

# **Regulations concerning the demolition of buildings**

**Municipality of Côte-Nord-du-Golfe-du-Saint-  
Laurent**

**BYLAW NUMBER 076-2025**



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# CHAPITRE 1 DECLARATORY AND INTERPRETATIVE PROVISIONS

## Section 1.1 Declaratory provisions

### 1.1.1 Title of the Bylaw

This bylaw is entitled "Bylaw respecting the demolition of buildings" and bears the number 076-2025.

### 1.1.2 Purpose of the bylaw

This bylaw is intended to govern the demolition of heritage buildings, in accordance with the powers and obligations set out in Chapter V.0.1 of the *Act respecting land use planning and development* (RLRQ, c. A-19.1).

### 1.1.3 Scope of the bylaw and territory covered

This bylaw, the provisions of which are binding on all persons and apply to the entire territory of the Municipality of Côte-Nord du Golfe St-Laurent

### 1.1.4 Conflict with other regulations or laws

Compliance with this bylaw does not exempt persons from complying with any other provincial or federal law, bylaw, code, or directive, or with any other municipal bylaw applicable in this case.

### 1.1.5 Adoption section by section

The Administrator of the Municipality of Côte-Nord du Golfe St-Laurent hereby declares that she adopts this bylaw chapter by chapter, section by section, article by article, paragraph by paragraph, paragraph by paragraph, subparagraph by subparagraph, and indent by indent, so that if any part of this bylaw is declared null and void by a court, such a decision shall have no effect on the other parts of this bylaw, except in cases where the meaning and scope of the bylaw or any of its provisions would be altered or modified.

## **Section 1.2 Interpretative provisions**

### **1.2.1 Interpretation of the text**

Regardless of the tense used in any provision of these regulations, that provision shall be deemed to be in force at all times and in all circumstances where it may apply.

Whenever the regulations prescribe that something shall or must be done, the obligation to do so is absolute. However, if it is stated that something may or can be done, it is optional whether or not to do so.

In these regulations, the masculine includes the feminine, unless the text indicates otherwise.

In these regulations, the singular includes the plural whenever the context so permits.

In these regulations, authorization to do something includes all the powers necessary for that purpose.

The interpretation of the text of these regulations must comply with the following rules:

- 1) The use of verbs in the present tense includes the future tense, and vice versa;
- 2) The use of the singular includes the plural, and the use of the plural includes the singular, whenever the context so permits;
- 3) The use of the verb **MUST** indicates an absolute obligation; while the use of the verb **MAY** retains an optional meaning, except in the expression "CANNOT," which means "MUST NOT";
- 4) When two or more provisions of these regulations apply to a use, building, land, or other object governed by these regulations, the following rules apply:
  - a) The specific provision takes precedence over the general provision;
  - b) The most restrictive provision prevails;
- 5) Any reference to another regulation or law is open-ended, i.e., it extends to any amendments that such regulation or law may undergo following the entry into force of this regulation;
- 6) All measurements in this regulation are those of the International System (SI);
- 7) The table of contents and the titles of the chapters, sections, and articles of this regulation are provided to improve understanding of the text;
- 8) The plans, appendices, tables, graphs, figures, illustrations, symbols, and any form of expression other than the text itself contained in this regulation form an integral part thereof for all legal purposes.

### **1.2.2 Division of the regulation**

The interpretation of these regulations must take into account the hierarchy between the divisions of the text: chapters, sections, articles, paragraphs, subparagraphs, and indents.

### 1.2.3 Rule of precedence of general provisions and specific provisions

In the event of any inconsistency between two provisions of these regulations or between a provision of these regulations and a provision contained in other regulations, the specific provision shall prevail over the general provision.

In the event of incompatibility between restrictive or prohibitive provisions contained in these regulations or in the event of incompatibility between a restrictive or prohibitive provision contained in these regulations and a provision contained in any other regulations, the most restrictive or prohibitive provision shall apply, unless otherwise specified.

### 1.2.4 Terminology

For the interpretation of this bylaw, unless the context indicates a different meaning, any word or expression has the meaning assigned to it in the bylaw in force, including the terminology applicable to urban planning regulations. If a word or expression is not specifically defined in this bylaw, it shall be understood in its common meaning as defined in the dictionary.

Notwithstanding the foregoing, the following words or expressions have the meanings assigned to them in these regulations:

**Administrator:** The Administrator of the Municipality has the powers vested in a municipal council under the law.

**Demolition:** Complete destruction or dismantling of a structure resulting in the disappearance of at least 5% of its exterior walls, a reduction in its net volume, a reduction in its floor area, or the disappearance of any original built element attached to it.

