

VANCOUVER FENCE BUILDERS

Property Lines & Boundaries

Property line surveys, boundary identification,
shared fence responsibilities, setback requirements,
and neighbour considerations under BC property
law

16 Expert Answers from Fence IQ

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How do I find out exactly where my property line is before building a fence in Vancouver?

Before building any fence in Vancouver, you need to confirm your exact property boundaries through a combination of title documents and a professional land survey — guessing or relying on old fence lines is the most common and expensive mistake homeowners make. A fence built even a few inches over the property line onto your neighbour's land can result in a legal requirement to remove it entirely at your expense, plus potential damages.

Start with your BC Land Title Office records. Every property in British Columbia has a registered survey plan on file with the Land Title and Survey Authority (LTSA). You can order a copy of your property's legal survey plan through the LTSA website for approximately \$10-\$15. This document shows the legal dimensions and boundaries of your lot as they were established when the subdivision was created. However, these plans show measurements from survey markers that may no longer be visible — iron pins get buried, monuments get disturbed by landscaping, and reference points disappear over decades.

For definitive boundary confirmation, hire a licensed BC Land Surveyor. A boundary survey by a licensed surveyor (certified through the Association of British Columbia Land Surveyors) is the gold standard. The surveyor will research your title documents, locate or re-establish survey pins and monuments, and provide you with a current survey certificate showing exactly where your property lines are on the ground. They'll typically mark the corners with wooden stakes or flagging tape so your fence contractor can see the boundaries clearly. In Metro Vancouver, a residential boundary survey costs \$1,000-\$3,000 depending on lot size, complexity, terrain, and whether existing survey pins can be located.

Check for existing survey pins before paying for a full survey. Many Vancouver lots have iron survey pins (rebar or iron rods) at the corners, typically driven flush with or slightly below the ground surface. You can try to locate these yourself with a metal detector — they're usually within 6-12 inches of where the legal corners should be. If you find all four corner pins and they match your title dimensions, you may have enough confidence to proceed without a full survey. However, pins can shift over time, and only a licensed surveyor can legally certify their accuracy.

Your municipality may also have useful records. The City of Vancouver's Engineering Department maintains survey control and reference information. Your original purchase documents may include a survey certificate if one was done at the time of sale. Building permit records from previous construction on your property or your neighbour's property often include survey information. These are all worth checking before commissioning a new survey.

Never assume the existing fence is on the property line. This is a critical point in Vancouver's older neighbourhoods like Kitsilano, Mount Pleasant, Grandview-Woodland, and Hastings-Sunrise, where original lot boundaries were established over a century ago. Previous fence builders may have installed fences based on assumptions, old landmarks, or informal agreements with neighbours. Over decades, replacement fences follow the same line without anyone questioning the original placement. In some cases, fences are found to be 6-12 inches or more off the true boundary.

Talk to your neighbour before the survey. If you're planning a new fence, it's good practice to let your neighbour know you're having a survey done. Under the BC Property Law Act Part 5, fences on shared boundaries come with shared obligations, and starting a fence project with open communication prevents disputes that can escalate into expensive legal proceedings. If you and your neighbour agree on the fence location together, and the survey confirms the line, the project will go much more smoothly.

Once you know your exact property line, decide on fence placement. Most fence contractors in Metro Vancouver recommend setting the fence 2-4 inches inside your property line to ensure no part of the fence — including post footings — encroaches onto your neighbour's land. This small setback costs you almost nothing in yard space but provides a clear buffer against boundary disputes. If you and your neighbour agree to share the fence on the property line, get that agreement in writing before construction begins.

Need help finding a fence contractor who can work with your survey results? Vancouver Fence Builders can match you with experienced local professionals for free through the Vancouver Construction Network.

Q2

What should I do if my neighbour's fence is on my property in BC?

If you believe your neighbour's fence is encroaching onto your property, the first step is to confirm the actual property line with a licensed BC Land Surveyor before taking any action — assumptions about where the boundary sits are wrong more often than homeowners expect. Acting on a visual estimate or an old fence line without survey confirmation can lead to unnecessary conflict and legal costs.

Get a professional boundary survey. Hire a surveyor certified through the Association of British Columbia Land Surveyors to establish the exact legal boundary. A residential boundary survey in Metro Vancouver costs \$1,000-\$3,000 and will provide a survey certificate showing precisely where your property line is on the ground, typically marked with stakes or flagging tape. This document is legally defensible and forms the foundation for any conversation or dispute resolution with your neighbour. Without it, you have no objective proof of encroachment.

Once you have survey confirmation, talk to your neighbour directly. Most fence encroachments in Metro Vancouver happen by accident — the original fence builder set the posts in the wrong location, or a replacement fence followed the same incorrect line. Share the survey results with your neighbour in a friendly, non-confrontational way. Many homeowners are genuinely unaware their fence is off the boundary and will agree to adjust the fence location when presented with clear evidence. A calm conversation over the survey plan resolves the majority of these situations without legal involvement.

Understand your rights under the BC Property Law Act. Part 5 of the BC Property Law Act deals with boundaries and shared fences. If a fence has been in the wrong location for an extended period, the legal situation can become complex. In BC, the doctrine of adverse possession has been largely eliminated for registered land (Torrens system), so your neighbour generally cannot claim ownership of your land simply because their fence has been there for many years. However, the longer an encroachment persists, the more complicated resolution becomes — which is why acting promptly once you discover the issue is important.

If your neighbour refuses to address the encroachment, you have several options. You can send a formal written letter (through a lawyer if needed) requesting that the fence be relocated to the correct property line within a reasonable timeframe. If direct negotiation fails, BC's Civil Resolution Tribunal (CRT) handles property disputes up to \$5,000 and strata disputes — this is a faster and less expensive alternative to court. For disputes involving larger amounts or complex boundary issues, you may need to pursue resolution through BC Supreme Court, though this should be a last resort given the legal costs involved.

Do not remove or modify your neighbour's fence yourself. Even if the fence is clearly on your property, taking unilateral action to remove or relocate it can expose you to claims for property damage and escalate the dispute. The legal process exists for a reason — follow it. If you need to build your own fence, you can install it on the confirmed property line (or 2-4 inches inside it), which effectively demonstrates the boundary without touching your neighbour's structure.

Document everything. Take photographs of the fence, the survey stakes, and any communication with your neighbour. Keep copies of the survey certificate, any letters sent or received, and notes from conversations including dates and what was discussed. This documentation is invaluable if the matter eventually requires legal resolution.

Consider the practical cost-benefit analysis. If the encroachment is only a few inches and doesn't materially affect your use of the property, some homeowners choose to document the survey results for their records and let the issue rest until the fence needs replacement — at which point the new fence goes on the correct line. A boundary dispute that goes to court can cost \$5,000-\$20,000+ in legal fees, which may not be worth recovering a 4-inch strip of land. On the other hand, if the encroachment is significant — a foot or more — or affects your ability to use your yard, build structures, or maintain your property, resolving it promptly is worth the effort.

When to consult a BC property lawyer: If your neighbour is uncooperative, if the encroachment is substantial, if there are structures beyond just a fence (sheds, driveways, landscaping) on your land, or if the fence has been in place for decades and the legal implications are unclear. An initial consultation with a property lawyer typically costs \$200-\$500 and will give you a clear picture of your options and the likely outcomes.

Q3

Who is responsible for a fence on the property line in British Columbia?

In British Columbia, when a fence sits directly on the property line between two properties, both property owners share responsibility for its maintenance and repair under Part 5 of the BC Property Law Act. This shared responsibility applies regardless of who originally built the fence, though the specifics of cost-sharing and decision-making can be more nuanced than many homeowners realize.

