TOWNSHIP OF
CARLING

2 West Carling Bay Road, Nobel ON P0G 1GO
Ryan Snowball, Director of Planning & Development
Email: planning@carling.ca
Phone: 705-342-5856 ext. 9183
Fax: 705-342-9527

Notice of Consent Application & Public Hearing
Application for Consent
Application No. B/4/2026 (Labath – 10 Richards Bay Road)

The Township of Carling Committee of Adjustment has received an application for a consent. The Consent application is being considered under the requirements of the *Planning Act, R.S.O. 1990, c. P.13* and applicable regulations. The purpose of this notice if to provide you with the information necessary to engage in this public process if you wish.

This is to advise that a Public Hearing will be held at 9:00 a.m. on October 13th, 2026 in the Township of Carling Council Chambers and virtually through the GoTo Meeting application. At that time, an application for a Consent pursuant to Section 53 of the *Planning Act, R.S.O. 1990, c. P.*13, as amended will be heard by the Township of Carling Committee of Adjustment.

This notice is for your information only. Persons receiving this notice are under no obligation to attend the hearing unless they so desire. Anyone wanting to make verbal representations with respect to the above-noted application may attend the public hearing and speak either in favour of or in opposition to the proposal. Written, signed submissions will also be accepted by the Secretary-Treasurer prior to or during the hearing. Such written submissions will be available for inspection at the hearing by any interested party. Written, signed submissions can be submitted to the Committee of Adjustment at the Township of Carling municipal office (2 West Carling Bay Road, Nobel, ON P0G 1G0) or emailed to planning@carling.ca.

If you wish to attend the meeting virtually through the GoTo Meeting application, please email planning@carling.ca ahead of the scheduled Public Hearing to obtain log-in credentials.

IN THE MATTER OF APPLICATION NO. B/4/2026

Date of Hearing: Tuesday, October 13th, 2026
Time of Hearing: 9:00 a.m.
Location of Meeting: Council Chambers - 2 West Carling Bay Road, Nobel, ON P0G 1G0 or virtual attendance through the GoTo Meeting application.
Owner(s)/Applicant(s): Sally Elizabeth Labath & Jakub Labath / Darren Walker
Property Location: 10 Richards Bay Road

The purpose and effect of the application is to create a single right of way over a portion of Part 4, Plan 42R-14185 (Labath Property) to provide access to the lands owned by David Hendrie, described as Pt Lot 70, Con 9; Carling; Pt SHORE RDAL in front of Lot 70, Con 9, being Part 3 Plan 42R-14185.

A separate, but related consent application (being Application No. B/5/2026) has also been filed with the Township of Carling. This separate application proposes to grant a right of way over Parts 14 & 15 Plan 42R-14185 (being parts of Richard Lake Road and Richards Bay Road), also in

favour of and benefitting the Hendrie lands (Part 3 Plan 42R-14185). Both application B/4/2026 and B/5/2026 serve to provide the Hendrie lands with an alternative, legal access arrangement.

The Key Map included in this Notice of Public Hearing illustrates the lands which are the subject of this application.

Additional information, including a copy of the application, is available for inspection by the public on request at the Township of Carling municipal office by contacting the Township's Planner, Ryan Snowball, at planning@carling.ca Monday to Friday between the hours of 8:00 a.m. and 4:00 p.m. A copy of the application and any other supporting details is available for viewing and download at https://carling.ca/business-in-carling/planning-and-zoning.

If a person or public body has the ability to appeal the decision of the Township of Carling Committee of Adjustment in respect of the proposed consent to the Ontario Land Tribunal but does not make written submissions to the Township of Carling Committee of Adjustment before it gives or refuses to give a provisional consent, the Tribunal may dismiss the appeal.

