



200 Brady St., P.O. Box 5555 Stn. A Sudbury ON P3A 4S2

POSTED  
DEC 17/19Application for Adjustment of Taxes  
for the Year 2019Under Section 357 ☐ or Section 358 ☒ of the Municipal Act, 2001

Assessed Address <b>MC FARLANE LAKE RD</b>		Roll Number <b>090.008.12501.0000</b>
Name of Assessed Person <b>COTNAM HELEN OHLA</b> (DECEASED 20190224)		Telephone No.
Mailing Address of Assessed Person [REDACTED]		Postal Code [REDACTED]
Name of Applicant <b>GARY COTNAM (CO-EXECUTOR W/ JERRIE MACISAAC)</b>		Telephone No. [REDACTED]
Mailing Address of Applicant [REDACTED]		Postal Code [REDACTED]
<b>REASON FOR APPLICATION</b> (Check appropriate box – ONE only)		
<input type="checkbox"/> Ceased to be liable to be taxed at rate it was taxed - s. 357(1)(a) <input type="checkbox"/> Mobile unit removed - s. 357(1)(e)		
<input type="checkbox"/> Became exempt - s. 357(1)(c) <input checked="" type="checkbox"/> Gross or manifest clerical error - s. 357(1)(f) or s. 358(1)		
<input type="checkbox"/> Destruction or damage - not voluntary - s. 357(1)(d)(i) <input type="checkbox"/> Repairs/Renovations preventing normal use for a period of 3 months - s. 357(1)(g)		
<input type="checkbox"/> Destruction or damage - (substantially unusable) s. 357(1)(d)(ii) <input type="checkbox"/>		
Details of Reason ..... <u>PLEASE SEE REASON ON 2017 TAX ADJUSTMENT APPLICATION</u> .....		
Period Tax Relief Claimed: From <u>01-Jan-2019</u> To <u>31-Dec-2019</u>		
Applicant's Signature ..... <u>Gary Cotnam</u> ..... Date of Application ..... <u>20191209</u> .....		

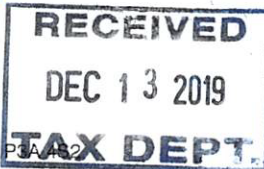
CLERK'S REPORT	
Original RTC/RTQ	Original Current Value
RTES	\$30,250

Comments. <u>SEE COMMENTS ON 2017 TAX ADJUSTMENT APPLICATION.</u>
Name of Clerk (Please Print) <u>MONIQUE ROBINHAUD</u>
Signature of Clerk <u>M Robinhaud</u> Date <u>Dec 16/19</u>

DEPARTMENT USE ONLY
The information on this form is collected under the authority of Sections 357 and 358 of the Municipal Act, 2001, S.O. 2001, c25, for the purpose of determining the eligibility of a property tax adjustment. Questions about the collection of the information can be directed to the Manager of Taxation at the City of Greater Sudbury, 200 Brady Street, Sudbury, Ontario P3A 5P3, telephone number 705-674-4455 extension 2601.



200 Brady St., P.O. Box 5555 Stn. A Sudbury ON P3A 4S2

POSTED  
Dec 17/19Application for Adjustment of Taxes  
for the Year 2018Under Section 357 ☐ or Section 358 ☒ of the Municipal Act, 2001

Assessed Address <b>MC FARLANE LAKE RD</b>	Roll Number <b>090.008.12501.0000</b>
Name of Assessed Person <b>COTNAM HELEN OHLA</b> (DECEASED 20190224)	Telephone No.
Mailing Address of Assessed Person [REDACTED]	Postal Code [REDACTED]
Name of Applicant <b>GARY COTNAM</b> (CO-EXECUTOR W/ JESSIE MACISAAC)	Telephone No. [REDACTED]
Mailing Address of Applicant [REDACTED]	Postal Code [REDACTED]

**REASON FOR APPLICATION** (Check appropriate box – **ONE** only)

<input type="checkbox"/> Ceased to be liable to be taxed at rate it was taxed - s. 357(1)(a)	<input type="checkbox"/> Mobile unit removed - s. 357(1)(e)
<input type="checkbox"/> Became exempt - s. 357(1)(c)	<input checked="" type="checkbox"/> Gross or manifest clerical error - s. 357(1)(f) or s. 358(1)
<input type="checkbox"/> Destruction or damage - not voluntary - s. 357(1)(d)(i)	<input type="checkbox"/> Repairs/Renovations preventing normal use for a period of 3 months - s. 357(1)(g)
<input type="checkbox"/> Destruction or damage - (substantially unusable) s. 357(1)(d)(ii)	<input type="checkbox"/>

Details of Reason ..... PLEASE SEE REASON ON 2017 TAX ADJUSTMENT APPLICATION .....

