

NO: R045

COUNCIL DATE: March 11, 2024

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## REGULAR COUNCIL

TO: **Mayor & Council** DATE: **March 7, 2024**  
FROM: **Acting General Manager, Corporate Services** FILE: **3900-00**  
SUBJECT: **Alternative Public Notice – Transition to New Methods of Public Notice**

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## RECOMMENDATION

The Corporate Services Department recommends that Council receive this report for information.

## INTENT

The purpose of this report is to provide information regarding the transition to use alternative methods of public notice (City’s website and email subscription service) rather than publication in the newspaper.

## BACKGROUND

At the November 20, 2023, Regular Council Public Hearing Meeting, Council authorized staff to bring forward for Council’s consideration a new public notice bylaw to allow the City to publish notices by two separate methods; one on the City of Surrey website and the other through a City of Surrey email subscription service instead of newspaper publication. Council also authorized staff to use additional methods of notification at staff’s discretion. Corporate Report No. R203; 2023 Bill 26 – Alternative Methods of Public Notice is included as Appendix “I”.

## DISCUSSION

The reliance on local newspaper media for the purpose of publishing public notices continues to be an issue. In 2023, the Tri-Cities municipalities were provided with short notice that their print newspaper service would end. Since then, Black Press Ltd. has filed for creditor protection. Moving to alternate methods of public notice will ensure that the City has a process in place that allows City business to continue without interruption and reduces risk that the City may inadvertently breach its notification requirements.

Staff will use various methods to introduce and promote the new methods of public notice. Information will be communicated through various channels, including the City’s website, email subscription service, social media, media release, internal communications to staff, direct communications with the development community, and notice cards mailed to residents for development applications.

These changes will require bylaw amendments. Notice of the required bylaw changes will be advertised to the public for a two-week period commencing March 14, 2024 with a deadline of March 28, 2024, for submission of written comments regarding the changes. A summary of the comments will be provided to Council prior to consideration of final adoption of the bylaws on April 8, 2024.

Once the bylaws have received final adoption by Council, there will be a transition period of 12 weeks whereby the two new methods of notice (email subscription service, City's website) will be used, in conjunction with advertisements in the local newspapers. This will provide a period of overlap during the transition where current and new methods of notice are utilized simultaneously. After the transition period has ended, staff will continue to communicate the changes to the public and monitor the effectiveness of the two new methods of notice.

The transition timeline is set out as follows:

March 11

- Introduction of bylaws for Council's consideration.

March 14 and March 21

- Notice will be provided for two consecutive weeks in the local newspapers (The Surrey NOW-Leader, Cloverdale Reporter, and the Peace Arch News) informing readers of the public notice change and the opportunity to provide written comments to Council.

March 28

- Deadline for public comments to be received.

April 8

- Council to consider final adoption of the bylaws.

April 9

- From April 9 to June 30, 2024, both current and new forms of public notice will be used (Current: newspaper; New: City website and email subscription service).
- Notice cards mailed to those affected by development applications will include information regarding the new email subscription service for the next four months, ending July 31, 2024.
- Internal communications will be provided to ensure staff in all departments are aware of the change in notification.
- A media release is scheduled for April 9, 2024.
- External communications will be provided across various channels.
- The City's website will be updated to provide information on the email subscription service.

April 18

- Advertisements in the local newspapers (The Surrey NOW-Leader, Cloverdale Reporter, and the Peace Arch News) to promote the email subscription service.

Once the two public notice methods are in place, staff will monitor utilization metrics for the two methods of public notice, email subscription service and the City's website, and consider feedback from the public and stakeholders.

## **Legal Services Review**

Legal Services has reviewed this report.

## CONCLUSION

This report provides the timeline for transition to use alternative methods of public notice rather than publishing notice in the newspaper.

Joey Brar  
Acting General Manager,  
Corporate Services

Appendix "I" Corporate Report No. R203; 2023 Bill 26 – Alternative Methods of Public Notice

**G. CORPORATE REPORTS**

The Corporate Reports, under date of November 20, 2023, were considered and dealt with as follows:

**Item No. R203                      Bill 26 – Alternative Methods of Public Notice**  
**File: 0125-01**

The Acting General Manager, Corporate Services, and General Manager, Planning & Development submitted a report to provide Council with information regarding amendments by the Province to allow for alternative methods of public notice other than publication by newspaper. Staff are also seeking to obtain direction from Council to use the City's website and Email Subscription as the two alternative methods of public notice and to provide staff the discretion to supplement the methods of notice as required.

It was Moved by Councillor Bose  
Seconded by Councillor Hepner  
That Council:

1. Receive Corporate Report R203 for information;
2. Authorize staff to bring forward for Council's consideration a new public notice bylaw to allow the City to publish notices on the City of Surrey website and through a City of Surrey email subscription service instead of newspaper publication, as generally described in the report, when the alternative methods are ready for implementation;
3. Authorize staff to bring forward for Council's consideration amendments to existing bylaws which will be affected by the change in publication methods; and
4. Authorize staff to supplement the methods of notice chosen by Council, as described in Appendix "I" of the report.