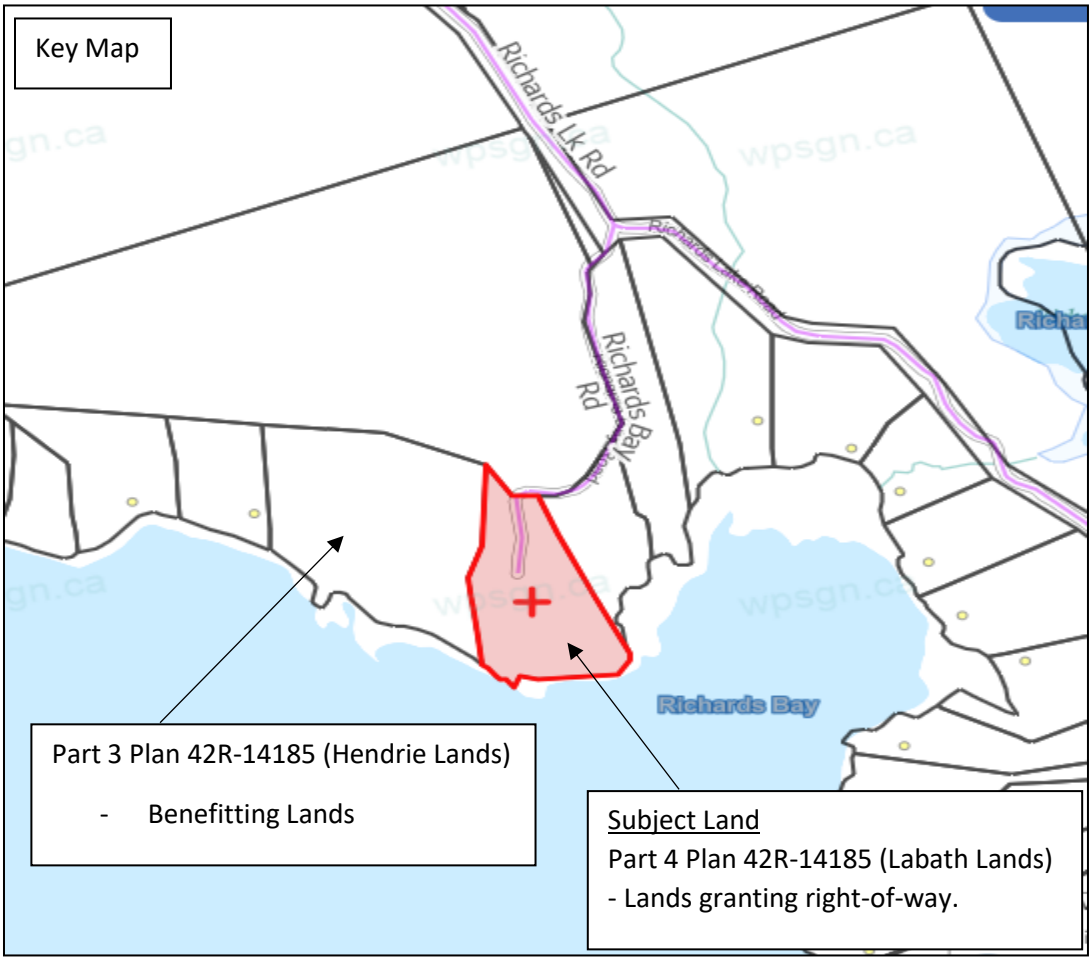
If you wish to be notified of the decision of the Township of Carling Committee of Adjustment in respect of the proposed consent, you must make a written request to the Township of Carling Committee of Adjustment at the following address:

Township of Carling Committee of Adjustment
C/o Planning Department
2 Carling Bay Road West
Nobel, ON P0G 1G0
planning@carling.ca

For more information about this matter, please contact Ryan Snowball at planning@carling.ca.

This notice is dated the 16th day of September, 2026.

Kevin McLlwain,
Secretary-Treasurer, Committee of Adjustment


Key Map
Richards Lk Rd
Richards Bay Rd
Richards Bay
Part 3 Plan 42R-14185 (Hendrie Lands)
- Benefitting Lands
Subject Land
Part 4 Plan 42R-14185 (Labath Lands)
- Lands granting right-of-way.