Period Tax Relief Claimed: From 01-Jan-2018 To 31-Dec-2018

Applicant's Signature ..... Gary Cotnam ..... Date of Application ..... 20191209 .....

CLERK'S REPORT	
Original RTC/RTQ	Original Current Value
RTES	\$29,000

Comments..... SEE COMMENTS ON 2017 TAX ADJUSTMENT APPLICATION. .....

Name of Clerk (Please Print) ..... MONIQUE ROBECHAND .....

Signature of Clerk ..... M. Robechand ..... Date ..... Dec 16/19 .....

DEPARTMENT USE ONLY
The information on this form is collected under the authority of Sections 357 and 358 of the Municipal Act, 2001, S.O. 2001, c25, for the purpose of determining the eligibility of a property tax adjustment. Questions about the collection of the information can be directed to the Manager of Taxation at the City of Greater Sudbury, 200 Brady Street, Sudbury, Ontario P3A 5P3, telephone number 705-674-4455 extension 2601.





POSTED  
DEC 17/19



# Application for Adjustment of Taxes for the Year 2017

200 Brady St., P.O. Box 5555 Stn. A Sudbury ON P3A 5P3

Under Section 357 ☐ or Section 358 ☒ of the Municipal Act, 2001

Assessed Address <b>MC FARLANE LAKE RD</b>	Roll Number <b>090.008.12501.0000</b>
Name of Assessed Person <b>COTNAM HELEN OHLA</b> (DECEASED 20190224)	Telephone No. [REDACTED]
Mailing Address of Assessed Person [REDACTED]	Postal Code [REDACTED]
Name of Applicant <b>GARY COTNAM (CO-EXECUTOR WITH JESSE MACISAAC)</b>	Telephone No. [REDACTED]
Mailing Address of Applicant [REDACTED]	Postal Code [REDACTED]

## REASON FOR APPLICATION (Check appropriate box – ONE only)

- |  |  |
|--|--|
| <input type="checkbox"/> Ceased to be liable to be taxed at rate it was taxed - s. 357(1)(a) | <input type="checkbox"/> Mobile unit removed - s. 357(1)(e)  |
| <input type="checkbox"/> Became exempt - s. 357(1)(c)  | <input checked="" type="checkbox"/> Gross or manifest clerical error - s. 357(1)(f) or s. 358(1)           |
| <input type="checkbox"/> Destruction or damage - not voluntary - s. 357(1)(d)(i)             | <input type="checkbox"/> Repairs/Renovations preventing normal use for a period of 3 months - s. 357(1)(g) |
| <input type="checkbox"/> Destruction or damage - (substantially unusable) s. 357(1)(d)(ii)   | <input type="checkbox"/>   |

Details of Reason ROLL # 090.008.00101.0000 (RESIDUAL OF PARCEL 5368) WAS ERRONEOUSLY COMBINED WITH ROLL # 090.008.12501.0000 (CROWN LAND) ON OCT 21, 1972 BY PROPERTY ASSESSOR FRED LAPIERRE

Period Tax Relief Claimed: From 01-Jan-2017 To 31-Dec-2017

Applicant's Signature [Signature] Date 20191209

## CLERK'S REPORT

Original RTC/RTQ	Original Current Value
RTES	\$27,750

Comments DAVE DORLAND, ONTARIO LAND SURVEYOR, HAS RE-CONFIRMED THE CROWN LAND STATUS OF ROLL 090.008.12501.0000 IN 2016. SEE ATTACHED DOCUMENT. FURTHERMORE, THE REGISTRY WAS IN ERROR IN SHOWING ONLY THE CROWN LAND PORTION AND NOT THE TRUE RESIDUAL OF PARCEL 5368 (PREVIOUS ROLL # 090.008.00101.0000). THIS ERROR HAS BEEN CORRECTED BY OUR LAWYER, CARTER FORTIER. THE SMALL PART NOW REMAINING IS A VERY SMALL FRACTION OF 3 ACRES QUOTED BY MR LAPIERRE. NO SURVEYS HAVE BEEN DONE.