Part 5 of the BC Property Law Act (Boundaries) establishes the legal framework for shared boundary fences. The legislation provides that both owners benefit from a boundary fence and therefore both share the obligation to maintain it in reasonable repair. This means if the shared fence is falling down, rotting, or leaning, neither owner can simply ignore it and claim it's the other person's problem. Both parties are expected to contribute to keeping the fence in functional condition. The Act also provides a process for resolving disputes when neighbours cannot agree on fence matters.

However, "shared responsibility" does not automatically mean a 50/50 cost split on every fence project. If one owner wants to replace a functional fence with something more expensive — upgrading from a basic pressure-treated fence to a premium cedar board-on-board design, for example — the other owner is not obligated to pay half the upgrade cost. The shared obligation covers maintaining a reasonable fence in reasonable repair. If one owner wants something beyond what's reasonable, they typically bear the additional cost themselves. What constitutes "reasonable" depends on the neighbourhood standard, the condition of the existing fence, and local property values.

If you want to build a new boundary fence or replace an existing one, communicate with your neighbour first. The best approach is to discuss the project before getting quotes, agree on the fence style and materials, get two or three quotes together, and agree on the cost split in writing. A simple written agreement — even a signed email exchange — outlining what fence will be built, the total cost, each party's share, and the timeline prevents misunderstandings and provides a record if disputes arise later.

What if your neighbour refuses to contribute? If your neighbour will not share costs for a boundary fence that is in disrepair or does not exist, the BC Property Law Act provides a mechanism for resolution. You can apply to the

BC Supreme Court for an order requiring your neighbour to contribute to the cost of erecting or repairing a boundary fence. However, court proceedings are expensive — legal fees alone can easily exceed the cost of just building the fence yourself. In practice, most homeowners who face an uncooperative neighbour either build the fence at their own expense (setting it 2-4 inches inside their own property line to avoid any boundary issues) or use mediation services to reach an agreement.

The BC Civil Resolution Tribunal (CRT) handles some property disputes and may be a more affordable alternative to Supreme Court for fence disagreements involving smaller amounts. The CRT process is largely online, fees are modest, and decisions are legally binding. Check the CRT website to confirm whether your specific fence dispute falls within their jurisdiction.

Practical considerations for shared boundary fences in Metro Vancouver. In Vancouver's older neighbourhoods — Kitsilano, Dunbar, Kerrisdale, East Vancouver — many boundary fences are 50-80 years old and have been replaced multiple times without formal agreements. When it's time for a new fence, start the conversation early. Most neighbours in Metro Vancouver are reasonable and willing to split costs for a shared fence, especially when presented with fair quotes and a good-neighbour approach. A typical 6-foot cedar privacy fence costs \$40-\$80 per linear foot installed, so a 100-foot shared boundary fence at \$5,000-\$8,000 total becomes \$2,500-\$4,000 each — a manageable investment that benefits both properties.

Good neighbour fence design matters on shared boundaries. A board-on-board (shadowbox) fence looks identical from both sides, which eliminates the awkward conversation about who gets the "good side" versus the post-and-rail side. Shadowbox fences cost 10-15% more than flat-board designs but are well worth it for shared fences — they also handle Metro Vancouver's wind conditions better by allowing air to pass through the gaps.

Need help finding a fence contractor for your boundary fence project? Vancouver Fence Builders can match you with experienced professionals through the Vancouver Construction Network at no cost.

Can my neighbour force me to pay for half of a shared boundary fence in BC?

Your neighbour cannot simply demand you pay half the fence cost and force immediate payment, but under the BC Property Law Act Part 5 (Boundaries), they do have a legal mechanism to seek a court order requiring you to contribute to a boundary fence that benefits both properties. In practice, the vast majority of shared fence situations in Metro Vancouver are resolved through neighbourly negotiation rather than legal proceedings.

The BC Property Law Act establishes that both owners benefit from a boundary fence and both share an obligation to maintain it. However, the Act does not specify an automatic 50/50 split, and it does not give your neighbour the right to unilaterally build whatever fence they want and send you a bill for half. The cost-sharing obligation applies to a fence that is reasonable for the neighbourhood and serves both properties. If your neighbour wants a \$15,000 custom horizontal cedar fence when a \$5,000 standard privacy fence would serve the same purpose, you are not obligated to pay half the premium.

Your neighbour's legal options if you refuse to contribute. If negotiation fails and your neighbour believes you should share the cost, they can apply to the BC Supreme Court for an order under the Property Law Act. The court will consider whether a fence is necessary, what type of fence is reasonable for the neighbourhood, and what a fair cost split would be. However, court proceedings in BC cost thousands of dollars in legal fees — often \$5,000-\$15,000 or more — which makes this option impractical for most residential fence disputes. The legal costs frequently exceed the fence costs themselves.

The BC Civil Resolution Tribunal (CRT) may offer a more affordable path. The CRT handles certain property disputes with lower fees and an online process. If your neighbour's claim falls within CRT jurisdiction, this is a faster and more cost-effective way to resolve disagreements than Supreme Court. Decisions are legally binding and enforceable.

Situations where you likely share an obligation. If the existing boundary fence is falling down, rotting, or creating a safety hazard, both owners generally share responsibility for repair or replacement. If there's no fence and both properties would benefit from one (privacy, security, pet containment), the argument for shared cost is stronger. If your neighbour needs a fence to meet municipal bylaws — for example, a pool fence required by the BC Building Code — and the fence happens to sit on the boundary, you may still share responsibility for the boundary portion.

Situations where you may not need to contribute. If the existing fence is in reasonable condition and your neighbour simply wants an upgrade, you are not obligated to fund their aesthetic preferences. If your neighbour builds a fence entirely on their own property (set back from the boundary), they cannot require you to contribute — it's their fence on their land. If the fence primarily benefits one property (for example, containing your neighbour's

dogs), the argument for equal cost-sharing is weaker.

The practical Metro Vancouver approach. In most neighbourhoods across Metro Vancouver — from East Vancouver to Surrey, Burnaby to North Vancouver — neighbours work out fence costs informally. Common arrangements include splitting the total cost 50/50 for a mutually agreed-upon fence, one owner paying for materials while the other pays for labour, one owner covering the full cost of an upgraded fence while the other contributes what a basic fence would have cost, or one owner building the fence now with an understanding that the other will handle maintenance or eventual replacement. A typical 6-foot cedar privacy fence in Metro Vancouver runs \$40-\$80 per linear foot installed, so a 60-foot shared boundary costs \$2,400-\$4,800 total — or \$1,200-\$2,400 each when split. That's a modest investment compared to the cost and stress of a legal dispute.

Protect yourself regardless of the outcome. If you do agree to share costs, put the agreement in writing — fence type, total cost, each party's share, payment timeline, and who hires the contractor. If you choose not to contribute and your neighbour builds the fence anyway, they must keep it on their property or obtain your agreement for placement on the boundary line. Document all communication in case the matter escalates.

Need help getting quotes for a shared fence project? Vancouver Fence Builders can match both you and your neighbour with fence contractors for free estimates through the Vancouver Construction Network.

Q5

What does the BC Property Law Act say about shared fences and property boundaries?

Part 5 of the BC Property Law Act (titled "Boundaries") is the primary legislation governing shared fences and property boundaries in British Columbia, establishing that adjoining landowners share responsibility for boundary fences and providing a legal framework for resolving fence disputes. While the Act provides important rights and obligations, it's not as detailed as many homeowners expect — much of the practical application comes from case law and common sense.

The core principle of Part 5 is shared obligation. The Act establishes that when two properties share a common boundary, both owners benefit from a fence on that boundary and both share the responsibility to maintain it. This applies whether the fence was built by one owner, the previous owner, or a builder decades ago. The obligation runs with the land, not the person — so when you buy a property with a shared boundary fence, you inherit the shared maintenance obligation.

