



**CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD**

Case ID 1500133164

**Erf 7445, 4 Kruger Street,
Kempenville, Bellville**

Development Management

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Architectural Drawings:

- SOUTH ELEVATION 1:100**: Shows the front facade of the building with four units, each with a separate entrance and a small balcony.
- EAST ELEVATION 1:100**: Shows the side facade of the building with a central staircase and a small balcony.
- NORTH ELEVATION 1:100**: Shows the back facade of the building with four units, each with a separate entrance and a small balcony.
- WEST ELEVATION 1:100**: Shows the side facade of the building with a central staircase and a small balcony.
- SECTION C-C 1:100**: A cross-section showing the internal layout of the building, including the staircase and the placement of the units.
- SECTION D-D 1:100**: A cross-section showing the internal layout of the building, including the staircase and the placement of the units.

Site Plan:

- The site is located in the Bellville area, near the intersection of Vrede Street and Kruger Road.
- The site plan shows the building footprint, parking spaces, and surrounding streets: Vrede Street, Kruger Road, Irene Road, and Sarel Cillessers Street.
- The site is located in the Bellville area, near the intersection of Vrede Street and Kruger Road.

Property Details:

Addr No	4
Address No Suffix	
Street Name	KRUGER
Street Name Type	Street
Vested Type	No Vesting
Status	Official
Allotment Name	BELLVILLE
Legal Status SG	Registered
Property Number	7445
Zoning Description	Single Residential 1 : Conventional Housing
SUB_CNCL_NMBR	6
SHAPE.STArea()	593,146011

2.	PROPERTY DETAILS:
3.	MOTIVATION IN SUPPORT OF THE APPLICATION:
4.	POLICIES & FRAMEWORKS (LEGISLATIVE SUPPORT):
5.	MOTIVATION IN TERMS OF THE DESIRABILITY OF THE APPLICATION (MPBL SECTION 99):
6.	SUMMARY AND CONCLUSION:

1. INTRODUCTION AND APPLICATION SUMMARY:

- 1.1 This proposal seeks to **REZONE ERF 7445, 4 KRUGER STREET, KEMPENVILLE, BELLVILLE** from **R1** (Residential Zoning 1: Conventional Housing) to **GB2** (General Business 2) to allow the Existing Dwelling to be demolished and replaced with an **Office Building**.

2. PROPERTY DETAILS:

2.1 PROPERTY DETAILS TABLE:

2.1.1	Ownership:	
2.1.2	Property Description:	ERF 7445
2.1.3	Physical Address:	ERF 7445, 4 Kruger Street, KEMPENVILLE, BELLVILLE.
2.1.4	Title Deed No.:	
2.1.5	Title Deed Restrictions:	None
2.1.6	ERF Extent:	595m2
2.1.7	SG Diagram No:	4735/1930
2.1.8	Bond:	Standard Bank
2.1.9	Present Zoning:	R1 - Residential Zoning 1: Conventional Housing.
2.1.10	Jurisdiction:	City of Cape Town Municipality, Tygerberg District
2.1.11	Proposed Zoning:	GB2 – General Business 2
2.1.12	Surrounding Zoning:	Residential 1 (R1), General Business 3 (GB3), General Business 4 (GB4), Local Business 1 (LB1), General Residential 2 (GR2), Transport 2 (TR2).
2.1.13	Surrounding Densities:	Medium Density Residential.
2.1.14	Surrounding Land Uses	Residential 1 (R1), General Business 3 (GB3), General Business 4 (GB4), Local Business 1 (LB1), General Residential 2 (GR2), Transport 2 (TR2).
2.1.15	Existing Land Use	Residential (R1) Dwelling House.
2.1.16	Proposed Land Use	General Business 2 (GB2) for an Office Building.