Name of Clerk (Please Print) MONIQUE ROBINHAUD  
Signature of Clerk [Signature] Date Dec 10/19

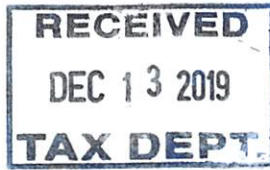
## DEPARTMENT USE ONLY

The information on this form is collected under the authority of Sections 357 and 358 of the Municipal Act, 2001, S.O. 2001, c25, for the purpose of determining the eligibility of a property tax adjustment. Questions about the collection of the information can be directed to the Manager of Taxation at the City of Greater Sudbury, 200 Brady Street, Sudbury, Ontario P3A 5P3, telephone number 705-674-4455 extension 2601.

To: Kyla Bell

From: Gary Cotnam

Date: December 10, 2019



Subject: Application for Adjustment of Taxes for 2017, 2018, 2019, 2020

Kyla, there are several parts to this package, each separated by staples; hopefully these instructions will make it quicker and easier for you for study.

The first part establishes our authority to act as co-executors for our late mother's estate. I've enclosed her Will and proof of death documents for my late father and mother. You'll see that since my father predeceased my mother, my sister, Jessie Elizabeth MacIsaac, and myself, William Gary Cotnam are named as Executors.

The second part is the four "Application for Adjustment of Taxes" forms for the years 2017, 2018, 2019 and 2020, which you kindly partially filled out for us. I've completed them, dated and signed.

The third part is a letter from Property Assessor, Fred LaPierre, dated October 21, 1992. We provided this letter at our meeting on July 5, 2017. We don't know if this is the origin of the problem or not but it is the earliest evidence we've uncovered so far. I refer to this letter in the "Application for Adjustment of Taxes" forms.

Part four is a PIN map from the Land registry Office for PIN 73477-0223 which shows it defined as a single triangular-shaped property located on the north shore, which turns out to be Crown Land, whereas it should also have identified the residual of Parcel 5368, located along the east boundary near the north east corner and which we call the "Little Rock". The page immediately following the PIN map is extracted from the original surveyor's 1993 report. This shows the two parts vividly: the "Crown Land" in red and the "Little Rock" in yellow.

Part five is a huge document by Ontario Land Surveyor, Dave Dorland with two pieces:

- work done in 1993, when our late mother was an executor for the estate of her late father, Michael Cybulka, and
- confirmation work that was done in 2016.

Both of these works establish that the triangular piece is indeed Crown Land and that the residual of Parcel 5368 is the "Little Rock". Neither the "Little Rock" nor the Crown Land triangular pieces were surveyed by Dorland. All of the content as belatedly obtained from D.S. Dorland Limited on 20180625 is enclosed for your perusal. That was our first look at these reports, which were only hearsay until then.

The final part six is an email confirmation from our lawyer, Carter Fortier, that the Registry has been corrected to show the true state of affairs. PIN 73477-0223 has been retained and it now only defines the "Little Rock". I've never actually seen the "Little Rock" but understand it to be a projection of rock into McFarlane Lake and adjacent to PIN 73479 as identified in the new PIN map.

Gary Cotnam





ASSESSMENT REGION NO. 30  
Districts Sudbury, Manitoulin

RÉGION D'ÉVALUATION N° 30  
Les districts de Sudbury et de Manitoulin

*Parcel = PARCEL 75368  
Concession = CONCESSION 4  
L = LOT - 1  
McFARLAND LAKE*

Provincial Tower  
199 Larch Street  
Sudbury, Ontario  
P3E 5P9

Édifice provincial  
199, rue Larch  
Sudbury (Ontario)  
P3E 5P9

*5368 Con4 Lot 1*

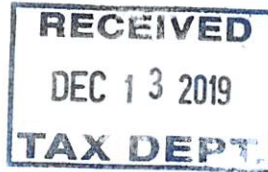
October 21, 1992

(705) 675-4200 or  
1-800-465-7726

(705) 675-4200 ou  
1-800-465-7726

Facsimile No.  
(705) 675-6610

N° de télécopieur  
(705) 675-6610



TO WHOM IT MAY CONCERN:

Please be advised that Roll #53 07 090 008 001 01 0000 *Parcel 5368*  
and Roll #53 07 090 008 125 01 0000 were combined. The only  
thing that has changed is the site area which is now .3 of an  
Acre. The assessed value stays the same.