The Act provides a legal process for fence disputes. If one owner wants to build or repair a boundary fence and the other refuses to contribute, the Act allows application to the BC Supreme Court for an order requiring contribution. The court can order the reluctant owner to pay a fair share of the cost of erecting or repairing the fence. However, the court has discretion in determining what constitutes a "fair share" and what type of fence is appropriate — it's not an automatic 50/50 split on whatever one party wants to build.

What the Act does NOT specify. The BC Property Law Act does not dictate specific fence heights, materials, or styles — those are governed by municipal bylaws (which vary across Metro Vancouver's 21+ municipalities). It does not establish an automatic right to enter your neighbour's property to build or repair a boundary fence (you need permission or a court order). It does not override strata bylaws or restrictive covenants that may impose additional fence requirements. And it does not provide a quick, cheap dispute resolution mechanism — the Supreme Court process is formal and expensive.

Boundary determination under the Act. Part 5 also addresses how property boundaries are established and confirmed. The Act works in conjunction with the BC Land Title Act and the land title registration system (Torrens system) administered by the Land Title and Survey Authority (LTSA). Property boundaries are legally defined by the survey plans registered with the LTSA, and a licensed BC Land Surveyor can establish or re-establish boundary markers on the ground. In Metro Vancouver, a residential boundary survey costs \$1,000-\$3,000.

Adverse possession and boundary fences. An important aspect of BC's property law is that adverse possession ("squatter's rights") has been largely eliminated for registered land under the Torrens system. This means your neighbour cannot claim ownership of a strip of your land simply because their fence has been sitting on it for 20 or 30 years. The legal boundary remains where the registered survey plan says it is, regardless of where fences have been placed over the decades. This is good news for homeowners who discover an old fence is in the wrong location — the legal boundary has not moved.

Practical implications for Metro Vancouver homeowners. The Act's shared-responsibility framework works best when neighbours communicate. Before building or replacing a boundary fence, have a conversation about fence type, materials, cost-sharing, and contractor selection. Get agreements in writing. If you're buying a home, review the property survey (if one was done at purchase) to understand where your boundaries actually are — don't assume the existing fence marks the line.

The BC Civil Resolution Tribunal (CRT) as an alternative. While the Property Law Act directs disputes to BC Supreme Court, the CRT now handles certain property disputes at lower cost and with a faster, online-based process. For fence disputes involving modest amounts, the CRT may be a more practical option than Supreme Court proceedings, which can cost \$5,000-\$15,000+ in legal fees.

When to consult a BC property lawyer. If you're facing a boundary fence dispute that cannot be resolved through direct negotiation, consult a lawyer who specializes in BC property law. An initial consultation typically costs \$200-\$500 and will clarify your rights under Part 5, the strength of your position, and the most cost-effective path to resolution. For straightforward fence cost-sharing disagreements, a lawyer's letter alone often resolves the matter without court proceedings.

Need help finding a fence contractor for a boundary fence project? Vancouver Fence Builders can connect you with experienced professionals through the Vancouver Construction Network.

Q6

What should I know about easements and right-of-way before building a fence in BC?

Before building a fence anywhere in Metro Vancouver, you must check your property's title for registered easements and rights-of-way — building a fence across an active easement can result in a legal order to remove it at your expense. Easements are surprisingly common on Metro Vancouver residential properties, and many homeowners don't know they exist until a fence project forces the issue.

An **easement** is a legal right for someone other than the property owner to use a specific portion of the property for a defined purpose. A **right-of-way** (or statutory right-of-way) is a type of easement commonly registered in favour of a municipality or utility provider. Both are registered on your property's **land title** at the BC Land Title Office and "run with the land" — meaning they survive property sales and remain in effect regardless of ownership changes.

The most common easements affecting fence projects in Metro Vancouver include utility easements (BC Hydro, FortisBC, Telus, Metro Vancouver Water), which grant utility companies the right to access buried or overhead infrastructure. These typically run along rear lot lines, side lot lines, or through the middle of properties. Municipal drainage easements are common in areas with shared storm drainage systems. Reciprocal access easements allow neighbours to cross your property to access their own — common in older Vancouver neighbourhoods with rear lanes and narrow side yards. Statutory rights-of-way in favour of the municipality often reserve strips along street frontages for future road widening or sidewalk installation.

How to find easements on your property: The definitive source is your property's **land title certificate** from the **BC Land Title Office (LTSA)**. You can search titles online through LTSA's myLTSA portal at itsa.ca — a title search costs approximately \$15 to \$20 per title. The title will list all registered easements and charges, including plan numbers that show the exact location and dimensions of each easement. Your original purchase documents (Statement of Adjustments, title insurance policy) may also reference easements, but a current title search is the

most reliable source since new easements can be registered after purchase.

What happens if you build a fence across an easement? If a utility company or municipality has a registered easement across part of your property, they have the legal right to access that area — and the right to require removal of any structures (including fences) that obstruct their access. In practice, some easement holders tolerate fences as long as they can be quickly removed for access, while others require the area to remain completely clear.

Always contact the easement holder directly before building a fence within or across an easement. BC Hydro, FortisBC, and Telus each have property access or right-of-way departments that can tell you what is and isn't permitted within their easements.

Practical approaches for fencing near easements include installing a fence along the edge of the easement rather than through it, using removable fence panels within the easement area (panels that lift out of brackets without tools), or installing a gate within the fence line to provide access through the easement. Removable panel systems add \$10 to \$20 per linear foot compared to standard fixed panels, but they let you maintain a continuous fence line while preserving legal access.

Municipal rights-of-way for road widening are common along major routes throughout Metro Vancouver. These typically reserve 1 to 3 metres along the street frontage and prohibit permanent structures within that strip. If your property has a road-widening right-of-way, your front fence must be set back behind it — which may mean your fence is several feet back from where you'd naturally expect the property line to be.

Strata properties add another layer. Common property and limited common property boundaries within strata developments often have their own easement structures that affect where individual lot owners can place fences. Your strata plan (available through the LTSA) shows these boundaries.

The \$15 to \$20 cost of a title search is trivial compared to the cost of removing a fence that violates an easement. Make it one of your first steps in any fence project. If you're unsure how to interpret the easement language or plans on your title, a BC property lawyer can review them for \$200 to \$500 and give you clear guidance on what you can build and where.

How close to a city sidewalk can I build a fence in Metro Vancouver?

In most Metro Vancouver municipalities, you can build a fence right up to your property line, but your property line is almost never at the edge of the sidewalk — there is typically a boulevard strip between the sidewalk and your property that belongs to the city. Understanding this distinction is critical because building a fence on city property can result in a removal order.

The strip of land between the sidewalk (or curb, where there is no sidewalk) and your actual property line is called the **boulevard** or **road allowance**. In the City of Vancouver, this boulevard strip is typically 1.5 to 3 metres wide and is owned by the city as part of the road right-of-way. You maintain the grass on it, you might plant flowers in it, but you do not own it — and you generally cannot build a permanent fence on it. The city retains this strip for utilities, future sidewalk widening, street trees, fire hydrant access, and sight lines.

In the City of Vancouver specifically, front yard fences must comply with the Zoning and Development By-law. The maximum fence height in front yards is 1.2 metres (4 feet), and the fence must be set back behind the property line — not on the boulevard. Corner lots have additional restrictions: fences within the **sight triangle** (typically 6 metres from the intersection of the property lines at a corner) must not exceed 0.9 metres (3 feet) to maintain visibility for pedestrians, cyclists, and drivers. These sight-line rules are strictly enforced because they directly affect public safety.