RES.R23-2312

Carried



## CORPORATE REPORT

NO: R203

COUNCIL DATE: November 20, 2023

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### REGULAR COUNCIL

TO: Mayor & Council

DATE: November 16, 2023

FROM: Acting General Manager, Corporate Services  
General Manager, Planning & Development

FILE: 0125-01

SUBJECT: Bill 26 – Alternative Methods of Public Notice

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### RECOMMENDATION

The Corporate Services Department and Planning & Development Department recommend that Council:

1. Receive this report for information;
2. Authorize staff to bring forward for Council's consideration a new public notice bylaw to allow the City to publish notices on the City of Surrey website and through a City of Surrey email subscription service ("Email Subscription") instead of newspaper publication, as generally described in this report, when the alternative methods are ready for implementation;
3. Authorize staff to bring forward for Council's consideration amendments to existing bylaws which will be affected by the change in publication methods; and
4. Authorize staff to supplement the methods of notice chosen by Council, as described in Appendix "T".

### INTENT

The intent of this report is to provide Mayor and Council with information regarding amendments by the Province to allow for alternative methods of public notice other than publication by newspaper. Staff are also seeking to obtain direction from Council to use the City's website and Email Subscription as the two alternative methods of public notice and to provide staff the discretion to supplement the methods of notice as required.

### BACKGROUND

The Province has made amendments to allow municipalities to adopt new alternative public notice options under Section 94 of the *Community Charter*. Currently, the default method of

public notice is publication for two consecutive weeks in a newspaper that circulates in the community once each week.

Local governments now have the option of adopting a bylaw that specifies at least two different alternative methods of publication. Before adopting the bylaw, in accordance with Section 94.2 of the Community Charter, Council must consider the principles of effective public notice: reliability, suitability, and accessibility. A more detailed discussion of the background and these principles is provided in Appendix "I".

#### Rationale for Change to Public Notice Methods

In July 2023, four public hearing notices that were scheduled for public notice via newsprint, were missed which caused hardship and confusion to the public, the applicants, and to the City. Due to this omission, the City was required to hold a second public hearing for each of the four applications, post additional advertisements in the newspaper, mail new notification cards to members of the public who are potentially impacted by the developments, and advise the applicants of the second public hearing.

In addition, because the major local newspapers are now distributed once per week, there are times when this method is not conducive to posting time-sensitive matters. Further, if an error in the notice occurs, there is limited opportunity to correct it in a timely way.

There is also concern for the continued service of print newspapers. Recently the Tri-Cities municipalities were provided with nine days notice that their print newspaper service would end. Each of the impacted municipalities rushed to put in place alternative means of notice that met Section 94 requirements of the *Community Charter*.

## **DISCUSSION**

Several municipalities, including those listed below, now have a public notice bylaw in place that provides for alternative methods of notification.

Table 1

<b>Municipality</b>	<b>Alternative Method of Public Notice</b>
City of Vancouver	City's website and digital newspaper
City of Coquitlam	City's website and email subscription
City of New Westminster	Notice board in 2 public libraries and email subscription
City of Burnaby	City's website and email subscription
City of Port Coquitlam	City's website and City's Facebook
City of Port Moody	City's website and City's Facebook

The City of Vancouver is using digital newspaper as one of its alternative methods of notice. Staff did consider this form of notice; however, online notification only is currently not an option in Surrey with the newspapers that the City uses for notification.

The cost to the City for using newspapers for public notice is approximately \$180,000 per year. Currently the City is required to provide public notice for items such as development applications, schedule of regular council meetings, proposed property dispositions, the annual tax sale, as well as other items detailed in Appendix "I".

In consideration of the various options available for public notice and the principles required to be considered by Council, staff propose using the City of Surrey website and email subscription as the two alternative methods of public notice. Further, staff propose that there be flexibility to use additional methods of notification at staff's discretion for specific matters. Additional methods of notification may include direct mail, social media, media release, signage, and advertisements on billboards. This is a non-exhaustive list and staff request the discretion to choose a suitable form of additional notice as the circumstances warrant.

### **Next Steps**

If Council approves the recommendations in this report, staff will plan for the implementation of Email Subscription and the City of Surrey website as methods of public notice. Once both alternative methods are ready for implementation staff will bring forward for Council's consideration a new public notice bylaw to provide for alternative methods of service, along with amendments to any existing bylaws affected by these changes.

### **Legal Services Review**

Legal Services has reviewed this report.

### **CONCLUSION**

Staff recommend that Council approve proceeding with alternative forms of public notice in the manner described in this report.



Joey Brar  
Acting General Manager,  
Corporate Services



Don Luymes  
General Manager,  
Planning & Development

Appendix "I": Further Background and Discussion

\*Appendix available upon request