Yours truly,

Fred LaPierre  
Property Assessor

FL/sjm



290 LARCH ST.  
SUDBURY, ONT.  
P3B 1M1

PHONE: (705) 673-2556  
FAX: (705) 673-1051

# D. S. Dorland Limited

ONTARIO LAND SURVEYORS  
PLANNING CONSULTANTS

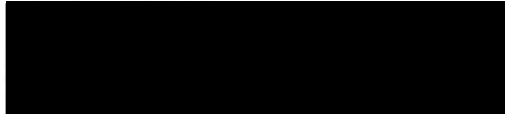
D.S. DORLAND, B.Sc., O.L.S.  
D.R. BRUCE, O.L.S.  
A. BORTOLUSSI, B.E.Sc., O.L.S.  
D.M. EBEL, B.Sc., O.L.S.

ON REPLY PLEASE QUOTE  
FILE NO.

9892

February 25, 1993

Helen Cotnam



*Client  
copy of  
original  
report*



Dear Mrs. Cotnam:

RE: Description Reference Plan of  
Remainder of Parcel 5368 S.E.S.  
Township of Broder  
City of Sudbury  
(Leedale Avenue)

Enclosed please find an invoice for the work we have done to date. Our services were required to prepare a description reference plan on the abovenoted parcel. However, after completing a thorough investigation of this property, it was concluded that the portion of property thought to be the remainder of Parcel 5368 S.E.S. was not in fact the same as you described. A survey report was prepared to assist you in understanding the details which led us to this conclusion.

Enclosed please find a copy of the survey report along with accompanying diagrams. Please review this report and forward your payment for our services to date.

If you have any questions with respect to this report, or if you require additional services, please do not hesitate to contact our office.

Yours truly,  
D.S. DORLAND LIMITED

D.S. Dorland, B.Sc.  
Ontario Land Surveyor

DSD/cc  
Encl.



290 LARCH ST.  
SUDBURY, ONT.  
P3B 1M1

PHONE: (705) 673-2556  
FAX: (705) 673-1051

# D. S. Dorland Limited

ONTARIO LAND SURVEYORS  
PLANNING CONSULTANTS

D.S. DORLAND, B.Sc., O.L.S.  
D.R. BRUCE, O.L.S.  
A. BORTOLUSSI, B.E.Sc., O.L.S.  
D.M. EBEL, B.Sc., O.L.S.

ON REPLY PLEASE QUOTE  
FILE No.

INVOICE NO.11809

9892

February 25, 1993  
GST REGISTRATION NO.R101500635

ESTATE MA. CYBOLKA  
Helen Cotnam

RE: PROFESSIONAL SURVEYING SERVICES

~~Description Reference Plan of~~  
Remainder of Parcel 5368 S.E.S.  
Township of Broder  
District of Sudbury  
(Leedale Avenue)

- To: Receiving your instructions and preparing your file  
To: Searching at Land Registry Office for title and plan information  
and other survey offices for field notes and other information  
To: Reviewing project requirements with field crew  
To: Carrying out field work including  
-Searching and assessing evidence of boundaries  
-Determining the position of the boundaries  
To: Office reviewing and verification of field procedures, computer  
calculations and preparation of report  
To: Reporting to you

Professional Fees \$ 1,226.00 TX TOTAL FEES: \$ 1,226.00  
Disbursements:  
Title Fees 20.00

TOTAL DISBURSEMENTS: 20.00  
~~SUB-TOTAL 1,246.00~~  
GST AT 7%: 85.82  
TOTAL OF INVOICE: \$ 1,331.82

(TX denotes taxable item)

ALL ACCOUNTS DUE WHEN RENDERED  
INTEREST AT 2% PER MONTH CHARGED ON OVERDUE ACCOUNTS

*Paid by Cheque*  
*Thank You*  
*Dave Dorland*

Received from  
Reçu de

March 02 1993

504

Estate M. G. G. Helme Cotnam

D.S. DORLAND LTD.  
ONTARIO LAND SURVEYORS  
298 LARCH STREET  
SIDBURY, ONTARIO  
(705) 873-2556 P&S 1M1

Thirteen Hundred Thirty-One <sup>82</sup> 100 Dollars

File 9892

Invoice 11809 Paid Full

\$ 1331.82

M. G. G. Helme

CLIQUE



REPORT TO CLIENT:

**Purpose of Survey:** To survey the remainder of Parcel 5368 Sudbury East Section and to prepare a Description Reference Plan on the same.