How to find your actual property line relative to the sidewalk: The most reliable method is a **property survey by a licensed BC Land Surveyor**. Survey costs in Metro Vancouver range from \$500 to \$2,000 depending on lot size and complexity. The surveyor will locate or replace **iron survey pins** at your property corners, and you can measure from those pins to determine exactly where your property begins relative to the sidewalk. Alternatively, your lot's legal plan (available through the BC Land Title Office at itsa.ca for approximately \$15 to \$20) shows the lot dimensions, and you can measure from known reference points — but a professional survey is far more accurate and provides legal certainty.

Municipal variations across Metro Vancouver are important to note. Burnaby, Surrey, Richmond, Coquitlam, and other municipalities each have their own zoning bylaws governing fence placement, height, and setback from streets and sidewalks. While the general principle is consistent — fences must be on private property, not on the boulevard — the specific rules about height, materials, and sight-line triangles vary. Always check with your municipality's planning or building department before starting a front-yard fence project.

Practical tips for fences near sidewalks: Set your fence 15 to 30cm (6 to 12 inches) inside your property line as a safety margin. Survey pins can have a tolerance of a few centimetres, and building right on the line risks encroachment. If you have a narrow front yard on a typical 33-foot Vancouver lot, a 4-foot ornamental aluminum or

low cedar picket fence set just inside your property line creates an attractive streetscape while staying firmly on your land. Avoid solid privacy fences in front yards — most municipalities restrict them, and they create sight-line hazards and a fortress-like appearance that neighbours and the city tend to push back on.

If you need clarification on where your property line falls relative to the sidewalk, your municipality's engineering department can usually provide the road right-of-way width for your street, which tells you how much of the boulevard is city property. Combined with your lot's legal dimensions, this gives you a good approximation — though a professional survey is always the definitive answer.

Vancouver Fence Builders can connect you with fence contractors who are experienced with front-yard fence installations and understand the bylaw requirements in your specific municipality.

Q8

What happens during a boundary survey and how much does it cost in BC?

A boundary survey in BC involves a licensed BC Land Surveyor visiting your property to locate, verify, and mark the legal boundaries of your lot using professional survey equipment, reference to registered survey plans, and physical markers (survey pins or monuments). In Metro Vancouver, a residential boundary survey typically costs \$500 to \$2,000, with most standard urban lots falling in the \$800 to \$1,500 range.

The process starts when you **hire a BC Land Surveyor (BCLS)** — these are professionals licensed by the Association of British Columbia Land Surveyors. Not just anyone with survey equipment can perform a legal boundary survey in BC; it must be a licensed BCLS whose work carries legal weight and professional liability insurance. You can find licensed surveyors through the Association of BC Land Surveyors directory at abcls.ca.

Before arriving on-site, the surveyor will research your property's legal description, registered survey plans, and title documents at the **BC Land Title Office (LTSA)**. They'll review the original subdivision plan that created your lot, any subsequent surveys, and registered easements or rights-of-way. This office research is a significant part of the cost — it can take several hours for properties with complex histories or older survey records.

On-site, the surveyor will use professional GPS equipment, total stations (electronic theodolites with distance measurement), and reference to existing survey control points to establish the precise location of your property corners. They'll search for existing **iron survey pins** or **concrete monuments** that were placed during the original subdivision. In older Metro Vancouver neighbourhoods — particularly pre-1970s subdivisions in Kitsilano, Kerrisdale, Dunbar, and East Vancouver — original survey pins may have been buried, displaced, or lost during decades of landscaping, construction, and road work. When pins cannot be found, the surveyor uses mathematical

calculations from nearby control points and reference monuments to re-establish the boundary positions.

After completing the field work, the surveyor will place new survey pins (typically iron bars or pipes driven flush with or slightly below grade) at your property corners if the original pins are missing or disturbed. They'll also provide you with a **survey plan or report** showing the exact dimensions and positions of your boundaries, any discrepancies found, the location of structures relative to boundaries, and notes about any encroachments (your structures on neighbouring land, or neighbour structures on your land).

Cost factors that affect pricing in Metro Vancouver:

Standard urban lot (rectangular, typical 33 x 120 foot Vancouver lot, relatively flat): \$500 to \$1,200. This is the most common scenario for fence projects — you want to know where the side and rear boundaries are before installing a fence.

Irregular or larger suburban lot (Langley, Maple Ridge, Delta — larger lots with more corners, curves, or natural boundaries): \$1,000 to \$1,800. More field time is needed for lots with more boundary points.

Steep or heavily vegetated lots (North Shore, Coquitlam hillsides, lots with dense landscaping): \$1,200 to \$2,000+. Difficult terrain slows fieldwork and may require brush clearing to establish sight lines for equipment.

Strata lot survey (bare land strata or townhouse): \$800 to \$1,500. Strata lot boundaries are defined by the strata plan, which adds a layer of complexity compared to freehold lots.

Rush service adds 20 to 50% to the cost. Standard turnaround for a residential boundary survey in Metro Vancouver is 2 to 4 weeks from booking to completed report. During the busy spring and summer building season (March through September), wait times can extend to 4 to 6 weeks.

Why a boundary survey is worth every dollar before a fence project: Building a fence even a few inches onto your neighbour's property creates legal liability and can force you to remove the fence entirely at your expense. In Metro Vancouver's dense urban lots where houses are close together, boundary disputes are common and emotionally charged. A professional survey settles the question definitively and gives you legal documentation to support your fence placement. The \$800 to \$1,500 cost is a small fraction of a \$5,000 to \$15,000 fence project and eliminates the risk of a costly mistake.

Many fence contractors in Metro Vancouver can recommend surveyors they work with regularly. Vancouver Fence Builders can also help connect you with professionals who handle the full process from survey through fence installation.

Can I attach my fence to my neighbour's existing fence posts in British Columbia?

No, you should not attach your fence to your neighbour's existing fence posts without their explicit written permission — doing so could constitute trespass to property and create legal liability under BC law. Even if the posts appear to be on or near the property line, attaching to someone else's fence structure without consent is legally problematic and practically risky.

The core issue is **property ownership**. If your neighbour installed their fence posts on their property (even if close to the boundary), those posts belong to them. Attaching your fence to their posts without permission is effectively using their property to support your structure. If the posts are on the property line itself, the situation is more nuanced — but even then, you need agreement from your neighbour before modifying or attaching to their fence.

Under the BC Property Law Act, when a fence sits directly on the boundary between two properties, both owners share responsibility for its maintenance. However, this shared responsibility applies to the existing fence — it does not grant either party the right to unilaterally modify the fence or attach additional structures to it. If you want to connect your new fence to an existing boundary fence, you need your neighbour's agreement.

Practical problems with attaching to a neighbour's posts go beyond the legal concerns. Their posts may not be structurally adequate to support the additional load of your fence — a 4x4 post set to hold a 4-foot chain-link fence on one side is not engineered to also support a 6-foot cedar privacy fence on the other side. The additional wind load alone could cause the post to lean or fail, damaging both fences and creating a dispute about who pays for repairs. In Metro Vancouver's wet climate, drilling into existing posts to attach brackets creates moisture entry points that accelerate rot. And if your neighbour ever decides to remove or replace their fence, your fence goes down with it.

The recommended approach is to install your own independent fence posts set 2 to 6 inches inside your property line, parallel to your neighbour's fence. Yes, this creates a small gap between the two fences — but that gap is preferable to the legal and structural risks of attaching to someone else's posts. The gap also provides air circulation between the fences, which reduces moisture trapping and extends the life of both fences in Metro Vancouver's rainy climate. If the gap bothers you aesthetically, you can fill it with a narrow trim board attached only to your posts.

If your neighbour is willing to share a fence, the better approach is to discuss building one new shared fence together rather than attaching to existing posts. Agree in writing on the fence style, materials, height, cost sharing, and maintenance responsibilities. Many Metro Vancouver neighbours successfully split the cost of a "good neighbour" fence (board-on-board style that looks identical from both sides) installed centred on the property line. Having this agreement in writing protects both parties if either property is sold in the future.