2.2 LOCALITY MAPS:

2.2.1 AERIAL



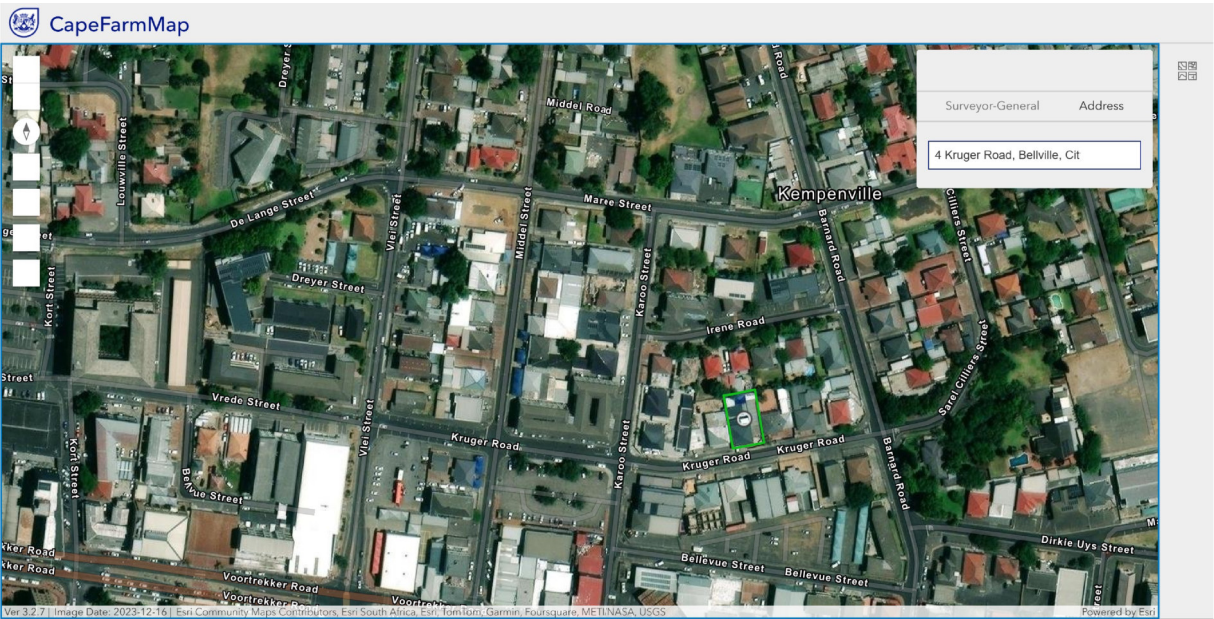
PHOTOGRAPH (Source: City of Cape Town Zoning Map Jan 2023):

2.2.2



ZONING MAP EXTRACT (Source: City of Cape Town Zoning Map):

2.2.3



LOCALITY MAP (Source: Provincial Cape Farm Map):

2.2.4.1



STREET VIEW OF THE SUBJECT PROPERTY FROM THE EAST (Source: Google Maps):

2.2.4.2



STREET VIEW OF THE SUBJECT PROPERTY FROM THE WEST (Source: Google Maps):

2.3 **LAND USE CONTROL:**

- 2.3.1.1 Offices is identified as a Primary Use Right on General Business 2 (GB2) Zoning. This proposal seeks to rezone the subject property from Residential 1 (R1) to General Business 2 (GB2) to allow the Existing Dwelling to be demolished and replaced with a new Office Building.
- 2.3.1.2 Definition: According to the DMS, 'Office' means property used for the conducting of an enterprise primarily concerned with administrative, clerical, financial or professional duties, and includes medical consulting rooms.
- 2.3.2.1 The Office Building includes a Security Reception Office, Communal Area with a Kitchen, Boardroom and various Office Suites. The Office Suites are intended to be rented to tenants who conduct administrative, clerical, financial or professional duties.
- 2.3.2.3 The Parking is provided on Ground Floor. The property falls in a PT2 Zone where the parking requirement is nil. This proposal provides 8 parking bays.