**Problem:** Client believed area highlighted orange on Diagram 1 to be part of the remainder of Parcel 5368 S.E.S. when in fact the only portion of Parcel 5368 remaining is that area highlighted yellow on the easterly part of McFarlane Lake (also shown on Diagram 1).

It is understandable how one could mistake the property in question to be registered under Parcel 5368 S.E.S. since it is clearly shown as such on the Broder Township Assessment Map (see Diagram 2). However, after thoroughly examining parcel descriptions, plans and documents from the Land Registry Office, I learned that this was only one of four errors found on this assessment map (see circled numbers 1 to 4 on Diagram 2 for location of errors).

At error no. 1: The property was given a parcel number when it should have been labelled as Crown land.

At error no. 2: The line dividing Parcels 10715 and 10720 S.E.S. is not in its correct position.

At error no. 3: The Department of Highways (D.H.O.) easement is not in its correct position.

At error no. 4: This portion of Leedale Avenue is also not in its correct position.

(See Diagram 1 at numbers 1 to 4 respectively to note the corrections to these errors).

The first step in determining the owner of the property highlighted orange (Part A) was to first study the description of Parcel 5368. I have outlined in blue that which was once a part of Parcel 5368 on Diagram 1. It should be noted that in the description of this parcel, it is stated that the parcel commences 1650 feet from the Northwest corner of Lot 1, Concession 4; this does not include the property in question (Part A). Furthermore, it was concluded that all parts of this parcel had been transferred out except that portion highlighted yellow on Diagram 1. This portion therefore is the remainder of Parcel 5368 S.E.S. and is owned by yourself. (Also see yellow area highlighted on Diagram 3).

The next step therefore was to determine who infact owned this property. Firstly, I researched back to the original grant of the adjacent lands to determine if the property in question was included in their description.