For situations where space is extremely tight — common on Vancouver's narrow 33-foot lots where houses are sometimes only 4 to 5 feet apart — talk to your neighbour about replacing the existing fence with a single new shared fence rather than trying to squeeze two parallel fences into a narrow side yard. A single 6-foot cedar privacy fence centred on the property line, with costs shared, gives both homeowners a better result than two fences crammed into a tight space.

Get it in writing. Whether you're sharing a fence or building independently, a simple written agreement between neighbours about fence location, style, and maintenance avoids future disputes. BC law does not require a formal legal agreement for fence arrangements, but having something in writing — even a signed letter — provides clarity if memories differ later or if either property changes hands.

If you're unsure about your property line location relative to your neighbour's existing fence, invest in a boundary survey before installing your own fence. Vancouver Fence Builders can help you find contractors experienced with tight side-yard installations and shared fence situations across Metro Vancouver.

How do I resolve a fence dispute with my neighbour in British Columbia?

The best way to resolve a fence dispute with your neighbour in BC is through direct communication first, followed by mediation through the BC Civil Resolution Tribunal (CRT) if informal discussions fail — litigation should be an absolute last resort. Fence disputes are among the most common neighbour conflicts in Metro Vancouver, and they almost always cost more in time, stress, and money than the fence itself is worth.

Start with a direct conversation. Many fence disputes arise from misunderstandings — about where the property line actually is, who is responsible for maintenance, what the municipal bylaws allow, or what was agreed upon verbally years ago. Before assuming the worst, talk to your neighbour calmly and specifically about the issue. Bring relevant information: a copy of your property survey (if you have one), the municipal bylaw provisions on fence height and placement, and any written agreements about shared fences. Many disputes dissolve when both parties have accurate information about their rights and responsibilities.

Understand your legal framework. Fence disputes in BC are governed primarily by **Part 5 of the Property Law Act (RSBC 1996, Chapter 377)**, which deals specifically with fences between adjoining properties. The key provisions include: when a fence is located on the common boundary between two properties, both owners share equal responsibility for maintaining it in reasonable condition. Either owner can require the other to contribute to the cost of repairing or replacing a boundary fence that has fallen into disrepair. The Act provides a process for one owner to serve notice on the other requiring contribution to fence costs. If the neighbour receiving notice does not agree, either party can apply to the BC Civil Resolution Tribunal (or, for claims over \$5,000, BC Supreme Court) for a determination.

The BC Civil Resolution Tribunal (CRT) is the primary venue for resolving fence disputes in British Columbia. The CRT is an online dispute resolution tribunal — Canada's first — that handles strata property disputes, small claims, motor vehicle injury disputes, and **neighbour disputes including fences**. The CRT process is designed to be accessible, affordable, and faster than court. Filing fees are **\$75 for the application** and \$100 if the dispute proceeds to a tribunal decision. The entire process is conducted online, with document submission, evidence exchange, and even the hearing (called a "facilitated settlement" or "tribunal decision") happening through the CRT's web portal. Most fence disputes are resolved within 60 to 90 days through the CRT.

Before filing with the CRT, you must complete the CRT's **Solution Explorer** — an online self-help tool at civilresolutionbc.ca that guides you through your specific dispute type and provides information about your rights and options. The Solution Explorer also helps you understand whether the CRT has jurisdiction over your dispute. The CRT can order a neighbour to contribute to fence costs, remove or modify a non-compliant fence, pay damages for property damage caused by fence-related issues, and comply with the Property Law Act's shared

responsibility provisions.

Property line verification is often the key to resolving fence disputes. Many disputes boil down to disagreement about where the property line actually is. A boundary survey by a **licensed BC Land Surveyor** provides legally definitive evidence of the property line. In Metro Vancouver, a boundary survey costs \$500 to \$2,000 depending on lot size, access, and whether existing survey pins can be located. If the survey reveals that a fence is on the wrong side of the property line, that evidence is persuasive in any CRT or court proceeding. The cost of a survey is almost always less than the cost of a prolonged dispute.

Mediation is available through Community Mediation Services in many Metro Vancouver communities and through the CRT's facilitated settlement process. Mediation involves a neutral third party helping both neighbours reach a mutually acceptable agreement. It's voluntary, confidential, and far less adversarial than a tribunal hearing. The CRT encourages mediation and provides facilitation as part of its process at no additional cost.

Common fence disputes in Metro Vancouver include disagreements about who pays for a shared boundary fence (the Property Law Act says both owners share the cost equally), fences built over the property line onto a neighbour's land, a neighbour's fence exceeding height limits and blocking light or views, disagreements about fence style or materials on a shared boundary, damage to a neighbour's property during fence installation, and a neighbour refusing to allow access to their side of the fence for maintenance.

What NOT to do: Never remove or damage a neighbour's fence without legal authority — this can constitute property damage and trespass, exposing you to liability. Never build a retaliatory fence (a "spite fence") designed to annoy your neighbour — courts and the CRT can order these removed. Never assume that because you paid for the fence, you own it exclusively — if it's on the boundary line, the Property Law Act's shared responsibility provisions apply regardless of who paid for construction.

If your dispute involves complex legal questions, significant property value implications, or claims exceeding \$5,000, consult a **BC property lawyer** for specific legal advice. For most standard fence disputes, the CRT at civilresolutionbc.ca is the most practical and affordable resolution path.

Q11

What is the BC Civil Resolution Tribunal and can it help with fence disputes?

The BC Civil Resolution Tribunal (CRT) is Canada's first online dispute resolution tribunal, and yes, it absolutely handles fence disputes between neighbours — it is in fact the primary legal venue for resolving most fence and boundary disputes in British Columbia. The CRT was created under the Civil Resolution

Tribunal Act and has been operating since 2016, specifically designed to provide an accessible, affordable, and efficient alternative to the traditional court system for common disputes.

The CRT has **explicit jurisdiction over neighbour disputes**, which includes fence disagreements of all types: disputes about shared fence costs and maintenance under Part 5 of the BC Property Law Act, fences built over property lines, overheight fences blocking light or views, damage caused during fence installation, refusal to contribute to boundary fence repair or replacement, and disputes about fence style, materials, or placement on shared boundaries. If your fence dispute involves a claim of **\$5,000 or less**, the CRT has exclusive jurisdiction — meaning you must go through the CRT rather than the courts. For fence disputes involving claims between \$5,001 and \$10,000, the CRT shares jurisdiction with BC Small Claims Court, and either venue is available.

The CRT process is conducted entirely online, which makes it particularly accessible for homeowners who can't take time off work to attend court hearings. The process has four stages. **Stage 1: Solution Explorer** — before you can file a dispute, you must complete the CRT's online self-help tool at civilresolutionbc.ca. The Solution Explorer asks you questions about your specific situation and provides tailored legal information about your rights, your neighbour's rights, and the applicable laws. Many disputes are resolved at this stage simply because both parties gain a clear understanding of the law. **Stage 2: Negotiation** — if you file a dispute (application fee: **\$75**), the CRT's online platform allows you and your neighbour to negotiate directly through a messaging system, with access to CRT-provided legal information and negotiation tools. Many disputes settle at this stage without ever reaching a facilitator. **Stage 3: Facilitation** — if negotiation doesn't resolve the dispute, a CRT facilitator (a trained mediator) works with both parties to try to reach a settlement. The facilitation is conducted online through the CRT platform. **Stage 4: Tribunal Decision** — if facilitation fails, a CRT tribunal member reviews all the evidence and submissions and issues a binding written decision. The decision fee is **\$100**. Total fees for a fence dispute that goes all the way to a tribunal decision are therefore **\$175**.