2.3.3 The table below shows the DMS and GB2 Zoning requirements compared to this proposal.

	ASPECT:	REQUIRED:	PROPOSED:
2.3.3.1	OFFICES	-	29
2.3.3.2	GB2 BUILDING HEIGHT (TOP OF ROOF)	15m	8.014m
2.3.3.3	COVERAGE	100%	73%
2.3.3.4	FLOOR FACTOR	2	1.03
2.3.3.5	PARKING - PT2	0 bays/flat, and 0 bay/100m ² of GLA	8 bays
2.3.3.6	BUILDING LINE- STREET BOUNDARY	0m	0m
2.3.3.7	BUILDING LINE- COMMON BOUNDARY- LATERAL	0m	0m
2.3.3.8	BUILDING LINE- COMMON BOUNDARY- REAR	0m	1.2m

3. **MOTIVATION IN SUPPORT OF THE APPLICATION:**

3.1 **MOTIVATION FOR THE REZONING OF ERF 7445, KEMPENVILLE, BELLVILLE FROM SR1 TO GB2:**

- 3.1.1 This proposal to REZONE ERF 7445, KEMPENVILLE, BELLVILLE from Residential Zoning 1: Conventional Housing (R1) to General Business 2 (GB2) to allow the demolition of the existing dwelling house and replacing it with a new Office Building is in terms of Section 42 (a) of the City of Cape Town Municipal Planning By-Law 2015 and the City of Cape Town Municipal Land Use Scheme, 2021.
- 3.1.2 The subject property is situated in a desirable location to allow the proposed rezoning in order to allow the demolition of the existing dwelling house and replacing it with a new Office Building. There is a pressing need for office space in areas that have proximity to commercial, educational, recreational and community opportunities. This proposal seeks to demolish the existing dwelling house and replace it with a new Office Building.
- 3.1.3 The following are reasons why this proposed rezoning is desirable:
- (1) This proposal is a more intensive land use but keeping still maintaining the residential character;
 - (1) This proposal brings more **intensification** in the area;
 - (2) This proposal is located in a **Development Corridor**;
 - (3) This proposal is located in a **Mixed Use Intensification Zone** and a **Development Focus Area**;
 - (4) This proposal is located in a **Metropolitan Node**;
 - (5) There are GB3 and GB4 zoned properties in the immediate surrounding area and therefore this proposal to rezone from R1 to GB2 fits the context. GB2 is less intensive than GB3 & GB4 and appropriate for our location;
 - (6) Public transport is available on Voortrekker Road, Robert Sobukwe Road and Durban Road (5 minutes walk away),
 - (7) This proposal will provide an affordable office space within a busy and vibrant node;
 - (8) This proposal will provide an affordable office space in an area close to employment opportunities;
 - (9) This proposal will bring professional and students to the area and liven up the area;
 - (10) Development Charges will be payable which will assist with resources for the infrastructure;
 - (11) Employment will be created in the construction phase and after.

4. POLICIES & FRAMEWORKS (LEGISLATIVE SUPPORT):

4.1 NATIONAL HERITAGE RESOURCES ACT NO. 25 OF 1999:

The main building is likely not older than 60 years, as it first appears on the Cape Town- City Map Viewer in 1968. See the 1953, 1958 and 1968 maps provided in this application. Heritage Western Cape Approval may not be required. This property is not identified as a heritage resource.

4.2 NATIONAL ENVIRONMENTAL MANAGEMENT ACT NO. 107 OF 1998:

An Environmental Authorisation may not be required as none of the listed activities are triggered.

4.3 LUPA & SPLUMA:

Section 48(4) of the By-Law states that the City must have regard to Section 39(5) of the Western Cape Land Use Planning Act 3 of 2014 ("LUPA") and Section 47 of the Spatial Planning and Land Use Management Act 16 of 2013 ("SPLUMA") when considering whether to remove, suspend or amend a restrictive condition. There are no restrictive conditions are to be removed, suspended or amended and therefore this section is not applicable to this application but the following principles have been taken into account: (a) The need to promote land development in locations that are sustainable and limit urban sprawl; (b) Support developments that optimise the use existing resources and infrastructure; (c) Promote developments that support job creation and enable residential environments that improve the quality of life.

