

north shore news

North Vancouver townhouse neighbours settle driveway border war

Court grants Lynnmour Village access to Premier Street

Chris Slater / North Shore News

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Messages for Edgewater Estates residents from their neighbours at Lynnmour Village are pinned to a hedge behind a chain blocking driveway access in March 2014. The sign reads "When 100 children were asked, What is the nicest thing you can do for your neighbour? This is how they responded." File photo Paul McGrath

A legal battle over land between two North Vancouver townhouse complexes has finally been resolved after a dispute that lasted more than a year.

Lynnmour Village and Edgewater Estates, adjacent complexes in the District of North Vancouver, got into a legal battle after an early 2014 land assessment revealed a 369-square-foot portion of land rightfully belonging to Edgewater Estates ran across Lynnmour's driveway off Premier Street.

Edgewater Estates responded by putting up a chain barricade that barred Lynnmour residents

from using the driveway, even though Lynnmour residents had used the driveway for more than 40 years as well as funded its upkeep. However, following hearings before B.C. Supreme Court last year, Justice Jane Dardi ruled in late March of this year that the contested land should be made available to

Lynnmour Village for purchase, something resident Penny Greening, who initially took part in the dispute, is pleased with.

“So, at this point I’m happy that the court has ruled that they’re going to sell it for a fee, because at least we know that it’s a piece of land, it has a certain amount of value and that’s the right thing to do,” she said.

After Lynnmour Village took Edgewater Estates to court last year, both sides of the argument were discussed. Lynnmour Village expressed concerns over losing access to the driveway, which connects the complex with Premier Street and all units have as their street address. There were also concerns on the effect the blocked driveway would have on first responders gaining access to the complex after emergency vehicles were twice blocked from the chain Edgewater officials had erected across the driveway.

Meanwhile, officials on the Edgewater side, represented by EE Management Corp., claimed that the contested driveway was little more than a convenience to Lynnmour residents.

Edgewater officials said they had plans to move their garbage facilities to their rightfully owned land in order to open up six more parking spaces for residents. The defendant was seeking damages of \$6,878.67 for the trespass, reflecting calculations of insurance premiums and property taxes over a set amount of years.

Both parties have been ordered by the court to come up with a mutually agreed upon amount for Lynnmour to pay to Edgewater in order to obtain the small triangle of land. Edgewater in turn was awarded \$6,000 to compensate “for the ongoing trespass to the date the transfer of land is effected.”

Officials of Edgewater Estates did not get back to the North Shore News’s request for comment before deadline.

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