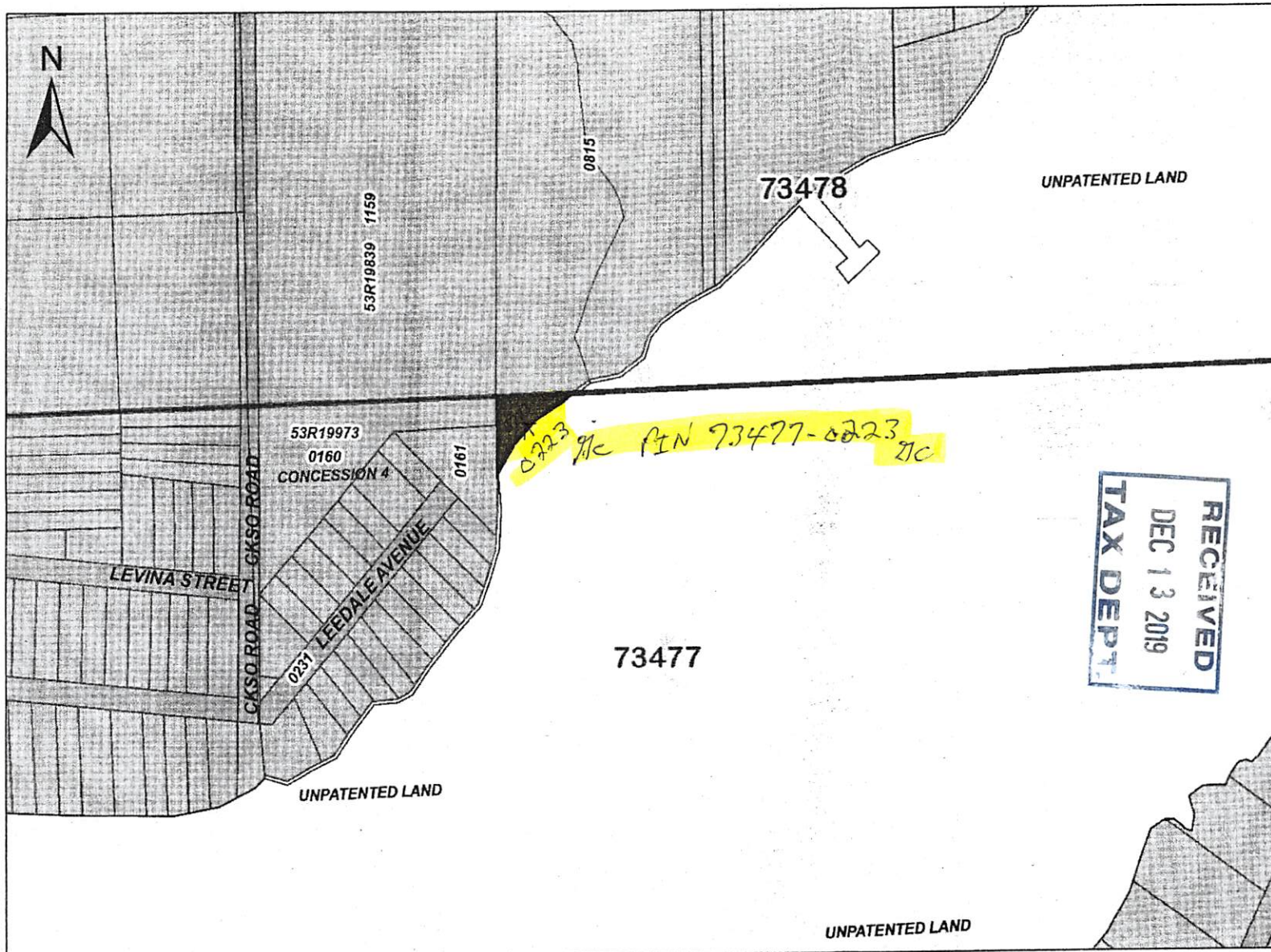
1. **Parcel 15556 S.E.S.:** was recently Parcel 5022 which is now closed. Parcel 5022 was recently Parcel 1652 whereby a sketch was attached to this parcel (see Diagram 4) which verified that the property in question (highlighted orange - Part A) was not a part of this parcel.
2. **Parcel 15528 S.E.S.:** was recently part of Parcel 5022 and 9178 which are both closed. A sketch was also attached to Parcel 15528 to verify that Part A was not a part of this parcel.
3. **Parcel 16866 S.E.S.:** was recently part of Parcel 1965. This parcel is described as being south of McFarlane Lake and therefore could immediately be eliminated as a possibility.



4. **Parcel 10720 S.E.S.:** was recently part of Parcel 1458. Again, a sketch was attached to this to verify that Part A was not a part of this parcel.
5. **Parcel 10715 S.E.S:** was recently part of Parcel 1652 whereby a sketch verified that this parcel also did not include Part A.

Therefore, it can be concluded that the property in question (Part A), is assumed to be under ownership of the Crown since it is not described in any of the abovenoted parcel descriptions. Also it should be noted that the value of this property is questionable since it is shown on Diagram 5 and observed in the field as highlighted in the fieldnotes on Diagram 6, that the property is swampland.

Please find enclosed, Diagrams 1-6, and a sketch illustrating measurements observed in the field, on plans and in the parcel descriptions.



**ServiceOntario**

PRINTED ON 20 DEC, 2018 AT 13:28:22  
FOR MELISSA01

**SCALE**  
0 30 60 90 120  
meters

**PROPERTY INDEX MAP**  
SUDBURY(No. 53)

**LEGEND**

FREEHOLD PROPERTY  
LEASEHOLD PROPERTY  
LIMITED INTEREST PROPERTY  
CONDOMINIUM PROPERTY  
RETIRED PIN (MAP UPDATE PENDING)  
PROPERTY NUMBER  
BLOCK NUMBER  
GEOGRAPHIC FABRIC  
EASEMENT

0449  
08050

**THIS IS NOT A PLAN OF SURVEY**

**NOTES**

REVIEW THE TITLE RECORDS FOR COMPLETE  
PROPERTY INFORMATION AS THIS MAP MAY  
NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND  
DOCUMENTS RECORDED IN THE LAND  
REGISTRATION SYSTEM AND HAS BEEN PREPARED  
FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE  
RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT  
REFERENCE PLANS ARE NOT ILLUSTRATED