4.4 WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK: STATUTORY REPORT (2014):

The PSDF opposes urban sprawl and development outside the urban edge. The PSDF promotes densification of underutilized land within the urban edges. This proposal complies with following listed principles:

4.4.1 Sustainability and Resilience:

This proposal protects natural resources through Increased densification on land that is not identified as high potential agricultural land. This proposal is compatible with the height and densities prescribed for the area.

4.4.2 Spatial Efficiency:

Increased density ensures that more families will be closer to opportunities in the area and surroundings.

4.4.3 Access:

This proposal will bring more people closer to opportunities in the area and surroundings.. It will also create job opportunities in construction phase and afterwards domestic, security and cleaning job opportunities.

4.4.4 Quality and Liveability:

Increased density ensures increased surveillance which improves security in the area. This brings an improved living environment in general. This proposal has been designed to fit into the character of the area.

4.5 CITY OF CAPE TOWN MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK: 2023:

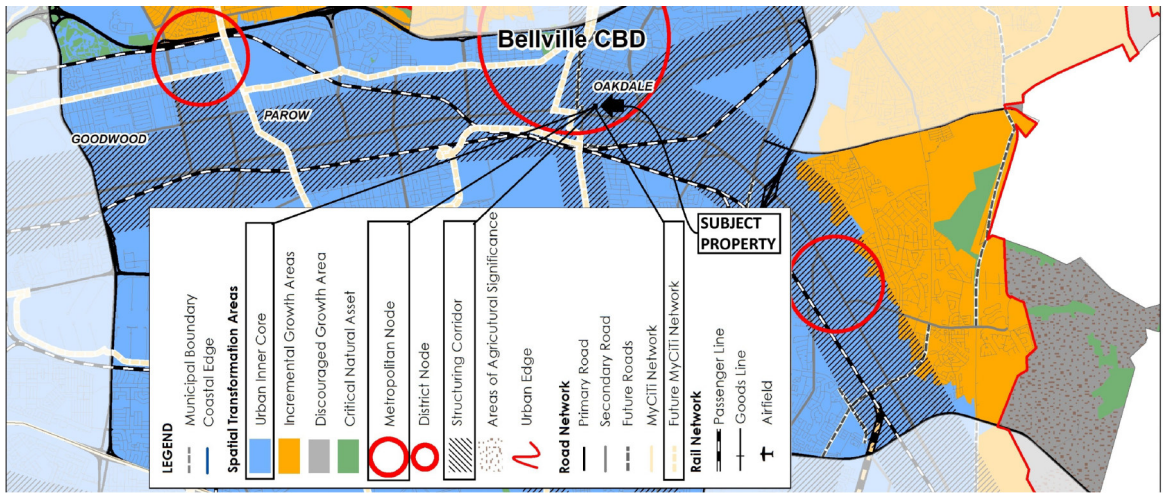
4.5.1 According to the MSDF, the subject property lies within the Urban Inner Core (UICA). The Principle of such an area is to up-scale land, building optimisation and ensure adequate infrastructure capacity. This proposal is in line with City's priority in Urban Inner Core (UICA) areas which is investments that aim at spatial transformation, spatial integration and spatial intensification.

4.5.2 The MSDF focuses on INWARD GROWTH as a response to built environment stresses such as urban sprawl which typically put a great burden on the poor who have to have to commute long distances between home and work and pay a portion of their income on transport fare. This proposal to develop to develop a more intensive land use within the existing urban footprint in in line with the MSDF imperative for spatial transformation as it brings the people closer to amenities and opportunities.

4.5.3 The MSDF also prescribes spatial strategies that include protecting natural resources and encourages integrated settlement patterns and a more compact form of development. This proposal supports these strategies as the identified land is not located within a valuable agricultural area; this proposal will ensures a more compact urban form which will increases access to opportunities within the area. This proposal therefore complies with the broader goals of the MSDF as this proposed rezoning is in line with the densification needed in the area.

