management, and rent levels and sale prices, including the rate at which these may increase over time. Notice of housing agreements must be filed against title to the land affected. Section 482 also permits the designation of areas within a zone for affordable or special needs housing, with the consent of the owner of the land affected.

Section 482 bylaws may alternatively permit different densities of development depending on whether the developer has complied with conditions related to the provision of community amenities. This use of density bonus provisions has been much more common than bonuses requiring affordable or special needs housing. The zoning regulations may, according to s. 482, specify conditions relating to the number, kind, and extent of amenities that must be provided to achieve a density bonus. If the bylaw provides a cash in lieu option, the amount that must be paid is equal to the estimated capital cost that the developer would have incurred in providing the community amenities specified in the density bonus bylaw.

A financial analysis must be undertaken during the preparation or amendment of density bonus regulations, including analysis of the amount of bonus density required to ensure the feasibility of providing the affordable and special needs housing units or community amenities, and this information must be available to the public. If such regulations are enacted, the local government must also prepare an annual public report on the affordable and special needs housing units and community amenities that have been provided, revenues and expenditures for reserve funds holding cash in lieu payments, and any other information required by provincial regulation.

C. INCLUSIONARY ZONING REGULATIONS [§9.19]

The authority to require residential developments to include affordable or special needs housing units as a basic requirement of a zoning bylaw, rather than a developer's option associated with bonus density, was added to the *Local Government Act* and the Vancouver Charter in 2024.[11] Such "inclusionary zoning" has long been a feature of zoning regulations in the U.S. and is authorized in several other Canadian provinces. The regulations may include requirements respecting the size, ownership, and management of the required housing units, and provincial regulations may stipulate that the regulations address the form of tenure and affordability criteria. The local government must enter into a housing agreement with the property owner in respect of the housing units. Inclusionary zoning bylaws may permit developers to pay cash in lieu of providing affordable or special needs housing units within their developments,

and the local government may instead permit an owner to provide the housing units elsewhere than on the site that is subject to the bylaw; in the latter case, an agreement for the provision of the units must be entered into prior to the issuance of a building permit for the developer's site. Cash received in lieu must be held in special reserve funds similar to those used for development and amenity cost charges and may be spent only on affordable or special needs housing. A financial analysis must be undertaken during the preparation or amendment of inclusionary zoning regulations, including analysis of the amount of density required to ensure the feasibility of providing the affordable and special needs housing units, and this information must be available to the public. If such regulations are enacted, the local government must also prepare an annual public report on the number of affordable and special needs housing units for which a building permit has been issued, reserve fund revenues and expenditures, and any other information required by provincial regulations.

D. PROVINCIAL HOUSING SUPPLY MANDATES [§9.20]

Under the *Housing Supply Act*, S.B.C. 2022, c. 38, the Minister of Housing may issue housing target orders for specified municipalities. Affected municipalities must prepare periodic housing target progress reports for the Minister's review. The Minister may direct a municipality to enact or amend a Part 14 bylaw or issue a permit to remove an obstacle to meeting its housing target if the municipality isn't considered to be making satisfactory progress towards its target, and the Cabinet may, on the Minister's recommendation, enact or amend the bylaw or issue the permit on the municipality's failure to do so. The scope of this authority extends to the issuance of a permit required under the *Community Charter*, such as a building permit.

Further housing legislation enacted in 2023 requires the zoning power conferred in both the *Local Government Act* and the *Vancouver Charter* to be exercised so as to encourage the development of housing, regardless of whether a housing target order has been issued under the *Housing Supply Act*. The effect of these requirements is that jurisdiction over residential land use management is now exercised jointly by the provincial government and the relevant municipality or regional district.

Section 481.7 of the *Local Government Act* (s. 565.08 of the *Vancouver Charter*) requires municipal councils to exercise the zoning power to permit the residential use and density of use necessary to accommodate, at a minimum, the 20-year total number of housing units required to meet anticipated local housing needs as identified in the most recent municipal housing needs report (see "Relationship