The Corporation of
the Township of Carling

2 West Carling Bay Road
Nobel, ON P0G 1G0
705-342-5856

Committee of Adjustment – Consent Application

Application for Consent
Under Section 53 of the Planning Act
R.S.O. 1990, c.P.13, as amended

OFFICE USE ONLY

Date Received: SEPTEMBER 1, 2026

Complete Application ☑Yes ☐No

Application No. B/4/2026 (A)

Date Accepted: SEPTEMBER 8, 2026

Applicable Fee Paid ☑Yes ☐No

1. **Date Application Submitted:** SEPTEMBER 1, 2026

2. **Applicant/ Agent Information**

Name of Applicant / Agent:

Darren Walker, TULLOCH Geomatics Inc.

Address:

5 Seguin Street

Parry Sound

ON, P2A 1A9

Home Phone Number:

Business Phone Number: 705-746-8404 ext. 503

Email: darren.walker@tulloch.ca

3. **Owner(s) / Chargee / Purchaser Information**

Name: Sally Elizabeth Labath & Jakub Labath

Address:

11 Waubuno Road

Parry Sound, ON

P2A 2B3

Phone Number: 705-774-5376 (Jakub) / 705-774-0175 (Sally)

Email: jakub@labath.ca / sallylabath@gmail.com

Note: if there are additional registered owners with different contract information, please attach a separate page to the application indicating their names, address, telephone number and email.

4. Purpose and Type of Application

- ☐ Creation of new lot(s)
- ☐ Lot addition(s)
- ☐ Easement(s)
- ☒ 4 Right-of-way(s)
- ☐ Lease
- ☐ Correction of title
- ☐ Charge
- ☐ Other (specify, e.g., partial discharge of mortgage)

Explain the details of the application:

The owner of Part 3, Plan 42R-14185 (Hendrie) is seeking a right of way from Jacknife Road over Richards Lake Road & Richards Bay Road and a portion of Part 4, Plan 42R-14185 (Labath Property)

to provide access to the Hendrie Property. This application addresses the portion of the proposed Right-of-Way over Part of Part 4, Plan 42R-14185 (Labath Property)

Name of person(s) (purchaser, lessee, mortgage, etc.) to whom land or interest is intended to be transferred, charged or leased, if known:

New Lot Creation (if applicable)

Proposed Lot 1: _____

Proposed Lot 2: _____

Proposed Lot 3: _____

Retained Lot: _____

Lot Addition (if applicable)

Lot Addition 1: _____

Lot Addition 2: _____

Lot Addition 3: _____

Easement (if applicable)

Easement 1: _____

Easement 2: _____

Easement 3: _____

Right-of-Way (if applicable)

Right-of-Way 1: David Miller Hendrie - Owner of PIN 52100-0260

Right-of-Way 2: _____

Right-of-Way 3: _____

Note: If additional space is required to complete this section, please include on a separate page and attach to the back of the application. For all other types of applications not noted above, please provide the details on a separate page and attach to the application.

5. Location and Legal Description of the Subject Land

Name of Municipality: Township of Carling

Assessment Roll Number: 4936- 00000801566

Lot: 70 Concession: 9

Registered Plan of Subdivision No. (if any) – Plan No. M-

Lot No(s).

Reference Plan No. (if any) – Plan No. 42R- 14185

Part No(s). 4 together with Right of Way over Parts 14 & 15, Plan 42R-14185

Parcel No. PIN 52100-0102 (24918 PSSS)

Civic Address: 10 Richard's Bay Road

Island Number:

5.1 Description of Subject Land

		Severed Lot 1	Severed Lot 2	Severed Lot 3	Retained Lot	Lot Addition
Description of Land	Frontage (m)				114.9+/-	
	Depth (m)				170+/-	
	Area (ha)				1.7+/-	
Use of Property	Existing Use(s)				Residential	
	Proposed Use(s)				Residential	

*Attach separate sheet to application if necessary

5.2 Servicing Information (check the applicable field)

		Severed Lot 1	Severed Lot 2	Severed Lot 3	Retained Lot	Lot Addition
Access	Provincial Highway					
	Municipal road, maintained all year					
	Municipal road, maintained seasonally					
	Other public road					
	Right-of-way				√	
	Water Access					
Water Supply	Privately owned and operated individual well					
	Privately owned and operated communal well					
	Lake or other water body				√	
	Other means					
Sewage Disposal	Privately owned and operated individual septic system				√	
	Privately owned and operated communal septic system					
	Privy					
	Other means					

If access to the subject land will be water only, please describe the parking and docking facilities to be used and the approximate distance of these facilities from the land and nearest public road:

_____

_____

_____

5.3 Existing and Proposed Buildings & Structures

EXISTING – List all existing buildings and structures						DISTANCE FROM LOT LINES (metres)			
Building / Structure Type	Lot Location (i.e. Retained / Severed Lot 1)	Date of Construction	# of Storeys / Height (m)	Ground Floor Area (m^2)	Gross Floor Area (m^2)	Front	Rear	Side	Side
Cottage	Retained		1 / 5.5m±	122.8+/-	122.8+/-	51+/-	108+/-	20+/-	67+/-
Bunkie	Retained		1 / 4m±	26.4+/-	26.4+/-	65+/-	100+/-	14+/-	80+/-
Bunkie	Retained		1 / 4m±	21.5+/-	21.5+/-	44+/-	134+/-	58+/-	43+/-

PROPOSED – List all proposed buildings and structures						DISTANCE FROM LOT LINES (metres)			
Building / Structure Type	Lot Location (i.e. Retained / Severed Lot 1)	Date of Construction	# of Storeys / Height (m)	Ground Floor Area (m^2)	Gross Floor Area (m^2)	Front	Rear	Side	Side
Unknown									

6. Easements or restrictive covenants

Are there any easements or restrictive covenants affecting the subject land?

☒ Yes

☐ No

If **YES,** describe the easement or covenant and its effect:

Together with Parts 14 & 15 Plan 42R-14185

7. Land Use and Zoning

What is the current designation of the subject land in the Official Plan?

Waterfront

Provide an explanation of how the application conforms with the Township of Carling Official Plan:

Application is seeking a right of way from a year round public road to access an existing lot (no new development)

This application conforms to Section 13.02.2A which speaks to minor extension of an already existing right of way

8. History of the Subject Land

Has the land ever been the subject of an application for approval of a plan of subdivision under section 51 of the Planning Act or a consent under Section 53 of the Planning Act?

☐ Yes ☐ No ☒ Unknown

If YES, and if known, please specify the file number and the status of the application:

If this application is a resubmission of a previous consent application, describe how it has been changed from the original application:

Has any land been severed from the parcel originally acquired by the owner of the subject land?

☐ Yes ☒ No

If YES, provide for each parcel severed the date of transfer, the name of the transferee(s) and the land use:

Has the subject land ever been the subject of any other application under the Planning Act such as an application for an amendment to an official plan, a zoning by-law or a Minister's zoning order, an application for a minor variance or an application for an approval of a plan of subdivision or consent?

☐ Yes ☒ No

If YES, please note the file number of the application and the status of the application:

9. Current Application

When two or more parcels are created with an unstipulated consent, a certificate of consent shall be provided to the applicant for the conveyed (severed) land(s). A certificate of consent for the retained lands shall be provided upon request only.

Is the application making a request as referred to in Section 53(42.1) a) of the Planning Act?

☐ Yes ☒ No

If YES, please attach a formal statement from an Ontario Solicitor in good standing indicating that there is no land abutting the subject land that is owned by the owner of the subject land other than land that could be conveyed without contravening section 50 of the Planning Act.

Is the application consistent with policy statements issued under subsection 3(1) of the Planning Act?

☒ Yes ☐ No ☐ Unknown

Please explain how the application is consistent with policy statements issued under subsection 3(1) of the Planning Act:

The 2024 Provincial Policy Statement provides high level provincial planning policy. The subject lands are identified as Rural Lands under the PPS. The PPS permits recreational uses and residential development on Rural Lands and the proposed Right of Way (to gain legal access) will maintain the existing recreational use of the property. The proposed application is consistent with the PPS

Is the subject land within an area of land designated under any provincial plan or plans?

☒ Yes ☐ No ☐ Unknown

If YES, please identify the provincial plan or plans and provide an explanation of how the application conforms or does not conflict with the provincial plan or plans:

Growth Plan for Northern Ontario is a Plan prepared under the Places to Grow Act. It provides a strategic framework that guides decision making on the Growth in Northern Ontario. By supporting legal access to an existing

residential property, this application conforms to the orderly development of Northern Ontario by supporting the local economy and building a happier, healthier community.

Is the subject land the subject of any other application under the Act, such as an application for an amendment to an official plan, a zoning by-law or a Minister's zoning order, an application for a minor variance or an application for an approval of a plan of subdivision or consent?

☐ Yes ☒ No

If YES, please note the file number of the application and the status of the application:

10. Plans (to assist in the preparation of plans, please refer to the attached sample sketch)

Site Plan

Every application shall be accompanied by a site plan, drawn to an appropriate scale, properly dimensioned, showing the following:

i) The boundaries and dimensions of any land abutting the subject land that is owned by the owner of the subject land;

ii) The approximate distance between the subject land and the nearest township lot line or landmark such as a bridge or railway crossing

iii) The boundaries and dimensions of the subject land, he part that is intended to be severed and the part that is intended to be retained;

iv) The location of all land previously severed from the original parcel acquired by the current owner of the subject land;

v) The approximate location of all natural and artificial features (for example: buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks) that:
   a) Are located on the subject land and on land that is adjacent to it, and
   b) In the applicant's opinion, may affect the application;

vi) The current uses on land that is adjacent to the subject land (for example, residential, agricultural, residential);

vii) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way;

viii) If access to the subject land is by water only, the location of the parking and docking facilities to be used;

ix) The location and nature of any easement affecting the subject land.

Additional information, including architectural drawings and elevations, shall be furnished by the applicant at the request of the Township.

11. Affidavit or Sworn Declaration

Dated at the Town of Parry Sound this _____ day of _____, 20_____

I, Darren Walker, TULLOCH Geomatics Inc. of the Town of Parry Sound in the

County/District/Regional Municipality of Parry Sound solemnly declare that all the statements contained in this application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the **CANADA EVIDENCE ACT**

DECLARED BEFORE ME at the Township of Carling

in the District of Parry Sound this 1 day of September, 2026.

Mackenzie Taylor, Deputy Clerk,
ex officio Commissioner etc.,
Commissioner for taking Affidavits Act,
Section 1, subsection (2) 1.
District of Parry Sound for the
Corporation of the Township Carling.

A Commissioner of Oaths

Signature of Owner or Authorized Applicant / Agent

12. Authorizations

Authorization of Owner(s) for Agent to Make the Application

If the applicant is not the owner, the chargee or the purchaser of the subject land, the written authorization of the owner, chargee or the purchaser, as the case may be, is required. If the applicant is the purchaser or the purchaser's agent, a copy of the portion of the agreement of purchase and sale that authorizes the purchaser to make the application in respect of the land that is the subject of the application is required. **Please attach to application if necessary.**

Authorization for the agent to make this application, as set out below, must be given. Alternatively, written authorization can be provided on a separate form and submitted with this application. Authorization must be provided by all registered owners of the subject property.

I/We, Sally Elizabeth Labath & Jakub Labath,

am/are the owner(s) of the land that is the subject of this application and I/we authorize

Darren Walker, TULLOCH Geomatics Inc.

to make this application on my/our behalf:

Date: June 2, 2026 Signature of Owner: S Labath

Date: JUNE 2, 2026 Signature of Owner:

Date: _____ Signature of Owner: _____

Date: _____ Signature of Owner: _____

Authorization of Owner(s) for Agent to Provide Personal Information

If the applicant is not the owner of the land that is the subject of this application, authorization for the agent to provide personal information, as set out below, must be given. Alternatively, written authorization can be provided on a separate form and submitted with this application. Authorization must be given by all registered owners of the subject property.

I/We, Sally Elizabeth Labath & Jakub Labath,

am/are the owner(s) of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy* Act, I/we authorize

Darren Walker, TULLOCH Geomatics Inc.

as my/our agent for this application, to provide any of my/our personal information that will be included in this application or collected during the process of the application.

Date: June 2, 2026 Signature of Owner: [signature]

Date: JUNE 2, 2026 Signature of Owner: [signature]

Date: _____ Signature of Owner: _____

Date: _____ Signature of Owner: _____

13. Consent of the Owner(s) to the Use and Disclosure of Personal Information

All registered owners of the subject property must provide their consent concerning the disclosure of personal information, as set out below.

I/We, Sally Elizabeth Labath & Jakub Labath,
am/are the owner(s) of the land that is the subject of this application and for the purposes of the *Freedom of Information and Protection of Privacy Act*, I/we authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the *Planning Act* for the purposes of processing this application.

Date: June 2, 2026 Signature of Owner: [signature]

Date: JUNE 2, 2026 Signature of Owner: [signature]

Date: _____ Signature of Owner: _____

Date: _____ Signature of Owner: _____

SKETCH

SKETCH FOR SEVERANCE APPLICATION
FOR PROPOSED RIGHT OF WAY

TULLOCH GEOMATICS INC.
2026

5m 0 5 25m

CAUTION: THIS IS **NOT** A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK THIS SKETCH IS PROTECTED BY COPYRIGHT ©

METRIC:

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTE:
SUBJECT TO PARTS 12, 13, 14 & 15
ACCESS RIGHTS-OF-WAY

VACANT ZONED RU

CONCESSION II

YEAR ROUND PUBLIC ROAD
KNOWN AS JACKNIFE ROAD

BETWEEN CONCESSIONS 10 AND 11

ROAD ALLOWANCE BETWEEN CONCESSIONS 10 AND 11 (42R-2998 & SET)

N69°07'30"E 1025.9

NORTHEAST CORNER LOT 70, CON. 10

66' WIDE

20.43m
67.04'

CONCESSION 10 70

LOT

UNOPENED ROAD ALLOWANCE

PARCEL 24918 S.S.

20.12m

99.53m
326.54'

44.30m
145.33'

70.76m
232.17'

46.96m
154.08'

50.28m
164.97'

40.61m
133.22'

TRAVELLED ROAD

PART 15

123.26m
404.94'

110.15m
361.39'

20.12m

133.04m
436.47'

139.75m
458.22'

PART 14

113.48m
372.32'

360.21'
109.79m

PART 13

399.38'

PART 12

PART 1
42R-14185
4.71 ACRES

PART 2
42R-14185
5.10 ACRES

PART 3
42R-14185
7.71 ACRES

PART 4
4.26 ACRES
BUNKIE
SEPTIC
COTTAGE

PART 5
42R-14185
5.01 ACRES

PART 6
42R-14185
8.42 ACRES

3400'±
1036m±

PROPERTY SUBJECT TO PROPOSED RIGHT OF WAY #1
EXISTING TRAVELLED RIGHT OF WAY KNOWN AS RICHARDS LAKE ROAD
PRIVATE ROAD
LEGAL RIGHT-OF-WAY

VACANT

ZONED RU

EXISTING TRAVELLED RIGHT OF WAY KNOWN AS FLAT ROCK ROAD

CONCESSION 10

CONCESSION 9

LOT 70

LOT 69

PROPERTY SUBJECT TO PROPOSED RIGHT OF WAY #1
EXISTING TRAVELLED RIGHT OF WAY KNOWN AS RICHARDS BAY ROAD
PRIVATE ROAD
LEGAL RIGHT-OF-WAY

PROPERTY SUBJECT TO PROPOSED RIGHT OF WAY #2
LABATH PROPERTY

ZONED WF1
RESIDENTIAL

ZONED WF1
RESIDENTIAL

ZONED WF1
RESIDENTIAL

VACANT

VACANT

PROPERTY RECEIVING PROPOSED RIGHT OF WAYS #1 & #2

OWNER: DAVID MILLER HENDRIE
CIVIC: 22 FLAT ROCK ROAD

OWNERS:
SALLY ELIZABETH LABAT
JAKUB LABATH
CIVIC: 10 RICHARD BAY ROAD

ORIGINAL HIGH WATER MARK ESTABLISHED BY PLAN 42R-10,251

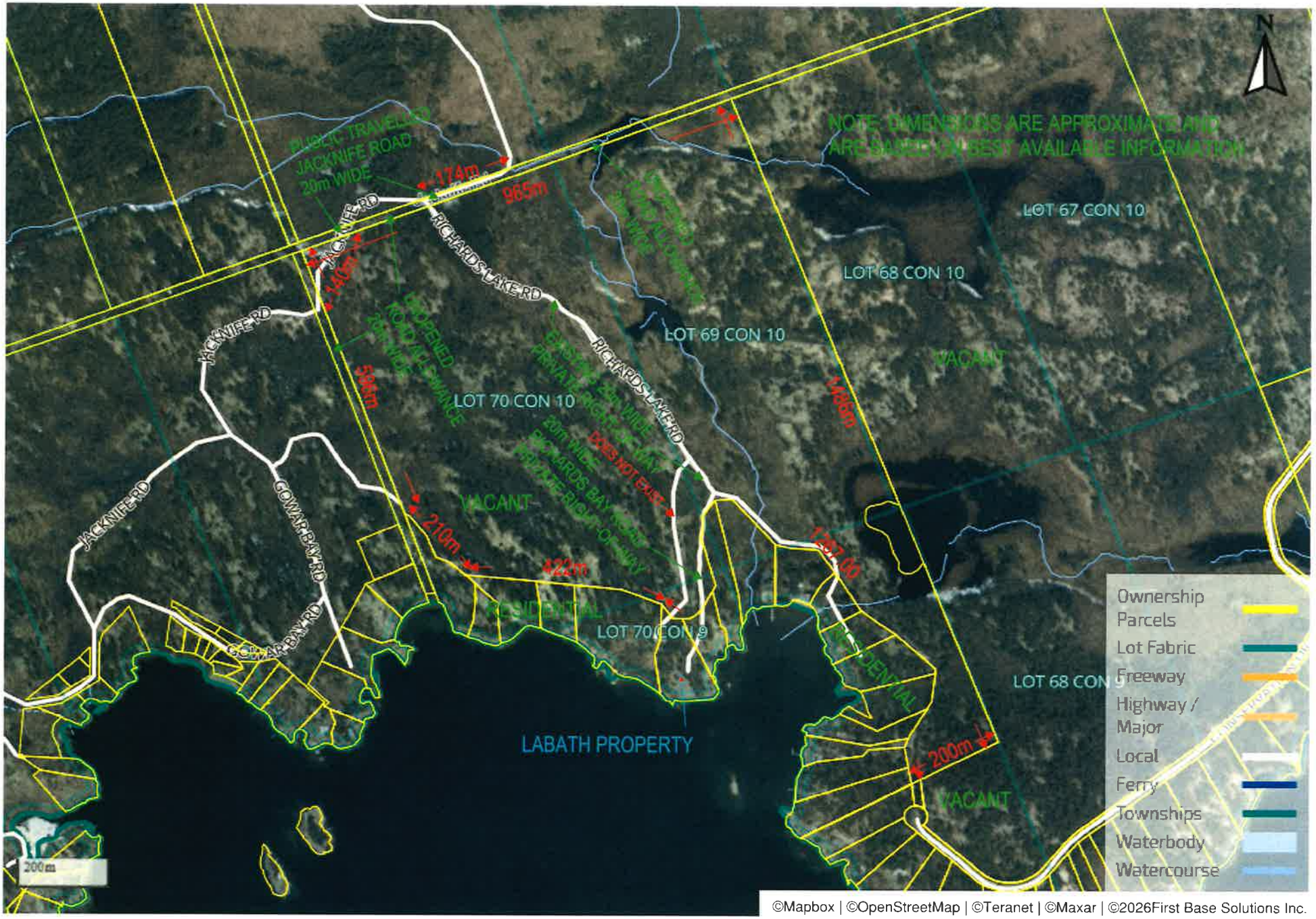
PART 1, PLAN 42R-10,251
ORIGINAL SHORE ROAD ALLOWANCE
CLOSED BY BY-LAW SRA-865
T.B. No. 170813
PARCEL 24918 S.S.

PLAN M-80

RICHARDS BAY OF GEORGIAN BAY

SOUTHWEST ANGLE LOT 70, CON. 9

WP COLTHAM, OLS)



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