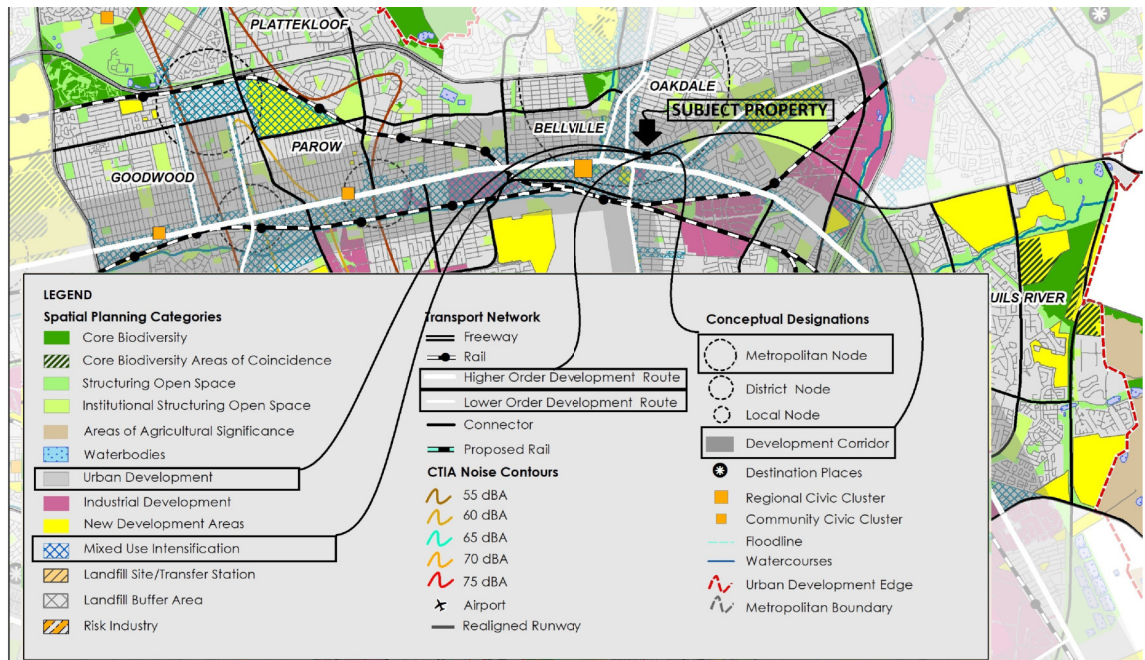
4.5.4 The MSDF aims to address the inequitable socio-economic conditions emanating from the racially divisive policies of South Africa's history. This proposal is addressing this imperative by bringing people closer to an area of higher availability of amenities and opportunities.

4.5.5



TYGERBERG DSDF - CONSOLIDATED SPATIAL PLAN CONCEPT MAP (2023):

4.5.6



TYGERBERG DSDF - URBAN RESTRUCTURING AND UPGRADING MAP (2023):

