

The Rise and Fall of Zoning

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SUMMARY

Why zoning and how to change it? This land planning instrument changes in urban policies, reasons, and situations after five decades since general enforcement of functional zoning methods in municipal administration, to manage and control private land development. Its rational principles aimed to conserve urban trends at the ward or the street corner scales within the city core, respecting owners' vested interests but intending to gradually reduce constraints, while promoting large suburban differentiated zones with sharp functional separation (e.g. residential sectors, industrial parks, shopping centers). Hence, four to seven economic functions can be presumably installed at "the best place for the best use", in order to reduce usage conflicts and constraints, but with few respect to previous land and road structures. That led to urban sprawl.

Most cities have enforced huge zoning and construction by-laws, with thousand pages of rules and norms that detail what is obligatory, permitted, or prohibited to do by land owners and project promoters. They apply to numerous small zones, ruling any aspects from the parcel lot subdivision at minimal/maximal dimensions to the height of the roofs.

The complexity of normative zoning challenged the struggle over the land for site improvement and profits. So-called New Urbanism was an attempt to open strict zoning norms, to favour multi-functional projects on convenient sites, to negotiate apiece derogations compensated by public amenities, and to respect local public participation (and even veto). Stable citizens' mind remains oriented toward community cohesion, adapted services, and landscape conservation rather than about urban densification, promoters' speculation, newcomers' income pressure, and investors' plus-value that raise the neighborhood taxes without new public services.

Today, the usefulness of even "flexible" zoning is criticized as promoters' demands for derogations

increase, for which political authorities are willing to make discretionary decisions based on business and taxation reasons, whereas local public acceptance is weak. Norms appear actually no more than references for settling (re)development plans larger than the zones. Meanwhile, restrictions impede individual construction initiatives that would meet emerging societal needs, like multi-generational housing or urban agriculture on roofs.

The impact of small-size but heavily-regulated zones on land and building values, thus on tax revenue, seems contradictory in context, and cannot be correlated with any clear links between cadastral, zoning, and tax maps. If zoning cannot provide sustainable urban development, one should look to an integrative and evolutionary 3D multipurpose cadastre that would help to harmonize land management with ownership.