**Heritage building:** A building designated in accordance with the *Cultural Heritage Act* (RLRQ, c. P-9.002), located on a heritage site designated in accordance with that Act or listed in an inventory referred to in the first paragraph of section 120 of that Act.

**Housing:** Housing within the meaning of the *Act respecting the Administrative Housing Tribunal* (CQLR, c. T-15.01).

**Restoration:** The repair or replacement of architectural components of a heritage building in order to restore them to good condition or to reproduce as faithfully as possible their condition at a given period in the building's history.

## **CHAPITRE 2 ADMINISTRATIVE PROVISIONS**

### **Section 2.1 Designated official**

#### **2.1.1 Administration and enforcement of the document**

The administration and enforcement of this regulation are entrusted to the designated official, namely:

1. any person holding the position of clerk or clerk-treasurer;
2. any person employed by the Municipality whom the clerk or clerk-treasurer appoints for the purpose of administering and enforcing this bylaw.

#### **2.1.2 Powers of the designated official**

The designated official may exercise any power conferred by this bylaw. In particular, he or she may:

1. visit and inspect, at any reasonable time, the interior or exterior of any real or personal property, including any building, structure, or dwelling, to determine whether this bylaw is being complied with;
2. issue a notice to the owner, tenant, occupant, their agent, or any other person who contravenes a provision of this bylaw requiring the correction of a situation that constitutes a violation of this bylaw;
3. issue a statement of offense and initiate criminal proceedings on behalf of the Municipality for a violation of this bylaw;
4. take any necessary measures to stop a violation of this bylaw;
5. give formal notice to the owner, tenant, occupant, or their representative to suspend dangerous work;
6. issue a formal notice to temporarily evacuate any building that could endanger human life;
7. order the closure of land, part of land, or a building where there is a danger to the public.

## **Section 2.2 Administrator**

### **2.2.1 Analysis of demolition requests**

The administrator is responsible for receiving, reviewing, and authorizing applications for the demolition of buildings and structures subject to this bylaw.

### **2.2.2 Conflict of interest**

An administrator who has a direct or indirect personal interest in a matter before the municipality must withdraw from deliberations for the duration of the hearing of the matter in which she has an interest. The matter shall be dealt with by the person designated by the administrator for the application of the said bylaw.

### **2.2.3 Decision-making**

Any meeting held regarding a demolition application subject to this bylaw must be public, and before making a decision, the administrator must hold a public hearing to hear from anyone who wishes to comment on the demolition project.

Any decision concerning an application for demolition subject to this bylaw must be made by majority vote.

## CHAPITRE 3 PROCESSING OF AN APPLICATION FOR AUTHORIZATION TO DEMOLISH A BUILDING

### Section 3.1 General provisions

#### 3.1.1 Obligation to obtain authorization for the demolition of a heritage building

No one may demolish a heritage building without first obtaining a certificate of authorization from the Municipality, in accordance with the provisions of this bylaw.

Any building other than a heritage building is not subject to the regime established by this bylaw. Where applicable, the authorization regime for the demolition of a building other than a heritage building is subject to the provisions of the applicable urban planning regulations.

#### 3.1.2 Classified buildings and classified or declared heritage sites

No authorization issued under the applicable municipal regulations in this case exempts an applicant from the obligation to obtain authorization from the minister responsible for the application of the *Cultural Heritage Act* (RLRQ, c. P-9.002) when the demolition project involves a classified building or a building located in a declared or classified heritage site.

#### 3.1.3 Required documents

The following documents must be provided in support of any application for a demolition permit:

1. a statement including:
  - a) the owner's last name, first name, address, and telephone number;
  - b) the last name, address, and phone number of the general contractor responsible for the demolition or the person who will carry out the demolition work;
2. if the applicant is not the owner of the building in question, a power of attorney signed by the owner;
3. a description of any building or structure to be demolished;
4. color photographs of each elevation of any building or structure to be demolished;
5. a statement of reasons justifying the demolition and any documents deemed relevant by the applicant to demonstrate the condition of the premises, such as technical and economic reports, professional opinions, or images showing the condition of the building or structure, its systems, structure, and materials;
6. a description of the work, including:
  - a) the method to be used for demolition, favoring selective deconstruction methods where possible;
  - b) the expected timeframe for completion of the demolition work;
  - c) how demolition waste will be managed, in particular by identifying the treatment site where it will be deposited;

7. a preliminary program for reusing the cleared land, indicating:
  - a) the proposed developments when the land is expected to remain vacant;
  - b) the proposed uses, structures, and developments when the land reuse program does not include the construction of a main building;
  - c) the area, height, and, by means of a preliminary plan (sections, elevations, and standard floor plan), the architectural characteristics and projected uses of the buildings to be constructed on the land. In the case of a main building for residential use, the program must specify the number and area of the projected dwellings;
  - d) the timeframe for completion of the planned work.

