



P.O. Box 1749
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Item No. 13.1.2
Harbour East-Marine Drive Community Council
May 04, 2017

TO: Chair and Members of Harbour East-Marine Drive Community Council

ORIGINAL SIGNED

SUBMITTED BY:

Bob Bjerke, Chief Planner and Director, Planning and Development

DATE: April 20, 2017

SUBJECT: Case 19602: Rezoning Old Miller Road, Cole Harbour

ORIGIN

Application by Lee Theriault to rezone a portion of Old Miller Road to enable the development of four lots for single unit dwellings.

LEGISLATIVE AUTHORITY

Refer to Attachment C.

RECOMMENDATION

It is recommended that Harbour East-Marine Drive Community Council:

1. Give first reading to consider the proposed amendment to the Land Use By-law for Cole Harbour/Westphal, as set out in Attachment A, to rezone a portion of lands abutting Old Miller Road, Cole Harbour from the UR (Urban Reserve) Zone to the R-1 (Single Unit Dwelling) Zone, and schedule a public hearing;
2. Adopt the amendment to Schedule A of the Land Use By-law for Cole Harbour/ Westphal, as set out in Attachment A.

BACKGROUND

Lee Theriault, on behalf of the property owner, Louis MacEachern, has applied to rezone a portion of lands that front Old Miller Road, Cole Harbour from the UR (Urban Reserve) Zone to the R-1 (Single Unit Dwelling) Zone. The change in zoning is requested to enable the lands to be subdivided and developed with four (4) lots for single family dwellings (Attachment A). While the total area of the subject site is approximately 50 acres (20.2 hectares), the lands proposed for rezoning comprise approximately 4 acres (1.61 hectares) in area. Each new lot is proposed to be approximately one (1) acre in size.

Subject Site	Old Miller Road, Cole Harbour (portion of PID 00407601)
Location	West side of Old Miller Road and north of Coleridge Court, (Map 1)
Regional Plan Designation	UR (Urban Reserve)
Community Plan Designation (Map 1)	RR (Rural Residential) designation under the Cole Harbour/Westphal Municipal Planning Strategy (MPS) (Map 1)
Zoning (Map 2)	UR (Urban Reserve) Zone under the Cole Harbour/Westphal Land Use By-law (LUB)(Map 2)
Size of Site	Approximately 1.6 ha (4 acres)
Street Frontage	Approximately 122 meters (400 feet)
Current Land Use(s)	Vacant
Surrounding Use(s)	Single unit dwellings to the west on the opposite side of Old Miller Road, vacant lands to the north and single unit dwellings to the south abutting the subject lands

Enabling Policy and LUB Context

The subject site is designated Urban Reserve under the Regional Plan. The Urban Reserve designation is intended for large tracks of land in close proximity to the Urban Settlement designation to ensure a supply of land is available for serviced development over a longer term horizon. The subject site is a very small portion of the outer edge of the Urban Reserve lands which are described as the interior lands bounded by Highway #7, Ross Road, Highway 207 and Broom Road (Cole Harbour/Westphal). The proposed rezoning may be considered by Community Council in accordance with RMPS Policy G-16 and Policies RR-3 and IM-11 of the Cole Harbour/Westphal Municipal Planning Strategy (MPS). Policy G-16 enables Council to consider development of similar uses on properties where one designation abuts another. Policy RR-3 permits Council to consider the development of lots with less than 80,000 square feet (0.74 ha) subject to a LUB amendment. Policy IM-11 establishes the evaluation criteria (Attachment B) for the proposed the LUB amendment, in this case a rezoning.

COMMUNITY ENGAGEMENT

The community engagement process is consistent with the intent of the HRM Community Engagement Strategy. The level of community engagement was consultation, achieved through providing information and seeking comments through the HRM website, signage posted on the subject site, and a mail out providing information and seeking comments for residents within the area. While no written comments were received, a few individuals sought clarification of the scope of the proposed development into the Urban Reserve lands.

A public hearing must be held by Harbour East-Marine Drive Community Council before they can consider approval of the proposed LUB amendment. Should Community Council decide to proceed with a public hearing on this application, in addition to the published newspaper advertisements, property owners within the notification area shown on Map 2 will be notified of the hearing by direct mail. The HRM website will also be updated to indicate notice of the public hearing. The proposal will potentially impact local residents and property owners.

DISCUSSION

Staff has reviewed the proposal relative to all relevant policies and advise that it is reasonably consistent with the intent of the RMPS and community MPS policies. Attachment A contains the proposed rezoning from the UR (Urban Reserve) Zone to the R-1 (Single Unit Dwelling) Zone.