The CRT can order a wide range of remedies for fence disputes, including: payment of money (requiring a neighbour to pay their share of fence costs under the Property Law Act), specific performance (ordering a neighbour to remove a fence, modify a fence, allow access for repairs, or contribute to fence replacement), and declarations (establishing the rights and obligations of each party regarding a shared boundary fence). CRT decisions are legally binding and enforceable through BC Provincial Court — meaning if your neighbour ignores a CRT order, you can file the decision with the court and use the court's enforcement mechanisms (including seizure of assets) to compel compliance.

Timelines for CRT fence disputes are significantly faster than the court system. Most disputes are resolved within **60 to 90 days** from filing to decision, compared to 6 to 18 months or more in the traditional court system. The online format means there's no travel, no waiting in courtrooms, and no scheduling delays — you participate from your home computer on your own time (within CRT deadlines).

What makes the CRT particularly effective for fence disputes is its expertise. CRT tribunal members regularly handle neighbour disputes and are familiar with the Property Law Act, municipal bylaws, and the common fact patterns that arise in fence conflicts. They understand the practical realities — that a fence dispute between neighbours involves people who have to continue living next to each other, and that solutions need to be workable, not just legally correct.

Evidence you should prepare for a CRT fence dispute includes a property survey or Land Title Office records showing the property boundary, photographs of the fence and the dispute area, copies of any written communications with your neighbour about the fence, the applicable municipal bylaw provisions (fence height limits, setback requirements), receipts or estimates for fence costs (if the dispute involves cost-sharing), and any expert reports (such as a surveyor's report or an arborist's report if trees are involved).

Limitations of the CRT include that it cannot handle disputes involving claims over \$10,000 (those go to BC Supreme Court), it does not have jurisdiction over strata common property fences (those are handled through the CRT's separate strata dispute jurisdiction), and it cannot enforce municipal bylaws (only the municipality can do that through bylaw enforcement). If your fence dispute is primarily about a bylaw violation rather than a private property rights issue, your first step should be a complaint to your municipal bylaw enforcement department rather than a CRT application.

The CRT website at civilresolutionbc.ca provides detailed guides on how to file a dispute, what evidence to gather, and what to expect at each stage. It's an excellent resource even if you're not ready to file — the Solution Explorer alone can clarify your legal position and help you have a more productive conversation with your neighbour.

Q12

How much does it cost to file a fence boundary dispute in BC?

Filing a fence boundary dispute through the BC Civil Resolution Tribunal (CRT) costs \$75 for the initial application, with an additional \$100 fee if the dispute proceeds to a tribunal decision — so the maximum CRT filing cost is \$175 total. This makes the CRT by far the most affordable legal venue for resolving fence disputes in British Columbia, and it's the required venue for fence-related claims of \$5,000 or less.

However, the \$175 in CRT fees is just the direct filing cost. To understand the **true cost of resolving a fence boundary dispute**, you need to factor in several other expenses that commonly arise.

Property survey costs are often the largest expense in a fence boundary dispute, and they're almost always necessary. A boundary survey by a licensed BC Land Surveyor is the only legally definitive way to establish where the property line actually is — and most fence disputes ultimately come down to this question. In Metro Vancouver, a boundary survey costs **\$500 to \$2,000** for a standard residential lot, with prices at the higher end for properties with difficult access, dense vegetation, or missing survey pins. Larger rural or irregularly shaped lots can cost \$2,000 to \$3,000 or more. While this seems expensive, a survey provides conclusive evidence that resolves the core factual question in most boundary disputes and is almost always required by the CRT if the property line location is contested.

Land title searches through the BC Land Title Office (LTSA) cost **\$15 to \$20 per title** and are essential for verifying property boundaries, checking for registered easements, and establishing the legal description of both properties. You should search both your title and your neighbour's title. You can do this yourself through the LTSA's myLTSA online portal at ltsa.ca.

Legal advice, while not required for CRT proceedings, is often valuable for fence disputes with significant financial stakes or complex legal issues. A consultation with a BC property lawyer typically costs **\$250 to \$500 per hour**, and most fence disputes can be assessed in a one-hour consultation. Some lawyers offer flat-fee consultations for neighbour disputes. If you're dealing with a dispute involving potential property line encroachment, adverse possession claims, or easement issues, legal advice is money well spent. The CRT process is designed for self-representation, but having a lawyer review your submission before filing can significantly strengthen your case.

If the dispute goes to BC Small Claims Court (for claims between \$5,001 and \$10,000, where you have the option of CRT or Small Claims), the filing fee is **\$100 to \$200** depending on the claim amount. Small Claims Court is more formal than the CRT, involves in-person hearings, and typically takes longer — 6 to 12 months from filing to hearing. You can represent yourself, but many people hire a lawyer or paralegal for Small Claims, adding \$1,500 to \$5,000 in legal fees.

For disputes exceeding \$10,000 — which would include cases where a fence encroachment has affected property value, where extensive property damage occurred during fence installation, or where the cost of removing and replacing a long boundary fence is at stake — the dispute must go to **BC Supreme Court**. Supreme Court filing fees start at approximately **\$200**, but the real cost is legal representation. BC Supreme Court proceedings are complex and virtually require a lawyer. Legal costs for a Supreme Court fence dispute typically range from **\$5,000 to \$25,000 or more**, depending on the complexity and whether the case goes to trial.

Here's a realistic **cost breakdown for a typical CRT fence boundary dispute** in Metro Vancouver:

Minimum costs (straightforward dispute, clear boundary): CRT application fee \$75, land title search \$40, photographs and documentation (your time, no hard cost) — total approximately **\$115 to \$175** if it resolves through

negotiation or facilitation.

Typical costs (boundary in question, survey needed): CRT fees \$175, land title searches \$40, boundary survey \$800 to \$1,500, one-hour legal consultation \$350 — total approximately **\$1,365 to \$2,065**.

Higher-end costs (complex dispute, contested facts): CRT fees \$175, land title searches \$40, boundary survey \$1,500 to \$2,500, expert report (if needed) \$500 to \$1,500, legal advice \$500 to \$1,000 — total approximately **\$2,715 to \$5,215**.

The CRT can order the losing party to reimburse the winning party's CRT fees and reasonable dispute-related expenses, including the cost of a property survey, in its final decision. This is not guaranteed — the CRT has discretion in awarding costs — but it is common for the successful party to recover at least the CRT fees and survey costs.

A practical perspective on costs: The average fence in Metro Vancouver costs \$4,000 to \$12,000 for a standard residential project. If your dispute is about a neighbour refusing to pay their half of a shared boundary fence under the Property Law Act, and the fence costs \$6,000, you're arguing over \$3,000 — for which the CRT at \$175 is a proportionate venue. But if the dispute is about a fence being 15cm over the property line, the cost of a survey (\$1,000+), CRT process (\$175), and the stress involved may exceed the value of the 15cm strip. Sometimes the most cost-effective resolution is a conversation over coffee.

Can my neighbour legally remove a fence that I paid for in British Columbia?

It depends entirely on where the fence is located relative to the property line — if the fence sits on the common boundary between your properties, your neighbour has rights to the fence under BC's Property Law Act regardless of who paid for it, but they cannot unilaterally remove it without following proper legal process. If the fence is entirely on your property, your neighbour has no right to touch it whatsoever, and removing it would constitute property damage and potentially trespass.

The critical question is **where exactly the fence sits**, and this is where many disputes begin. There are three possible scenarios, each with very different legal implications.

