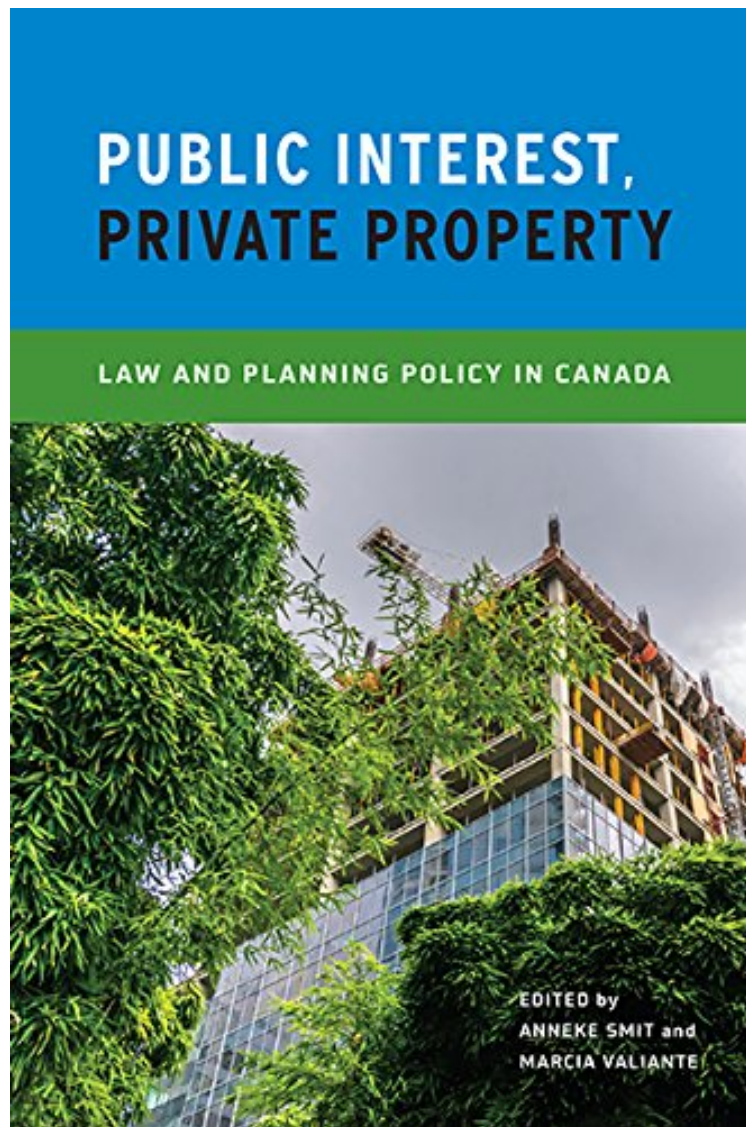


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# Public Interest, Private Property: Law and Planning Policy in Canada

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**From UBC Press : Public Interest, Private Property: Law and Planning Policy in Canada** before purchasing it in order to gauge whether or not it would be worth my time, and all praised Public Interest, Private Property: Law and Planning Policy in Canada:

When it comes to urban planning, to what extent and under what conditions should the community's interest prevail over the rights of private property owners? *Public Interest, Private Property* addresses this question at a time when pollution, urban sprawl, and condo booms are forcing municipal governments to adopt prescriptive laws and regulations. Case studies focus on spheres in which public values and private property rights collide: expropriation law, natural resources regulation, green development, and water provision laying the groundwork for more active debates on the issues currently shaping our cities.

This collection accomplishes its goal, filling the gap in Canadian academic literature in the context of balancing private property rights and the public interest in urban planning. The problems identified in [*Public Interest, Private Property*] could have continuing relevance for future urban planning and legislation across Canada. (Matthew Barnes Saskatchewan Law 2017-05-01) While these topics may seem familiar, the common thread of thinking deeply about private property rights sets this collection apart and makes it an engaging read. The introduction alone would be worthwhile reading for any property law or planning law curriculum ... One of the reasons the book works so well is that at the heart of the collection is a shared belief among the writers in the value of dialogue as well as a desire to avoid artificially amplifying the public-private rights divide that can stunt public conversation of property rights. (Michael Connell, WeirFoulds LLP Canadian Law Library 2017-05-01) At a time when pollution, urban sprawl, and condo booms are leading municipal governments to adopt prescriptive laws and regulations, this book lays the groundwork for a more informed debate between those trying to preserve private property rights and those trying to assert public interests. Rather than asking whether community interests should prevail over the rights of private property owners, *Public Interest, Private Property* delves into the heart of the argument to ask key questions: Under what conditions should public interests take precedence? And when they do, in what manner should they be limited? Drawing on case studies from across Canada, the contributors examine the tensions surrounding expropriation, smart growth, tree bylaws, green development, and municipal water provision. They also explore frustrations arising from the perceived loss of procedural rights in urban-planning decision making, the absence of a clear definition of public interest, and the ambiguity surrounding the controls property owners have within a public-planning system. "The intersection of private and public property interests is at the heart of modern municipal government, especially its planning authority. This important book explores aspects of this fascinating issue from a variety of perspectives." David Miller, mayor of Toronto, 2003-10 About the Author Anneke Smit is an associate professor in the Faculty of Law at the University of Windsor and the author of *The Property Rights of Refugees and Internally Displaced Persons: Beyond Restitution*. Marcia Valiante is a professor in the Faculty of Law at the University of Windsor. Contributors: Deborah Curran, Pierre Filion, Jane Matthews Glenn, Harvey M. Jacobs, Anna Kramer, Eran S. Kaplinsky, Stanley M. Makuch, Ian Mathany, Stephen F. Waque, and Bruce Ziff