Policy Context

Policy G-16 of the RMPS provides for development of similar uses on properties which abut one another or share a common street. In this instance, it is a shared common street and specifically, Policy G-16 enables Council to consider amendments within a designation to provide for the development of uses which are permitted by the zone on the abutting property within the abutting designation. The abutting RMPS designation is Rural Commuter which supports low density residential development. MPS Policies RR-3 and IM-11 permits Council to consider a land use by-law amendment for lots with less than 80,000 square feet (0.74 ha) subject to evaluation criteria.

LUB Amendment Review

Attachment B provides an evaluation of the proposed rezoning in relation to relevant MPS Policies RR-3 and Policy IM-11 as well as policy G-16 of the RMPS. Of the matters reviewed to satisfy the MPS criteria, the following have been identified for a more detailed discussion:

Consistency with Developed Adjacent and Abutting Land Use

Land use compatibility is a principal consideration when evaluating a rezoning application to determine if approval of the rezoning will provide for continuity in neighbourhood design and built form. The area consists of a residential rural development pattern with the Old Miller Road and neighbouring streets (Lawlor Crescent and Coleridge Court) all zoned R-1 and lots of approximately one (1) acre in size containing a single unit dwelling. The area immediately across the street (Old Miller Road) from the subject site contains three single unit dwellings.

The total land area proposed for rezoning is approximately 4 acres (1.6 ha) with approximately 400 feet of frontage. Given the frontage requirement (minimum of 100ft) in the R-1 Zone, if the lands were approved for rezoning, the maximum lot yield would be four (4) lots for the subject site. The purpose of the rezoning is to create four (4) separate lots with each being approximately 1 acre (43,500 square feet) in size. This lot area is sufficient to accommodate onsite well and septic as central municipal services are unavailable.

The list of permitted uses in the R-1 Zone is limited to the following:

- Single unit dwellings;
- Home business uses in conjunction with permitted dwellings;
- Daycare facilities for not more than fourteen (14) children and in conjunction with permitted dwellings; and,
- Open space uses.

It is anticipated that development of the subject lands would provide continuity with the existing built form as is present within the adjacent residential subdivision. The proposed rezoning is an extension of the existing zoning, and will enable the continuation of single unit dwelling development along Old Miller Road.

Conclusion

Staff have reviewed the proposal in terms of all relevant policy criteria and advise that the proposal is consistent with RMPS and MPS policies as the intent is that the development remain consistent with developed adjacent uses. Therefore, staff recommend that the Harbour East-Marine Drive Community Council approve the proposed rezoning from UR (Urban Reserve) Zone to R-1 (Single Unit Dwelling) Zone.

FINANCIAL IMPLICATIONS

The HRM cost associated with processing this planning application can be accommodated with the approved 2017-18 operating budget for C310 Urban and Rural Planning Applications.

RISK CONSIDERATION

There are no significant risks associated with the recommendations contained within this report. This application may be considered under existing MPS policies. Community Council has the discretion to make decisions that are consistent with the MPS, and such decisions may be appealed to the N.S. Utility and Review Board. Information concerning risks and other implications of adopting the proposed amendment (rezoning) are contained within the Discussion section of this report.

ENVIRONMENTAL IMPLICATIONS

No environmental implications are identified.

ALTERNATIVES

Harbour East-Marine Drive Community Council may choose to refuse the proposed amendment to the Land Use By-law for Cole Harbour/Westphal, and in doing so, must provide reasons why the proposed rezoning does not reasonably carry out the intent of the MPS. A decision of Council to refuse the proposed rezoning is appealable to the N.S. Utility & Review Board as per Section 262 of the *HRM Charter*.