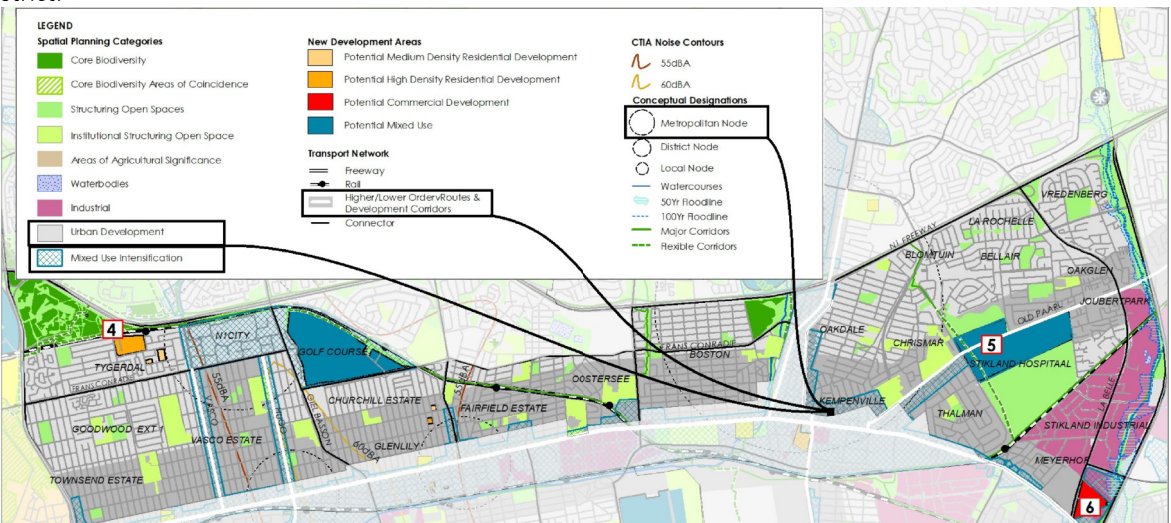
4.6

TYGERBERG DISTRICT PLAN (2023):

4.6.1

The property is located in Kruger Street which located closed to the spine of the Voortrekker Road Development Corridor. Voortrekker Road is a High Order Development Route and Development Corridor in the District.

4.6.2



TYGERBERG DSDF- SUB-DISTRICT 2 MAP (2023):

- 4.6.3 The property is in an Urban Development Area. The property is in a Development Corridor. The property is in a Mixed Use Intensification Zone. The property is in a Metropolitan Node.
- 4.6.3.1 According to the DSDf, the subject property is in an existing Urban Development Area. The Principle of such an area is further intensification, optimisation and appropriate redevelopment of existing land uses. This proposal is in line with this DSDf priority which is spatial transformation, spatial integration and spatial intensification and the imperative includes promoting the regeneration and refurbishment of well-located, underutilised buildings for affordable housing, where appropriate; ensuring sufficient provision of supporting amenities in line with requirements for provision of associated social facilities and recreational spaces.
- 4.6.3.2 This proposal is in a Development Corridor where the DSDf supports higher-intensity development than in surrounding urban areas. The property is within 10 minutes walk to the spine of the development corridor (Voortrekker Road).
- 4.6.3.3 This proposal is in a Mixed Use Intensification Zone where the Tygerberg District Plan promotes land use intensification, which implies a greater mix of residential and non-residential land uses (diversification) through the increased use of space, both vertically and horizontally (densification). Rezoning to GB1 for a Boarding House is a low intensity land use which is appropriate in the Mixed Use Intensification Zone.
- 4.6.3.4 This proposal is in a Metropolitan Node where the DSDf supports higher-intensity development than in surrounding urban areas. This proposal supports the Tygerberg DSDf imperatives for the Bellville Metropolitan Node which are: **(1)** Encouraging mixed land use intensification within a radius of approximately 2,5 km; **(2)** Encouraging a mix of commercial, recreational spaces, higher-order public facilities appropriate for level 1 civic clusters, and high-density residential, including a range of housing typologies and affordable housing; **(3)** Promoting development at higher residential densities than those which exist in the surrounding area and encourage net densities of 400 du/ha and above with due consideration of the local context and its urban character and form; and **(4)** Encouraging the conversion of functionally obsolete building stock to affordable housing.
- 4.6.4 This proposal is in line with the Tygerberg DSDf Local Objectives for Sub-District 2 which are: **(a)** Facilitate land use intensification (density and diversity) along high accessibility routes and in close proximity to public transport; **(b)** Facilitate densification that will promote a denser urban form without detracting from the character of the residential areas; **(c)** Protect core residential areas from business creep that will change the character of the areas; and **(d)** Maintain and improve the quality of existing open space systems and the interfaces.