## **Section 3.2 Application process**

### **3.2.1 Complete application**

The application for a demolition permit is considered complete when all the required documents and plans have been submitted and the \$30 fee has been paid.

Once the application is complete, it is forwarded to the administrator.

### **3.2.2 Posting of public notice**

As soon as the administrator receives an application for a demolition permit, the municipality must post a notice on the building covered by the application that is easily visible to passersby and publish a public notice on its website and on the MRC website.

This public notice must include:

1. the following text: "Any person who wishes to oppose the demolition must, within 10 days of the publication of the public notice or, failing that, within 10 days of the posting of the notice on the building concerned, submit their reasoned opposition in writing to the municipal clerk."
2. the designation of the affected building by means of the street name and building number or, failing that, the cadastral number;
3. the date, time, and place of the meeting at which the Council will decide on the application for authorization to demolish.

### **3.2.3 Transmission to the Minister**

A copy of the public notice must be sent without delay to the Minister of Culture and Communications.

### **3.2.4 Notice to tenants**

Where the building in question contains one or more dwellings, the applicant must send a notice of the application to each of the tenants of the building.

The applicant must provide the municipality with proof of receipt of all notices sent pursuant to this section no later than 10 days after the notice is posted on the building concerned.

### **3.2.5 Deadline for acquiring a building targeted for demolition**

A person who wishes to acquire a building covered by an application for a demolition permit in order to preserve its heritage character may, as long as the administrator has not rendered a decision, submit a written request to the registry for an extension of time to undertake or continue steps to acquire the building.

Such an intervention may also be made when the building covered by the application includes one or more dwellings and the person wishes to acquire the building in order to preserve its residential rental character.

If the administrator considers that the circumstances justify it, she shall postpone her decision and grant the intervener a period of not more than two months from the end of the hearing to allow the negotiations to be completed. The administrator may postpone her decision on this ground only once.

## **Section 3.3 Administrator's decision**

### **3.3.1 Decision**

Before rendering her decision, the administrator must ensure that all applicable procedures and other regulatory provisions have been met.

The administrator may not render a decision until 10 days after the later of the following dates:

1. the posting of the notice on the property covered by the application; or
2. the publication of the public notice.

The administrator shall grant authorization if she is satisfied that demolition is in the public interest and in the interest of the parties, taking into account, in particular, the criteria set out in this section.

### **3.3.2 Automatic refusal of the application**

The administrator must refuse the application for authorization if the preliminary program for the reuse of the cleared land does not comply with the regulations in force.

Nevertheless, the administrator may analyze such a project if a procedure to amend the regulations or a procedure under a discretionary regulation is underway, if the outcome of that procedure would bring the preliminary program for reuse of cleared land into compliance. Nevertheless, in this case, any demolition authorization must be conditional on the entry into force of the amendments or resolution that bring the program for reusing cleared soil into compliance.

### **3.3.3 Criteria for evaluating the authorization application**

Before making a decision, the administrator must:

1. Consider the heritage value of the building or structure, in particular by analyzing the following elements:
  - a) its history;
  - b) its aesthetic, historical, cultural, and social significance for past, present, and future generations;
  - c) its contribution to local history;
  - d) its degree of authenticity and integrity;
  - e) its representativeness of a particular architectural style;
  - f) its contribution to a built or landscape ensemble to be preserved;
  - g) where applicable, its status of recognition under the *Cultural Heritage Act* (RLRQ, c. P-9.002).
2. Consider the potential impacts of maintaining the building or structure, in particular by analyzing the following elements:
  - a) its condition;
  - b) the deterioration of the quality of life in the neighborhood;
  - c) the potential risk to public safety;
  - d) the cost of maintenance, renovation, or restoration.
3. Consider, when the building houses one or more dwellings:
  - a) the harm caused to tenants;
  - b) the possibility of rehousing tenants;
  - c) housing needs in the surrounding area.
4. Determine whether the preliminary land reuse program:
  - a) proposes a project that is well integrated into the environment;

- b) allows for better use of the cleared land.
- 5. Consider opportunities for recovering and reusing materials and equipment from the building to be demolished.
- 6. Consider, if applicable, any objections received following the posting of the public notice or during the public hearing.

### **3.3.4 Conditions of authorization**

When the administrator grants authorization, she must set a deadline by which the demolition work must be undertaken and completed. The administrator may, for reasonable cause, modify the deadline, provided that the request is made to her before the deadline expires.

The administrator may also impose any conditions relating to the demolition of the building or the reuse of the cleared land, within the limits of her powers. In particular, she may:

- 1. require the applicant to submit a heritage study prepared by a specialist and, where applicable, make the demolition authorization conditional on the administrator's confirmation of its decision following analysis of the document;
- 2. identify necessary changes to be made to the program for reusing the cleared land;
- 3. require a financial guarantee to ensure compliance with any conditions set by the administrator;
- 4. determine the conditions for relocating a tenant, when the building includes one or more dwellings;
- 5. set a deadline by which the land reuse program must be undertaken and completed.

### **3.3.5 Financial guarantee**

When a financial guarantee is required by the municipality, the designated official may not issue the certificate of authorization until the guarantee has been submitted to the municipality.

The amount of the financial guarantee is determined by the administrator based on the nature of the project, the conditions determined at the time of authorization, and the value of the building, but may not exceed \$100,000.

This financial guarantee must take one of the following forms:

- 1. a certified check, bank draft, or bank draft payable to the Municipality;
- 2. an irrevocable letter of guarantee issued by a financial institution in favor of the municipality and valid for a period of 365 days. If the work has begun but is not completed, the monetary guarantee must be extended for 365 days.

This financial guarantee is returned to the applicant when the demolition work has been completed and the land has been cleared or, when the financial guarantee is intended to ensure the implementation of the cleared land reuse program, it is returned to the applicant when the foundations of the replacement building(s) have been completed.

### **3.3.6 Reasons for and communication of the decision**

The administrator's decision regarding demolition must be justified and sent without delay to all parties concerned by registered mail.

The decision shall be accompanied by a notice explaining the applicable rules among those provided for in sections 3.3.7 and 3.3.8.

### **3.3.7 Review of a decision by the administrator**

Any interested party may, within 30 days of the administrator's decision authorizing the demolition of a building, request that the administrator review her decision.

In particular, when the context changes or new information comes to light, the administrator may also, on her own initiative, within 30 days of a decision authorizing the demolition of a building, adopt a resolution expressing her intention to review her decision. The administrator may confirm, modify, or reverse her decision.

### **3.3.8 Power of disapproval by the MRC**

When the administrator authorizes the demolition of a heritage building and her decision is not reviewed under section 3.3.7, notice of her decision must be given without delay to the MRC du Golfe-du-Saint-Laurent. The MRC must also be notified without delay of the administrator's decision to review her decision when the municipality confirms the demolition authorization. Any notice sent to the MRC regarding an authorization to demolish a heritage building must be accompanied by copies of all documents produced by the applicant.

The Council of the MRC du Golfe-du-Saint-Laurent may, within 90 days of receiving the notice, disallow the administrator's decision. Such a resolution by the MRC must be justified, and a copy must be sent without delay to the municipality and to any party involved, by registered mail.

No certificate of authorization may be issued if the MRC disavows the administrator's decision authorizing demolition.

### **3.3.9 Transfer to a third party**

When the building covered by the demolition authorization is transferred, in whole or in part, to a third party before the work is completed, the new owner may not continue the work until he or she has committed in writing to comply with the approved preliminary program for the reuse of the cleared land and all the conditions of the demolition authorization.

If a financial guarantee has been provided, the Municipality shall retain any amount related to this guarantee until the conditions imposed by the administrator have been met, unless the new owner provides the equivalent of this amount. Where applicable, the Municipality may cash in the financial guarantee provided by the original owner if the new owner does not carry out the work undertaken or does not fulfill the conditions imposed by the administrator.

## **Section 3.4 Issuance of authorization**

### **3.4.1 Time limit for issuing a certificate of authorization**

No demolition authorization certificate may be issued before the expiry of the 30-day period provided for in section 3.3.7 or, if there has been a review under that section, before the administrator has rendered a final decision.

Furthermore, when the authorization concerns a heritage building, no demolition authorization certificate may be issued before the earliest of the following dates:

1. the date on which the MRC du Golfe-du-Saint-Laurent notifies the Municipality that it does not intend to exercise its power of disallowance;
2. the expiration of a 90-day period following receipt of the notice provided for in section 3.3.8.

In any case, no certificate of authorization may be issued if the administrator refuses the application for authorization, if the administrator refuses the application for authorization during a review procedure, or if the MRC disavows the administrator's decision authorizing the demolition.

### **3.4.2 Execution of the work**

At all times during the performance of demolition work, a person in authority on the premises must have a copy of the certificate of authorization in their possession and be able to produce it if requested to do so by a designated official.

### **3.4.3 Expiration of the deadline**

If demolition work is not undertaken before the expiry of the deadline set by the administrator, the demolition authorization is void.

If, on the expiry date of this deadline, a tenant continues to occupy their dwelling, the lease is automatically extended and the landlord may, within one month, apply to the Administrative Housing Tribunal to set the rent.

### **3.4.4 Unfinished work**

If the demolition work is not completed within the set time limit, the municipality may have it carried out and recover the costs from the owner. These costs constitute a priority claim on the land where the building was located, in the same manner and according to the same rank as the claims referred to in paragraph 5 of article 2651 of the Civil Code; these costs are secured by a legal mortgage on that land.

## **Section 3.5 Obligations of the landlord**

### **3.5.1 Eviction of a tenant**

A landlord who has been granted a demolition permit may evict a tenant in order to demolish a dwelling. However, a tenant may not be forced to leave his dwelling before the later of the following events: the expiry of the lease or the expiry of a period of three months from the date of issue of the certificate of authorization.

### **3.5.2 Compensation in the event of eviction**

The landlord must pay the tenant evicted from their dwelling compensation equal to three months' rent and their moving expenses. The compensation is payable upon the tenant's departure and the moving expenses upon presentation of supporting documents.

### **3.5.3 Administrative Housing Tribunal**

If the damages resulting from the harm suffered by the tenant amount to more than the sum provided for in the previous article, the tenant may apply to the Administrative Housing Tribunal to have the amount determined.

## CHAPITRE 4 FINAL PROVISIONS

### Section 4.1 Penalties, fines, and sanctions

#### 4.1.1 Unauthorized or non-compliant demolition

Anyone who demolishes or causes to be demolished a building governed by this bylaw without authorization from the municipality or in contravention of the conditions of authorization is liable to a fine of not less than \$10,000 and not more than \$250,000.

However, the maximum fine is \$1,140,000 in the case of demolition by a legal person of a building listed under the Cultural Heritage Act (RLRQ, c. P-9.002) or located on a heritage site listed under that Act.

#### 4.1.2 Reconstruction of a building demolished without authorization

In addition to the fines provided for in the previous section, the administrator may require the offender to rebuild the building governed by this regulation that was demolished without the administrator's authorization or in contravention of the conditions of authorization.

If the offender fails to rebuild the building, the administrator may have the work carried out and recover the costs from the offender. These costs constitute a priority claim on the land where the building was located, in the same manner and according to the same rank as the claims referred to in paragraph 5 of Article 2651 of the Civil Code; these costs are secured by a legal mortgage on that land.

#### 4.1.3 Obstruction of a public official

Is liable to a fine of \$500:

1. any person who prevents the designated officer from entering the premises where the demolition work is being carried out;
2. the person in authority responsible for carrying out the demolition work who, at the premises where the work is to be carried out, refuses to produce, at the request of the designated public officer, a copy of the certificate of authorization.

#### 4.1.4 Remedies

The Municipality may, for the purpose of enforcing the provisions of this bylaw, exercise any other appropriate civil or criminal remedy cumulatively or alternatively with those provided for in this bylaw.

The fact that the Municipality issues a statement of offence under this bylaw does not prevent it from taking one or more remedies provided for in other municipal bylaws.

#### 4.1.5 Entry into force

This bylaw comes into force in accordance with the law.

MUNICIPALITY of the North Shore of the Gulf of St. Lawrence, December 12, 2025.

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**Chantal Otis, Administrator and  
Executive Director**

Notice of motion: September 10, 2025 Adoption of the draft bylaw: September 10, 2025 Public notice of consultation: December 4, 2025 Public consultation meeting: December 11, 2025 Adoption of the bylaw: December 12, 2025 Transmission to the MRC: December 15, 2025 Certificate of compliance: February 26, 2026 Notice of promulgation: February 26, 2026 Effective date: February 26, 2026
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