ATTACHMENTS

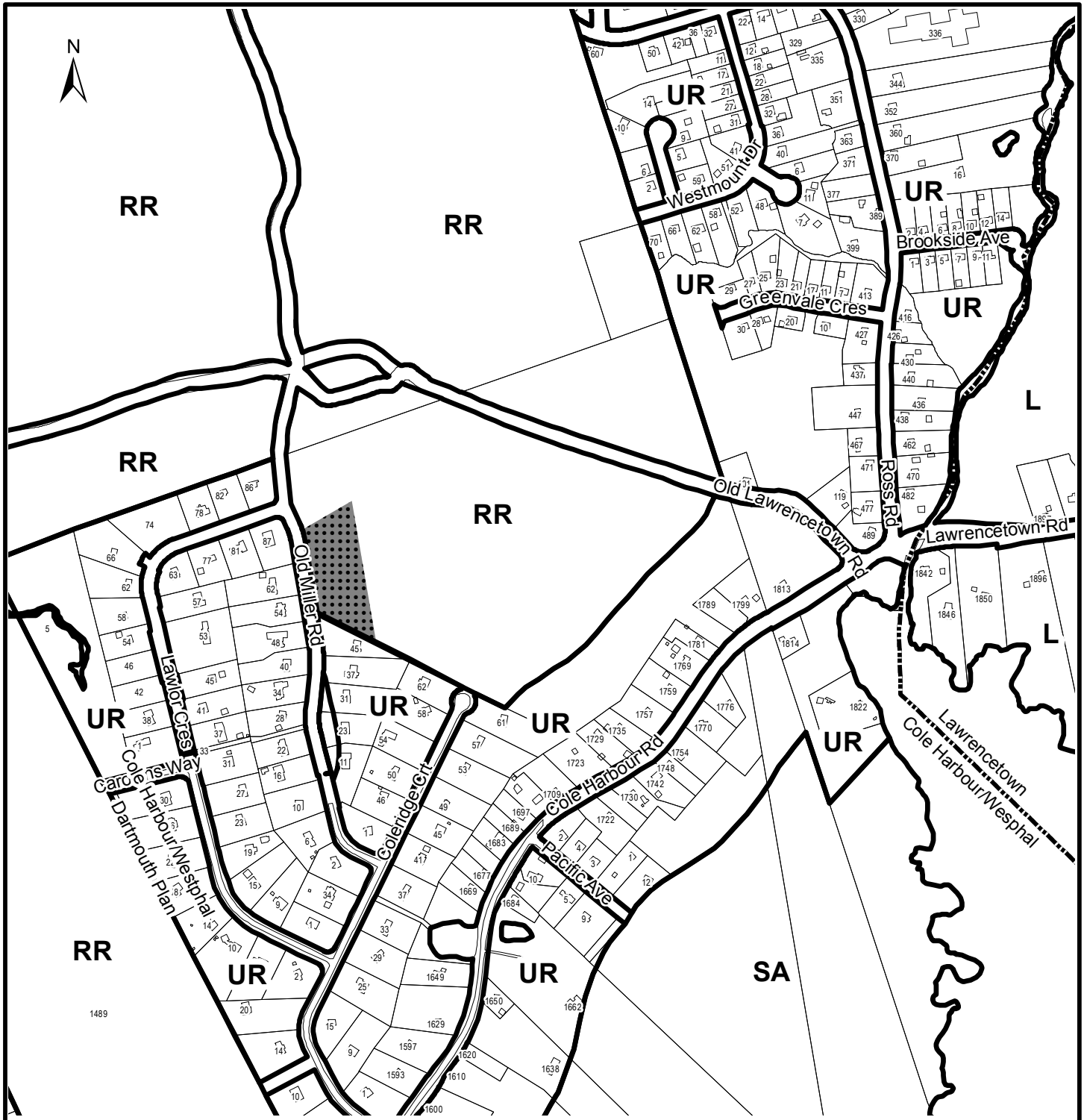
Map 1:	Generalized Future Land Use
Map 2:	Zoning
Attachment A:	Proposed LUB Amendment
	• Schedule A - Area to be Rezoned from UR to R-1
Attachment B:	Review of Relevant MPS Policies
Attachment C:	Legislative Authority

A copy of this report can be obtained online at <http://www.halifax.ca/commcoun/index.php> then choose the appropriate Community Council and meeting date, or by contacting the Office of the Municipal Clerk at 902.490.4210, or Fax 902.490.4208.

Report Prepared by: Shayne Vipond, Planner III - Rural Policy & Applications, 902-490-4335

Report Approved by: ORIGINAL SIGNED



Kelly Denty, Manager, Current Planning, 902.490.4800



Map 1 - Generalized Future Land Use

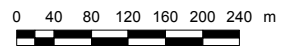
HALIFAX

Portion of PID 00407601,
Cole Harbour

-  Subject Area
-  Plan Area Boundary

Designation

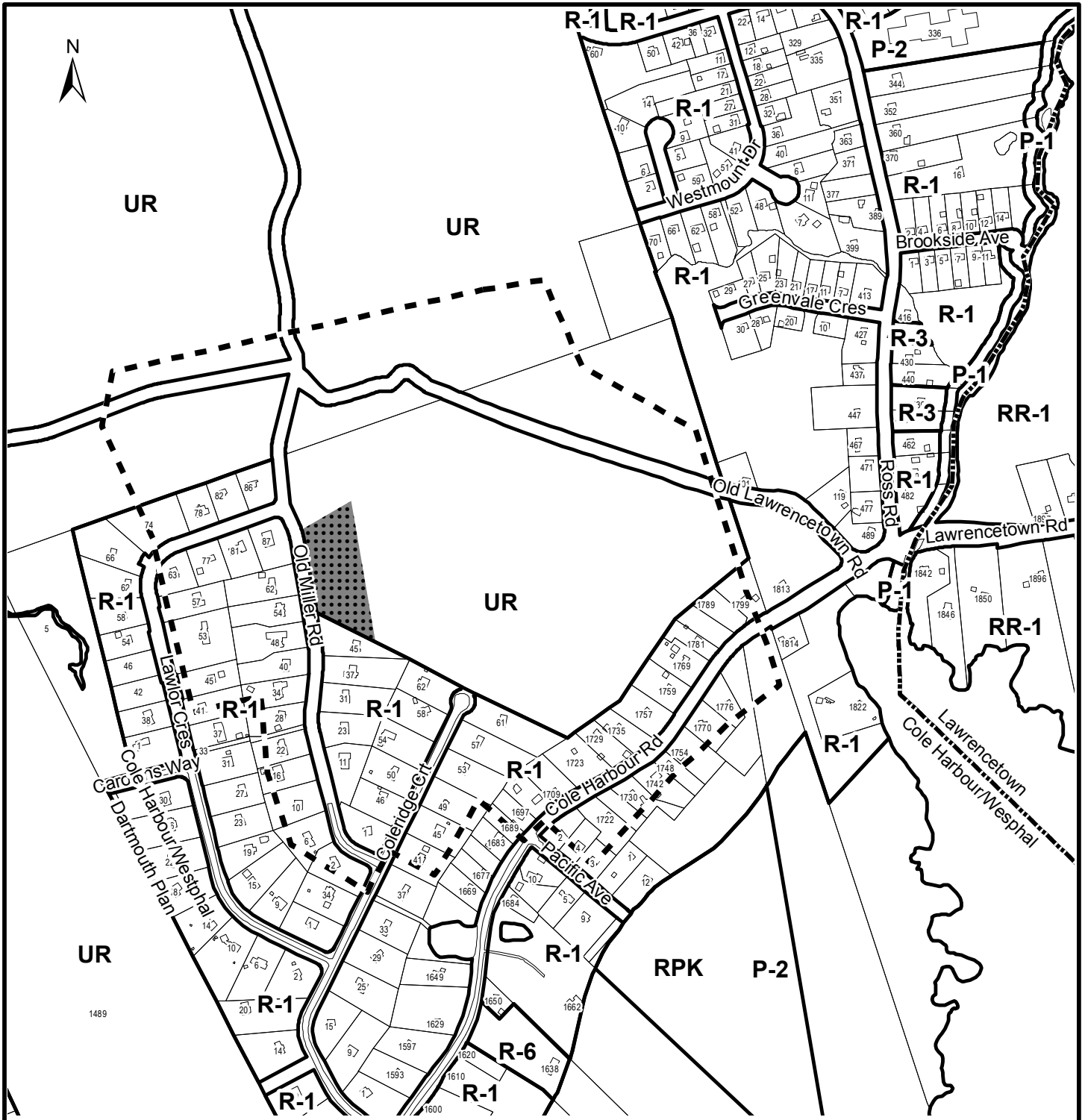
Cole Harbour/ Westphal	UR	Urban Residential
	RR	Rural Residential
	SA	Special Area
Lawrencetown	L	Lawrencetown



This map is an unofficial reproduction of a portion of the Generalized Future Land Use Map for the plan area indicated.




HRM does not guarantee the accuracy of any representation on this plan.

Cole Harbour/Westphal Plan Area



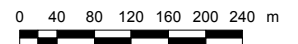
Map 2 - Zoning and Notification

Portion of PID 00407601,
Cole Harbour

-  Area to be Rezoned from UR to R-1
-  Notification Area
-  Plan Area Boundary

	Zone	
Cole Harbour/ Westphal	R-1	Single Unit Dwelling
	R-3	Mobile Dwelling
	R-6	Rural Residential
	P-1	Open Space
	P-2	Community Facility
	RPK	Regional Park
	UR	Urban Reserve
Lawrencetown	RR-1	Rural Residential

HALIFAX



This map is an unofficial reproduction of a portion of the Zoning Map for the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Cole Harbour/Westphal Plan Area

ATTACHMENT A
Proposed Amendments to the
Land Use By-law for Cole Harbour/Westphal

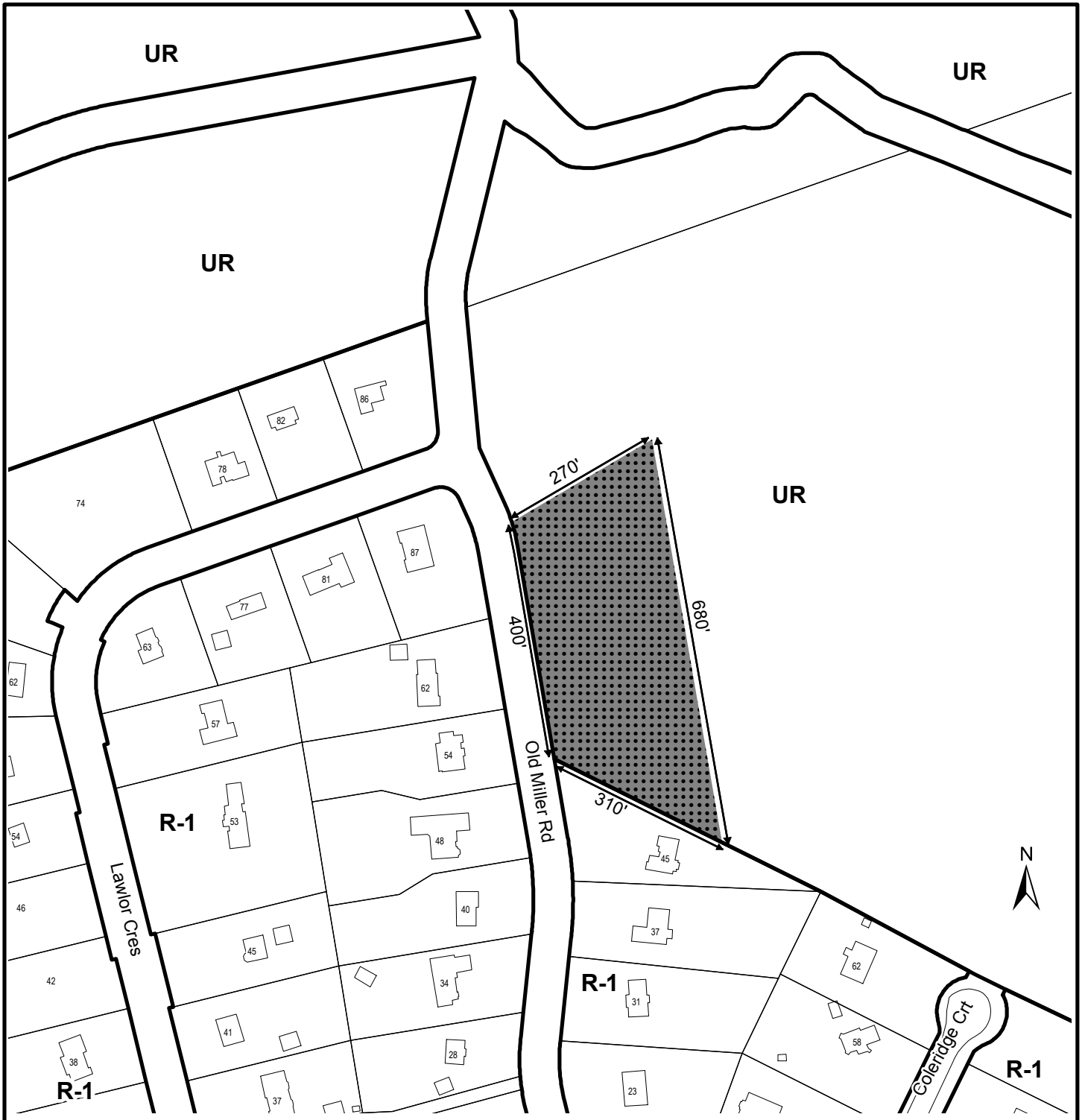
BE IT ENACTED by the Harbour East – Marine Drive Community Council of the Halifax Regional Municipality that the Land Use By-law for Cole Harbour/Westphal, as amended, is hereby further amended as follows:

1. Amend Schedule “A”, the Cole Harbour/Westphal Zoning Map, by rezoning a portion of PID 00407601 on Old Miller Road from the UR (Urban Reserve) Zone to the R-1 (Single Unit Dwelling) Zone, as shown on Schedule A of this Attachment.

I HEREBY CERTIFY that the amendments to the Land Use Bylaw for Cole Harbour/Westphal, as set out above, were passed by a majority vote of the Harbour East – Marine Drive Community Council of the Halifax Regional Municipality at a meeting held on the ____ day of _____, 2017.

GIVEN under the hand of the Municipal Clerk and under the Corporate Seal of the Halifax Regional Municipality this ____ day of _____.

Municipal Clerk



Schedule A

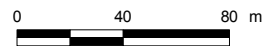
HALIFAX



Area Rezoned from UR (Urban Reserve) to R-1 (Single Unit Dwelling)

Zone

R-1 Single Unit Dwelling
 UR Urban Reserve



This map is an unofficial reproduction of a portion of the plan area indicated.