Scenario 1: The fence is on the common boundary line. Under **Part 5 of the BC Property Law Act (RSBC 1996, Chapter 377)**, when a fence is located on the boundary between two adjoining properties, both property owners share responsibility for maintaining it — regardless of who originally paid for construction. This is a legal principle that surprises many homeowners. If you paid \$8,000 to build a cedar privacy fence directly on the property line, the law treats it as a shared boundary fence that both you and your neighbour have rights to. Your neighbour cannot simply tear it down without your agreement, but they also have a legal interest in it. If the fence falls into disrepair, either owner can require the other to contribute to its repair or replacement. If your neighbour wants to remove the boundary fence and you don't agree, you can apply to the **BC Civil Resolution Tribunal (CRT)** for an order preventing removal or requiring contribution to a replacement.

Scenario 2: The fence is entirely on your property. If the fence is set back even a few centimetres from the property line onto your side, it is your fence exclusively. Your neighbour has no legal right to modify, damage, or remove it. If they do, they are liable for **property damage** — you can claim the cost of repair or replacement through the CRT (for claims up to \$5,000) or BC Small Claims Court (up to \$35,000). You could also report the removal to police as **mischief** under the Criminal Code, though police rarely pursue fence disputes as criminal matters unless there are aggravating circumstances.

Scenario 3: The fence is entirely on your neighbour's property. If a survey reveals that the fence you paid for was actually built on your neighbour's side of the property line — even by a small amount — the legal situation becomes complicated. You built a structure on someone else's property, and your neighbour may have the right to require its removal. This is one of the strongest arguments for getting a **property line survey before building any fence** — a \$500 to \$2,000 survey prevents a \$5,000 to \$15,000 dispute.

The practical reality in Metro Vancouver is that most residential fences are built approximately on the property line, without a precise survey, by one homeowner who pays the full cost. Over decades, fences are replaced, shifted slightly, and the original property line becomes uncertain. When a new neighbour moves in — or when an

existing neighbour relationship deteriorates — the question of who owns the fence and who can do what with it suddenly matters.

What to do if your neighbour threatens to remove your fence: First, determine whether the fence is on the boundary or on your property. If you don't have a recent survey, this may require hiring a BC Land Surveyor (\$500 to \$2,000 in Metro Vancouver). Second, communicate in writing (email or letter) that you do not consent to the fence's removal and that you believe the fence is your property (or a shared boundary fence under the Property Law Act). Written communication creates a record that is valuable if the dispute escalates. Third, if your neighbour removes the fence despite your objection, document the damage with photographs and video, including the state of the fence before and after removal. Fourth, file a dispute with the **BC Civil Resolution Tribunal** at civilresolutionbc.ca — the application fee is \$75, and the CRT can order your neighbour to pay for repairs, replacement, or damages.

What your neighbour CAN do with a boundary fence under the Property Law Act includes requiring you to share the cost of maintenance and repair, proposing that the fence be replaced (with shared costs), and making reasonable use of their side of the fence (attaching plants, painting their side). What they **cannot do** unilaterally is remove the fence, significantly alter its height or structure, or replace it with a different type of fence without your agreement. Any unilateral action that damages or removes a boundary fence can result in a CRT order requiring restoration and compensation.

Protecting yourself when you pay for a boundary fence: If you're paying the full cost of a fence that sits on or near the property line, consider these steps. Get a written agreement with your neighbour before construction that acknowledges the fence location, who paid, and the shared maintenance responsibilities under the Property Law Act. Ensure the fence is built entirely on your property (set back 5 to 10cm from the survey line) so it's unambiguously yours — though this means you lose a few centimetres of yard space. Keep all receipts, contracts, and photographs of the installation. These records are essential evidence if a dispute arises years later with a new neighbour who wasn't party to the original arrangement.

If you're currently facing a fence removal threat or dispute, the CRT's Solution Explorer at civilresolutionbc.ca can help you understand your specific rights before you decide whether to file a formal dispute.

Q14

Should I get a survey done before replacing a fence that's been there for 20 years in BC?

Yes, getting a property survey before replacing a long-standing fence is strongly recommended in BC — and for a fence that's been in place for 20 years, it's arguably essential. A fence that was installed two decades ago may not be on the actual property line, and replacing it in the same location without verifying the boundary can perpetuate or even create a legal problem that's far more expensive than the cost of a survey.

The core issue is that **the original fence may never have been on the property line to begin with.** Twenty years ago, the homeowner who installed it may have eyeballed the boundary, relied on a neighbour's verbal agreement, or simply matched the position of an even older fence. Over those 20 years, property ownership may have changed multiple times on both sides, and the current neighbours may have very different expectations about where the boundary sits. Without a survey, you have no way to know whether the existing fence is 6 inches on your side, dead on the line, or 6 inches on your neighbour's property.

In British Columbia, there is a legal concept called "adverse possession" that makes old fence lines particularly tricky. Under the BC Limitation Act, if someone has openly and continuously possessed land (including a strip beyond a fence) for 15 years or more, they may have a claim to that land — even if it's technically on your side of the legal property line. A 20-year-old fence that's been sitting 12 inches inside your neighbour's property could mean your neighbour has been "possessing" that strip for longer than the limitation period. Conversely, if the fence is 12 inches inside your property, your neighbour may have acquired rights to that strip. These situations are legally complex and can require a property lawyer to sort out, but a survey is the essential first step in understanding where things stand.

A **boundary survey by a licensed BC Land Surveyor (BCLS)** typically costs \$1,000 to \$3,000 for a standard residential lot in Metro Vancouver, depending on lot size, terrain, access, and whether existing survey pins can be located. The surveyor will research the legal plan of your property at the BC Land Title Office, locate or re-establish survey monuments (iron pins or posts set at property corners), and provide you with a survey certificate showing the exact legal boundaries. Some surveyors offer a less expensive "fence location" service (\$500 to \$1,500) that simply determines where the existing fence sits relative to the property line without a full boundary re-establishment.

The practical benefits of surveying before replacing extend beyond legal protection. If the survey confirms the fence is on the property line, you and your neighbour can discuss sharing the replacement cost under the BC Property Law Act, which provides that boundary fence costs may be shared between adjoining property owners. If the fence is entirely on your property, you know you're replacing your own fence and have full control over material, style, and timing. If it turns out the fence is on your neighbour's property, you've avoided the expensive mistake of paying to replace someone else's fence — or worse, building a new fence on land you don't own.

Talk to your neighbour before the survey. A property survey is not an adversarial act — frame it as a practical step to ensure the replacement fence is in the right place so both of you can benefit. Many neighbours are relieved

to have clarity, especially if they've also been unsure about the boundary. If your neighbour is hostile to the idea, that's actually a stronger reason to get the survey done before investing thousands of dollars in a new fence.

When you can potentially skip the survey: If you have a recent survey (within the last 5 to 10 years) that shows the fence location relative to the property line, and the fence hasn't moved, you may be able to rely on that existing survey. Also, if you're replacing the fence in the identical location and both you and your neighbour are in clear written agreement about the boundary, some homeowners proceed without a new survey — though this still carries some risk.

The \$1,000 to \$3,000 cost of a survey is a small fraction of a fence replacement project that will typically cost \$5,000 to \$15,000 or more. Think of it as insurance against a boundary dispute that could cost \$10,000 to \$50,000 in legal fees and forced fence removal. If you need help finding a fence contractor after your survey confirms the boundary, Vancouver Fence Builders can match you with experienced professionals for free.

Q15

How do I verify that a fence contractor has WorkSafeBC coverage?

You can verify a fence contractor's WorkSafeBC coverage by requesting a clearance letter through WorkSafeBC's free online Clearance Letter application at worksafebc.com — the process takes just a few minutes and gives you a definitive answer about whether the contractor is registered and in good standing. This is one of the most important steps you can take before hiring any contractor in BC, and it's completely free.

A **WorkSafeBC clearance letter** confirms two things: that the contractor's business is registered with WorkSafeBC, and that they are current on their premium payments. The letter states whether the firm is "active and in good standing" — meaning they've been reporting payroll and paying their workers' compensation assessments as required. If the firm is not in good standing, the letter will indicate that premiums are owing, which means the contractor may not have valid coverage for their workers.

Here's how to get a clearance letter step by step:

Visit WorkSafeBC's Clearance Letter web application (accessible through worksafebc.com under Insurance > Clearance Letters). You'll need the contractor's business name or their WorkSafeBC account number. Enter the contractor's information, specify that the letter should be addressed to you (this is important — a clearance letter must be addressed to the hiring party to be valid), and submit the request. The system will generate a clearance letter that you can view and print immediately. The entire process takes less than 5 minutes.

Understanding the clearance letter results is straightforward. A letter showing "active and in good standing" means the contractor is registered and current on premiums up to the date indicated on the letter. Contractors with an excellent compliance history may qualify for **GoldStar clearance status**, which means they've had a good track record of reporting payroll and paying premiums, and their account has been active for at least 24 of the last 36 months. GoldStar status provides advance clearance, typically to the start of the next quarter, giving you additional confidence that coverage will remain in effect during your project.

If the clearance letter shows the firm is "**not in good standing**" or indicates that assessments are owing, proceed with extreme caution. A contractor who is behind on WorkSafeBC premiums may not have valid workers' compensation coverage, which means that if one of their workers is injured on your property, you could be held financially responsible for the worker's medical costs, wage loss benefits, and rehabilitation under the BC Workers Compensation Act.

Request clearance letters at two key points — before the project starts and after it's completed. The pre-project clearance confirms coverage when you hire the contractor. The post-project clearance confirms that coverage was maintained throughout the work period. If the post-project clearance shows the contractor fell behind on premiums during your project, WorkSafeBC may assess you (the property owner) for the unpaid premiums related to work performed on your property. This sounds harsh, but it's how the system works — and it's why verification matters.

Beyond the clearance letter, ask the contractor directly about their WorkSafeBC registration. A legitimate fence contractor in Metro Vancouver will know their WorkSafeBC account number, understand the clearance letter process, and have no hesitation about providing verification. Red flags include: the contractor says they're a "sole proprietor" and don't need WorkSafeBC (some sole proprietors with no employees are exempt, but they should still be able to explain their status clearly); the contractor says their coverage is "through their insurance" (WorkSafeBC is separate from CGL insurance — they are not interchangeable); or the contractor becomes evasive or defensive when you ask about coverage.

Important distinction: WorkSafeBC coverage and Commercial General Liability (CGL) insurance are different things. WorkSafeBC covers worker injuries — if an employee is hurt on the job, WorkSafeBC pays for their medical treatment and lost wages, and protects you from being sued by the injured worker. CGL insurance covers property damage and third-party injuries — if the contractor damages your neighbour's property or a passerby trips over construction materials. You need to verify both before hiring a fence contractor. A contractor with WorkSafeBC coverage but no CGL insurance still leaves you exposed to property damage claims, and vice versa.

The few minutes it takes to check a clearance letter can save you from thousands of dollars in unexpected liability. It's free, it's fast, and any contractor worth hiring will support you doing it. If you need help finding fully covered fence contractors in Metro Vancouver, Vancouver Fence Builders can match you with professionals who carry

proper WorkSafeBC coverage and CGL insurance.

How do I deal with a shared fence when selling my home in BC?

When selling a home in BC with a shared boundary fence, you should understand the fence's legal status under BC property law, disclose any known issues or disputes to potential buyers, and ideally resolve any outstanding fence-related conflicts before listing — because unresolved fence disputes can delay or derail a sale. The BC Property Law Act governs shared fence responsibilities, and how you handle the fence during a sale can affect both the transaction and your legal obligations.

Under the **BC Property Law Act (Part 5 — Fences)**, when a fence sits on the property line between two parcels, both property owners share responsibility for maintaining the fence in a "reasonable state of repair." This shared obligation runs with the land, meaning it transfers to the new owner when you sell. Your buyer inherits whatever fence arrangement exists — including any informal agreements with your neighbour about who maintains or paid for the fence. This is why clarity about the fence's status matters during a sale.

Before listing your home, assess the condition of all shared boundary fences. A leaning, rotted, or damaged shared fence raises questions in buyers' minds — not just about the fence itself, but about potential neighbour disputes, deferred maintenance, and hidden costs. If the shared fence is in poor condition, you have several options: repair or replace it yourself (the cost is often modest compared to the impact on sale price), split the cost with your neighbour under the Property Law Act's cost-sharing provisions, or at minimum, get a written quote so you can transparently disclose the issue and estimated repair cost to buyers.

Disclosure is legally required in BC. The Property Disclosure Statement (PDS), which most BC real estate transactions include, asks specifically about boundary disputes, encroachments, and issues with neighbouring properties. If you have an ongoing disagreement with a neighbour about a shared fence — who should pay for repairs, whether the fence is on the correct property line, or any related conflict — you are legally obligated to disclose this. Failing to disclose a known fence dispute can expose you to a lawsuit from the buyer after closing if they discover the issue.

Common shared fence scenarios when selling:

The fence is in good condition and there are no disputes. This is the ideal situation. No special action needed beyond normal property presentation. If you and your neighbour split the cost of a recent fence installation or major repair, having receipts or a written agreement about the cost-sharing arrangement is helpful if the buyer asks about the fence's history and maintenance.

The fence needs repair or replacement. If the fence is visibly deteriorated, address it before listing if possible. A \$2,000 to \$5,000 shared fence replacement (your half being \$1,000 to \$2,500) can prevent a much larger impact on

your sale price. Buyers in Metro Vancouver's competitive market have plenty of options, and a bad fence is an easy reason to skip a listing or submit a lower offer. If your neighbour won't contribute to the cost, you can still replace the fence on your own — just ensure it's placed on or within your property line to avoid complications.

There's a dispute about the fence location or property line. This is the most problematic scenario for a sale. If the fence is not on the actual property line, the buyer needs to know. A fence built several inches onto your neighbour's property could technically be on their land — meaning the neighbour could demand its removal. Conversely, a fence built on your side of the line means you've been ceding usable land to your neighbour. A **BC Land Title survey** (\$500 to \$2,000) definitively establishes where the property line is, and many real estate lawyers recommend completing one before listing if there's any uncertainty about fence placement.

Your neighbour recently demanded you pay for a new fence. Under the BC Property Law Act, a property owner can serve a written notice requiring the adjacent owner to contribute to fence repair or replacement costs. If you've received such a notice and haven't resolved it before selling, this must be disclosed. The obligation may transfer to the buyer, and they deserve to know about it.

Practical tips for a smooth sale:

Get any verbal agreements with neighbours about shared fences **in writing** before you sell. A simple letter signed by both parties confirming who paid for the fence, when it was installed, and any ongoing maintenance arrangements provides clarity for the buyer and their lawyer.

If the fence was **recently replaced**, keep all receipts and warranty documentation to pass to the buyer. A fence with a remaining contractor warranty is a selling point.

Consider **staining or cleaning the fence** before listing, even if it's structurally sound. In Metro Vancouver's climate, fences accumulate moss, algae, and weathering that make them look worse than they are. A professional fence cleaning at \$2 to \$4 per linear foot can dramatically improve the appearance of a shared fence for your listing photos.

For complex boundary or shared fence issues, consult a **BC real estate lawyer** before listing. Fence disputes are a common source of post-sale litigation in BC, and a lawyer can advise on your disclosure obligations and help you resolve issues cleanly before they complicate your transaction.

Disclaimer: This guide is provided for informational purposes only by Vancouver Fence Builders. It does not constitute professional advice. Always consult qualified, licensed contractors and your local building authority before starting any fencing project. Information is current as of March 15, 2026 and may change. Visit vancouverfencebuilders.com for the latest answers.