4.7 **CITY OF CAPE TOWN DENSIFICATION POLICY (2012):**

The City of Cape Town Densification Policy strives at more efficient utilisation of land leading toward more compact urban environments. Densification is defined as “increased use of space, both horizontally and vertically, within existing areas/properties and new developments, accompanied by an increased number of units and/or population threshold”. Section 2.4, redevelopment at higher densities is seen as a mechanism to achieve the goal of densification. Among its key principles to achieve its goals of densification area:

- To reduce the consumption of valuable resources such as agricultural land, areas of mineral potential etc,
- Provide a mix of residential densities to ensure diversification and choice of housing type and tenure options.

The proposed development is in line with these principles. The subject property is not identified as valuable agricultural land. The proposed development therefore protects natural assets through densification of land not identified as valuable agricultural land. It also provides more living and job opportunities within this area. This proposed development seeks to allow appropriate densification which serves to provide more accommodation opportunities. In line with the District Plan, specific attention has been given to ensure that the development fits the foreseen character of the area.

4.8 **TRANSIT ORIENTED DEVELOPMENT STRATEGY FRAMEWORK (2016):**

The TOD policy goal is “to progressively move towards a compact, well connected, efficient, resilient urban form and movement system that is conducive to economic and social efficiency and equality whilst providing cost effective access and mobility, with the least possible negative impact on the environment”. The objectives of TOD are: **(1)** To maximise “local efficiency” so that people can walk, cycle and use public transport. This can be achieved through a comprehensive approach to land use density, mix and intensity, as well as a focus on prioritised public transport at a metro, corridor, nodal and precinct scale; **(2)** To boost ridership and minimize congestion thereby ensuring that the public transport system becomes more viable; **(3)** To provide a rich mix of housing, shopping, recreational and transportation choices; **(4)** To enable cost and operational efficiencies in the provision and design of urban infrastructure; **(5)** To drive down the cost of the User Access Priority for both new and existing residents.

The subject property lies within the Urban Inner Core (UICA). The property is in an Urban Development Area. The property is in a Development Corridor. The property is in a Mixed Use Intensification Zone. The property is in a Metropolitan Node.

4.9

SOCIAL DEVELOPMENT STRATEGY:

The Social Development Strategy aims to address poverty, inequality and social ills while providing people the opportunity to participate in their own development. The strategy has the following objectives:

- Maximise income generating opportunities for people who are excluded or at risk of exclusion,
- Build and promote safe households and communities,
- Support the most vulnerable through enhancing access to infrastructure and services,
- Promote and foster social integration, and
- Mobilise resources for social development.

This proposal helps achieve objectives 1.2 – Develop the skills of people excluded or at risk of exclusion; 3.3 – Facilitate access to housing opportunities; 4.3 – Foster diversity and inclusiveness.

4.10

INCLUSIVE ECONOMIC GROWTH STRATEGY (2021):

The primary intention of this strategy is to provide aid in the recovery of the economy after the Covid-19 pandemic. Specific areas focused on are service provision, business support, labour market support and investment stimulation. A three-phase recovery approach is proposed by the strategy: stabilisation, adoption and rebuilding/recovery.

This proposed development may be required to make additional funds available to the City by means of Development Charges. These funds are for investment in additional infrastructure for the area and better service delivery. In addition, the development will create jobs for skilled and semi-skilled labourers. This includes jobs during the construction phase as well as domestic jobs afterwards, like security and cleaning. These fall under the strategy's identified stabilisation initiatives which is a primary directive after the pandemic.

4.11

CITY URBAN DESIGN POLICY(SEPTEMBER 2013):

The Urban Design Policy seeks to focus on the contribution of proposed developments to urban design at local level. The following are the identified policy objectives with which this proposed rezoning is in line with:

4.11.1

Objective 1: Ensure that the development contributes positively to the urban structure of the city to create integrated and legible places and neighbourhoods. The proposal protects natural resources by increasing in densification and intensification on land that is not identified as high potential agricultural land. The proposed development is compatible with the height expected within a metropolitan node.