The accuracy of any representation on this plan is not guaranteed.

Cole Harbour/Westphal Plan Area

Effective:

Case 19602

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ATTACHMENT B
Review of Relevant Policies from the Regional Plan (RMPS) and
Cole Harbour/ Westphal Municipal Planning Strategy (MPS)

Regional Plan Policy (RMPS)	
G-16 <i>Provided other policies of this Plan are satisfied and the proposed development is limited in scale, for the purpose of providing for the development of similar uses on properties which abut one another or share a common street line, HRM may consider the following development agreements or amendments to the applicable Land Use By-laws, for lands which are located where land use designations abut one another, as shown on the Generalized Future Land Use Map (Map 2):</i>	
Policy Criteria	Comment
(a) <i>amendments within a designation to provide for the development of uses which are uses permitted within the abutting designation;</i>	Uses within abutting designation permit single detached dwellings which is consistent with the proposal.
(b) <i>amendments within a designation to provide for the development of uses which are uses permitted by the zone on the abutting property within the abutting designation;</i>	Uses within abutting zone permit single detached dwellings which is consistent with the proposal.
(c) <i>development agreements within a designation which are extensions of development agreements in effect on the abutting property within the abutting designation; and</i>	N/A
(d) <i>amendments within the Urban Reserve or Rural Commutershed Designations on lands which meet or share a common street line with the Urban Settlement Designation or the Harbour Designation to accommodate development serviced with municipal water or wastewater infrastructure where the development is generally consistent with the intent of the Urban Settlement Designation policies in this Plan including Policy SU-4 and the total number of dwelling units does not exceed twenty. Preference will be given to lands that are naturally tributary to trunk municipal service systems.</i>	The subject lands meet and share a street line within the Urban Settlement Designation. If the rezoning to R-1 is approved the subject lands can only be subdivided into (4) four lots not exceeding a total of (4) four dwelling units.

Cole Harbour/Westphal Plan Policy (MPS)	
RR-3 <i>Notwithstanding Policy RR-2, it shall be the intention of Council to consider permitting development on lots which have an area of less than eighty thousand (80,000) square feet, by amendment to the land use by-law. When considering such an amendment, Council shall have regard to the following:</i>	
Policy Criteria	Comment
(a) <i>Deleted - Ministerial Amendment - March 3, 1993</i>	N/A
(b) <i>the effects of the development upon the existing on-site sewer and water systems of neighbouring lands;</i>	The adequacy of onsite well and septic must be satisfied by meeting the Department of Environment regulations prior to the issuance of a building permit. A QP report for onsite septic indicating that conditions are

	sufficient for onsite septic has been submitted. Potable water will be supplied to the site sufficiently in quality and quantity in accordance with DOE requirements.
<i>(c) the adequacy of the potable water supply for the proposed uses within the development;</i>	See RR-3 (b)
<i>(d) the coordination of the proposed road system within the development of the existing and proposed road systems of neighbouring lands;</i>	A Traffic Impact Statement was provided and identified no significant impacts to the existing transportation network as a result of this proposed development. HRM Development Engineering and Traffic Services reviewed the Traffic Impact Statement and concurred with its findings.
<i>(e) the adequacy of setbacks for watercourses;</i>	No watercourses have been identified on the subject property
<i>(f) the potential for expansion of the development in terms of available lands and their locations relative to the development and neighbouring lands;</i>	There is no potential to expand the development as the maximum permissible street frontage has been used for the rezoning.
<i>(g) the adequacy of parklands or cash-in-lieu in terms of optimum community use;</i>	Parkland dedication will be required through the subdivision process
<i>(h) any additional information, and information relating to (a) through (f) above, as shown on a tentative plan of subdivision; and</i>	No tentative plan of subdivision has been approved for these lands
<i>(i) the provisions of Policy IM-11</i>	See below

Cole Harbour/Westphal Plan Policy (MPS)	
<i>IM-11 In considering development agreements and amendments to the land use by-law or development agreements, in addition to all other criteria as set out in various policies of this Planning Strategy, Cole Harbour/ Westphal shall have appropriate regard to the following matters:</i>	
Policy Criteria	Comment
<i>(a) that the proposal is in conformity with the intent of this Plan and with the requirements of all other municipal by-laws and regulations</i>	If the requested rezoning is approved by Council the proposal will conform to the intent of the MPS and must comply all requirements of the Development Permit approval process.
<i>(b) that the proposal is not premature or inappropriate by reason of:</i>	
<i>(i) the financial capability of the Municipality to absorb any costs relating to the development</i>	No concerns were identified regarding potential financial implications for HRM.
<i>(ii) the adequacy of central or on-site sewerage and water services</i>	See RR-3 (b)
<i>(iii) the adequacy or proximity of school, recreation or other community facilities</i>	This proposal is not expected to produce an impact on school, recreation or other community facilities.
<i>(iv) the adequacy of road networks leading or adjacent to or within the development; and</i>	See RR-3 (d)
<i>(v) the potential for damage to or for destruction of designated historic buildings and sites.</i>	No historic buildings or sites have been identified on the lands or in the surrounding area.
<i>(c) that controls are placed on the proposed development so as to reduce conflict with any adjacent or nearby land uses by</i>	

<i>reason of:</i>	
<i>(i) type of use</i>	The type of use proposed through the rezoning to R-1 is consistent with adjacent and abutting housing types in the area.
<i>(ii) height, bulk and lot coverage of any proposed building</i>	Single family dwellings are the permitted form of construction in the R-1 zone. Height shall not exceed three stories. Bulk and scale of buildings are anticipated to reflect existing development in the area.
<i>(iii) traffic generation, access to and egress from the site, and parking</i>	A Traffic Impact Statement was provided and identified no concerns relative to parking or access to, and egress from the site. HRM Development Engineering and Traffic Services reviewed the Traffic Impact Statement and concurred with its findings.
<i>(iv) open storage</i>	Any future open storage is required to comply with the Land Use By-law
<i>(v) signs; and</i>	Any future signage is required to comply with the Land Use By-law
<i>(vi) any other relevant matter of planning concern.</i>	No other concerns have been identified at this time.
<i>(d) that the proposed site is suitable in terms of the steepness of grades, soil and geological conditions, locations of watercourses, marshes or bogs and susceptibility to flooding.</i>	None of the natural features listed have been identified on the site.
<i>(e) Within any designation, where a holding zone has been established pursuant to "Infrastructure Charges - Policy P-81", Subdivision Approval shall be subject to the provisions of the Subdivision By-law respecting the maximum number of lots created per year, except in accordance with the development agreement provisions of the MGA and the "Infrastructure Charges" Policies of this MPS. (RC-Jul 2/02; E-Aug 17/02)</i>	No holding zone has been established and no additional lots are proposed in conjunction with this application.

ATTACHMENT C – Legislative Authority

Land Use By-law Amendments By Community Council

The *Community Council Administrative Order*, subsection 3 (1) “Subject to subsection (3) of this section, sections 29, 30 and 31 of the *Halifax Regional Municipality Charter* apply to each Community Council.”

Halifax Regional Municipality Charter (“HRM Charter”),

30 (3) A community council may amend the land-use by-law of the Municipality applicable to the community with respect to any property in the community if the amendment carries out the intent of any municipal planning strategy of the Municipality applicable to the property and, in doing so, the community council stands in the place and stead of the Council and Part VIII applies with all necessary changes.

HRM Charter, Part VIII, Planning and Development, including:

Requirements for adoption of planning documents

220 (1) The Council shall adopt, by by-law, planning documents.

(3) Before planning documents are read for a second time, the Council shall hold a public hearing.

Amendment of land-use by-law

225 (1) An amendment to a land-use by-law that

(a) is undertaken in accordance with the municipal planning strategy; and

(b) is not required to carry out a concurrent amendment to a municipal planning strategy,

is not subject to the review of the Director or the approval of the Minister.

(2) The procedure for the adoption of an amendment to a land-use by-law referred to in subsection (1) is the same as the procedure for the adoption of planning documents, but a public participation program is at the discretion of the Council and the amendment may be adopted by a majority of votes of the Council members present at the public hearing.

(3) Upon the adoption of an amendment to a land-use by-law referred to in subsection (1), the Clerk shall place a notice in a newspaper circulating in the Municipality stating that the amendment has been adopted and setting out the right of appeal.

(4) When notice of an amendment to a land-use by-law referred to in subsection (1) is published, the Clerk shall file a certified copy of the amending by-law with the Minister.

(5) Within seven days after a decision to refuse to amend a landuse by-law referred to in subsection (1), the Clerk shall notify the applicant in writing, giving reasons for the refusal and setting out the right of appeal.

(6) Where the Council has not, within one hundred and twenty days after receipt of a completed application to amend a land-use by-law referred to in subsection (1), commenced the procedure required for amending the land-use bylaw by publishing the required notice of public hearing, the application is deemed to have been refused.

(7) Within seven days after an application to amend a land-use by-law, referred to in subsection (1), being deemed to be refused, the Clerk shall notify the applicant in writing that the application is deemed to have been refused and setting out the right to appeal.

(8) An amendment to a land-use by-law referred to in subsection (1) is effective when

(a) the appeal period has elapsed and no appeal has been commenced; or

(b) all appeals have been abandoned or disposed of or the amendment has been affirmed by the Board.

Content of land-use by-law

235 (1) A land-use by-law must include maps that divide the planning area into zones.

(2) A land-use by-law must

(a) list permitted or prohibited uses for each zone; and

(b) include provisions that are authorized pursuant to this Act and that are needed to implement the municipal planning strategy.

(3) A land-use by-law may regulate or prohibit development, but development may not be totally prohibited, unless prohibition is permitted pursuant to this Part.

(4) A land-use by-law may

(a) regulate the dimensions for frontage and lot area for any class of use and size of structure;

(b) regulate the maximum floor area of each use to be placed upon a lot, where more than one use is permitted upon a lot;

(c) regulate the maximum area of the ground that a structure may cover;

(d) regulate the location of a structure on a lot;

(e) regulate the height of structures;

(f) regulate the percentage of land that may be built upon;

(g) regulate the size, or other requirements, relating to yards;

(h) regulate the density of dwelling units;

(i) require and regulate the establishment and location of off-street parking and loading facilities;

(j) regulate the location of developments adjacent to pits and quarries;

(k) regulate the period of time for which temporary developments may be permitted;

(l) prescribe the form of an application for a development permit, the content of a development permit, the period of time for which the permit is valid and any provisions for revoking or renewing the permit;

- (m) regulate the floor area ratio of a building;
 - (n) prescribe the fees for an application to amend a land-use by-law or for entering into a development agreement, site plan or variance.
- (5) Where a municipal planning strategy so provides, a land-use by-law may
- (a) subject to the *Public Highways Act*, regulate or restrict the location, size and number of accesses from a lot to the abutting streets, as long as a lot has access to at least one street;
 - (b) regulate or prohibit the type, number, size and location of signs and sign structures;
 - (c) regulate, require or prohibit fences, walks, outdoor lighting and landscaping;
 - (d) in connection with a development, regulate, or require the planting or retention of, trees and vegetation for the purposes of landscaping, buffering, sedimentation or erosion control;
 - (e) regulate or prohibit the outdoor storage of goods, machinery, vehicles, building materials, waste materials, aggregates and other items and require outdoor storage sites to be screened by landscaping or structures;
 - (f) regulate the location of disposal sites for any waste material;
 - (g) in relation to a development, regulate or prohibit the altering of land levels, the excavation or filling in of land, the placement of fill or the removal of soil unless these matters are regulated by another enactment of the Province;
 - (h) regulate or prohibit the removal of topsoil;
 - (i) regulate the external appearance of structures;
 - (j) set out conditions, including performance standards, to be met by a development before a development permit may be issued;
 - (k) provide for incentive or bonus zoning in the HRM by Design Downtown Plan Area and the Centre Plan Area, including requirements for incentive or bonus zoning;
 - (l) prescribe methods for controlling erosion and sedimentation during the construction of a development;
 - (m) regulate or prohibit excavation, filling in, placement of fill or reclamation of land on floodplains identified in the land-use by-law;
 - (n) prohibit development or certain classes of development where, in the opinion of the Council, the
 - (i) cost of providing municipal wastewater facilities, stormwater systems or water systems would be prohibitive,
 - (ii) provision of municipal wastewater facilities, stormwater systems or water systems would be premature, or
 - (iii) cost of maintaining municipal streets would be prohibitive;
 - (o) regulate or prohibit development within a specified distance of a watercourse or a municipal water-supply wellhead;

- (p) prohibit development on land that
 - (i) is subject to flooding or subsidence,
 - (ii) has steep slopes,
 - (iii) is low-lying, marshy, or unstable,
 - (iv) is otherwise hazardous for development because of its soil conditions, geological conditions, undermining or topography,
 - (v) is known to be contaminated within the meaning of the *Environment Act*, or
 - (vi) is located in an area where development is prohibited by a statement of provincial interest or by an enactment of the Province;
 - (q) regulate or prohibit development in areas near airports with a noise exposure forecast or noise exposure projections in excess of thirty, as set out on maps produced by an airport authority, as revised from time to time, and reviewed by the Department of Transport (Canada);
 - (r) permit the development officer to grant variances in parking and loading spaces, ground area and height, floor area occupied by a home-based business and the height and area of a sign.
- (6) Where the land-use by-law provides for incentive or bonus zoning within the Centre Plan Area, the land-use by-law must require the inclusion of affordable housing in a development in addition to any other requirements adopted by the Council, as the contribution for any incentive or bonus zoning applicable to the development.

Appeals to the Board

262 (1) The approval or refusal by the Council to amend a land-use by-law may be appealed to the Board by

- (a) an aggrieved person;
- (b) the applicant;
- (c) an adjacent municipality;
- (d) the Director.