies and disciplines members accredits university planning programs and represents the planning profession across the country. Over the past six years the membership standards and practices have been extensively reviewed to ensure transparency under the Agreement on Internal Trade.
- CIP membership includes liability insurance, protecting public and private sector planners and a Code of Ethics, which all members are required to adhere to.

What professional planners do

- We define planning in the *Act*. It is the same definition used by the profession throughout Canada *"…the scientific, aesthetic, and orderly disposition of land, resources, facilities and services, with a view to securing the physical, economic and social efficiency, health and well-being of urban and rural communities."*

- More concisely, planners help communities manage change.

- Planners perform critical roles in our cities, towns, villages and rural municipalities such as:
    - managing land use;
    - preparing development plans, secondary plans and zoning by-laws;
    - assisting communities with growth management;
    - administering the subdivision process;
    - planning for social and community uses;
    - transportation planning;
    - economic development;
    - heritage preservation; and
    - facilitating public consultation for a wide range of issues.

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- Planners also develop provincial policy and serve the provincial government in fields including conservation and water stewardship natural resources, agriculture, environment, and local government.

- The skill sets planners need include the ability to apply their knowledge of land, air and water resources, employment trends, cultural diversity, and new technologies, as well as their ability to effectively work with varied publics, and to balance private and public interests, in order to arrive at visions, goals and objectives for communities.

- The recognized accreditation in Canada is **MCIP/MICU** but is in the process of changing to **RPP/UPC.** An MCIP typically has
  - A **recognized degree** in planning or a directly related area
  - Acquired at least **2 years** responsible planning experience
  - Met **examination standards** set by the national body (CIP)
  - There is a **Code of Ethics** that a professional planner must adhere to that delineate the planner's responsibility to the public interest, clients, employers and the profession.
  - Now required to engage in a process of **continuous professional learning** to keep abreast of new developments in the discipline.

Why we applied for name legislation, How it will benefit Manitoba

- The primary motivation for name legislation is to **protect the public interest**. It protects the public from planning activity that is not founded in the requisite education and standard of professional practice. Good planning is critical to the success of our communities and our province. Name legislation will ensure that qualified professionals are practicing planning in Manitoba.

- Legislation will formally recognize, in Manitoba, the planning profession as duly qualified in the practice of urban and regional planning. The formal registration of professional planners enables the establishment, maintenance, and enforcement of professional ethics and competence.

- The *Registered Professional Planners Act* thus establishes the MPPI as the legitimate organization having authority for registration, enables the organization to establish classes of members consistent with the standards established and maintained by the Professional Standards Board (PSB) for the planning profession in Canada and accords the MPPI authority over matters of professional discipline.

- The initials **RPP/UPC** will signify that the incumbent is a **Registered Professional Planner** with the authority to practice in the Province of Manitoba and other provinces.

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- At the present time, seven other provinces have similar legislation enabling the registration of planning professionals and the use of the RPP designation or its equivalent. They are British Columbia, Alberta, Saskatchewan, Ontario, Quebec, New Brunswick and Nova Scotia. Manitoba is one of the last three provinces without this legislation.

What process we went through

- Internal discussion by members at the Provincial level.
- Preparation of first draft legislation;
- Mandate from the membership to proceed.
- Request to CIP to amend affiliate agreement
- Formal application to the Manitoba Government.
- Re-drafting of affiliate by-law to enable use of RPP.

What steps we will now follow

- Transitional phase
- Completion and passage of new affiliate by-law(November 8th, 2011)
- Establishment of required structure, including: membership/discipline processes and procedures; compulsory continuing professional learning (CPL) program; and mentoring program for candidate members
- Update MPPI website:
    - To provide municipalities and Manitobans with access to a listing of registered planners and consultants;
    - To provide access to a transparent process to record a complaint against a registered planner or consultant; and
    - To provide links from other professional websites such as AMM, MMAA and MBOA.

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Appendix B - Legislative Summary

Organization	Designations Used	Designations Reserved by Legislation	Other Legislation or References Pointing to the Designations	Designation Trade Marked	General Comments and Current Initiatives
PIBC	MCIP	MCIP, RP BC Society Act	None	No	A Professional Legislation & Certification Task Force is in place and working on a report. An option exists to amend the Society Act to specify RPP.
(Yukon)	MCIP	None	None	No	
APPI	RPP, MCIP,	RPP, Regulation O.C. 241/10 as amended - Professional and Occupational Associations Registration Act	None	No	APPI finalized its regulations under the act in 2010. The regulations were amended slightly in 2011 to ensure they continue to reflect the evolving PFF requirements. In September 2011, APPI Council agreed to investigate "right-to-practice" options and actively pursue legislation.
(NWT)	RPP, MCIP	None	Planning Act provides for general plans to be prepared under the direction of a qualified planning officer or qualified planning consultant.	No	
(Nunavut)	RPP, MCIP	None	Planning Act provides for general plans to be prepared under the direction of a qualified planning officer or qualified planning consultant.	No	

Organization	Designations Used	Designations Reserved by Legislation	Other Legislation or References Pointing to the Designations	Designation Trade Marked	General Comments and Current Initiatives
APCPS	MCIP, PPS	PPS, Community Planning Profession Act	The Planning and Development Act, 2007 requires a PPS to sign a proposed plan of subdivision, OCP and to enable municipalities to apply for approving authority. Endorsement: Government of Saskatchewan, Assessing Your Planning Needs http://www.municipal.gov.sk.ca/District-Intermunicipal-Planning/Planning-Needs	No	A proposed new bylaw references the "Registered Professional Planner or RPP" designation which is consistent with the PFF recommendations. The current Act does not recognize the "Registered Professional Planner" (RPP) designation but rather refers to "professional community planner." As an interim solution, to remain conforming with the Act until it is amended later this year APCPS is providing a direct link or sub-definition if you will to achieve both objectives.
MPPI	MCIP	None	None	No	MPPI is actively pursuing right-to-title legislation.
OPPI	MCIP, RPP	RPP, An Act Respecting the Ontario Professional Planners Institute	By-law 4 of the Law Society of Upper Canada (testify as expert witnesses at OMB hearings)	No	Council has endorsed the recommendation of the Professional Practice Advisory Group to pursue stronger legislation and self-regulation for the planning profession in Ontario. Communications and consultations ongoing with members, government, and non-government stakeholders – e.g., presentations at Ontario conference.
OUQ	MICU, urbaniste	Urbanist, Code des professions	None	No	

Organization	Designations Used	Designations Reserved by Legislation	Other Legislation or References Pointing to the Designations	Designation Trade Marked	General Comments and Current Initiatives
API - NB	MCIP, RPP MICU, UPC	RPP, UPC Registered Professional Planners Act	The Community Planning Act refers to planners as those entitled to use MCIP or FCIP and those persons tasked with the preparation of a municipal plan.	No	Unproclaimed legislation attempts to require planners to certify other planning documents. (*An Act to Amend the Community Planning Act*, SNB 2007, s. 5)
API - NS	MCIP, LPP	LPP, An Act Respecting Licensing Professional Planners	None	No	
API - NL	MCIP	MCIP, Urban and Rural Planning Act	Urban and Rural Planning Act requires planners (full members of CIP) certify plans (s. 13).	No	
API - PEI	MCIP	None	None	No	
CIP	MCIP	None	The By-laws approved by Industry Canada, acknowledge the right to award the MCIP based on specific standards.	No	