4.11.2

Objective 2: Ensure that development contributes to improved quality of the public realm and public spaces. The proposal increases in densification and intensification on land. The front façade has overlooking features that makes the public realm more safe.

4.11.3

Objective 3: Ensure that the developments contribute to the creation of safe and secure communities. This proposal will enhance the “eyes-on-the-street” effect as the windows will have a clear view of the public street.

4.11.4

Objective 4: Ensure opportunities and amenities are accessible and that people can move about easily and efficiently. This proposal creates additional accommodation opportunities in an area that has a high access to commercial, education, recreation and community opportunities.

4.11.5

Objective 5: Promote development intensity, diversity and desirability. This proposal seeks to ensure that the property is developed to its full potential given the local context. The local area has immense opportunities for growth and development which the proposed development seeks to enhance.

4.11.6

Objective 6: Ensure enclosure and positive interfaces onto the public realm. The front façade has overlooking features that makes the public realm more safe. Good design has been used to provide an appealing front façade which will encourage others to pursue good design when the work on their buildings.

5.

MOTIVATION IN TERMS OF THE DESIRABILITY OF THE APPLICATION (MPBL SECTION 99):

City of Cape Town Municipal Planning By-Law, Section 99 outlines a criteria to assess an application before a decision on an application is made. Below are aspects in relation to the proposed development's desirability.

5.1

SOCIO-ECONOMIC IMPACT:

This proposal will have a positive socio-economic impact as it will generate jobs during the construction phase as well as jobs afterwards. It will also creates additional opportunities in an area that has a high access to commercial, educational, recreational and community opportunities. The increased densification ensures a compact urban fabric which is good for the general public. Development Charges will contribute to improvements of City infrastructure.

- 5.2 **COMPATIBILITY WITH SURROUNDING LAND USES:**
The intensification will help to strengthen the land use within the area and provide the thresholds for the existing and future the public transport services and commercial activities.
This proposed rezoning is contextually appropriate in terms of the permitted uses and built form.
- 5.3 **IMPACT ON EXTERNAL ENGINEERING SERVICES:**
This proposed development will have an impact on the external engineering services. The developer may be liable for Development Charges. No bulk or link services are required for the proposed development.
- 5.4 **IMPACT ON SAFETY, HEALTH AND WELL-BEING OF SURROUNDING COMMUNITY:**
No negative impact is expected on the safety, health and well-being of the community. This proposal has minimal change to the existing building form. The residential character of the building is maintained.
- 5.5 **IMPACT ON HERITAGE:**
The main building is likely not older than 60 years, as it first appears on the Cape Town- City Map Viewer in 1968. See the 1953, 1958 and 1968 maps provided in this application. Heritage Western Cape Approval may not be required. This property is not identified as a heritage resource.
- 5.6 **IMPACT ON THE BIO-PHYSICAL ENVIRONMENT:**
This proposal has minimal change to the existing building form. No negative impact is expected on the bio-physical environment.
- 5.7 **TRAFFIC IMPACT, PARKING ACCESS, OTHER TRANSPORT RELATED CONSIDERATIONS:**
This property is in a PT2 zone where the on-site parking provision requirement is nil. This proposal provides 8 parking bays.
6. **SUMMARY AND CONCLUSION:**
This proposal, we hope you will deem desirable and recommendable for APPROVAL for the following reasons:
(a) This proposal is broadly consistent with spatial planning frameworks and relevant Council Policies.;
(b) This proposal holds positive socio-economic benefits.
(c) This proposal is compatible with the surrounding land uses and built environment. The proposal is of an appropriate scale and form that relates to the surrounding urban fabric.
(d) This proposal will not have a negative impact on safety, health and well-being of the surrounding community.
(e) This proposal poses no adverse impact on existing rights.
(f) This proposal poses no adverse impact on the street-scape and no adverse impacts on surrounding properties whilst facilitating the most efficient use of the erf.
(g) This proposal is consistent with sections 99 of the Cape Town Municipal Planning By-Law (MPBL).



Owner: