

## 29. Rights/responsibilities of neighbours.

- Access, encroachment, fences, water runoff, etc. (March, 2024, Informer)



### **RULES OF 'BEING A GOOD NEIGHBOUR' ACCORDING TO THE CIVIL CODE.**

From time to time, the Urban Planning department is asked to intervene in issues involving neighbours. For example, a resident complained that a shared hedge was cut down by his neighbour without authorization or, there was a case where a neighbour refused to maintain his portion of a fence built on the dividing property line. Issues such as these, are not under the purview of the town's by-laws but rather under Quebec's Civil Code.

Quebec's Civil Code has defined the rules of behaviour that would ensure good relations between neighbours. A summary of these rules are published by the Ministry of Justice at [www.justice.gouv.qc.ca](http://www.justice.gouv.qc.ca), under the heading 'Being a Good Neighbour'.

Issues covered in this document are those which take place solely on private domains, where actions of one neighbour can potentially affect another one. The Civil Code states, explains and gives options to the following issues:

Property limits and boundary determinations, Access to your property, Encroachment on your land, Direct Views, Right of Way, Water Runoffs (from roofs), Fences (including hedges, ditches, walls and barriers), Tree planting and maintenance, Noise, and finally, solving disagreements between neighbours.

If you are having issues regarding any of the topics highlighted above, the best practice of 'Being a Good Neighbour' is to communicate with your neighbour and try to solve the problem in an amicable fashion. You should keep your neighbors informed of any projects, construction or special events that might affect them. Prevention and communication may well save you aggravation, time and in some cases, money. In addition, I encourage you to consult the above-mentioned document to learn about your rights and options.

Thank you for reading!

Maria Torres, Councillor  
Urban Planning  
[mtorres@montreal-west.ca](mailto:mtorres@montreal-west.ca)