CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Case ID 1500166086

Erven 51321 and 51322, 19 Belvedere Road, Claremont

Development Management

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LJ GLUCKMAN

TOWN PLANNING

MOTIVATIONAL REPORT:

PREPARED BY: LJ GLUCKMAN TOWN PLANNING

APPLICATION: PROPOSED CONSOLIDATION OF ERVEN 51321 AND 51322, CAPE TOWN, AND REZONING FROM RESIDENTIAL ZONE 1 TO LOCAL BUSINESS 2.

DATE: 10 SEPTEMBER 2026

ERF Number	Erven 51321 & 51322, Cape Town
Address	19 & 21 Belvedere Road, Claremont
Registered Owner	
Applicant	Lloyd Gluckman
Title Deed	
Restrictive Conditions	No
Registered Extent	955 & 690 Sqm
Zoning	Residential Zone 1
Overlay Zoning	NA

INTRODUCTION

The owner of the subject properties wishes to consolidate these erven into a single land unit and rezone the consolidated property in order to accommodate the proposed development and land use which includes the use of the property as offices. The proposed consolidation of these properties was previously approved but this approval has since lapsed thus requiring a new submission for review by the City. This report contains a review of these proposals together with a motivational report in terms of the requirements of the MPBL.

OWNERSHIP & AUTHORISATION

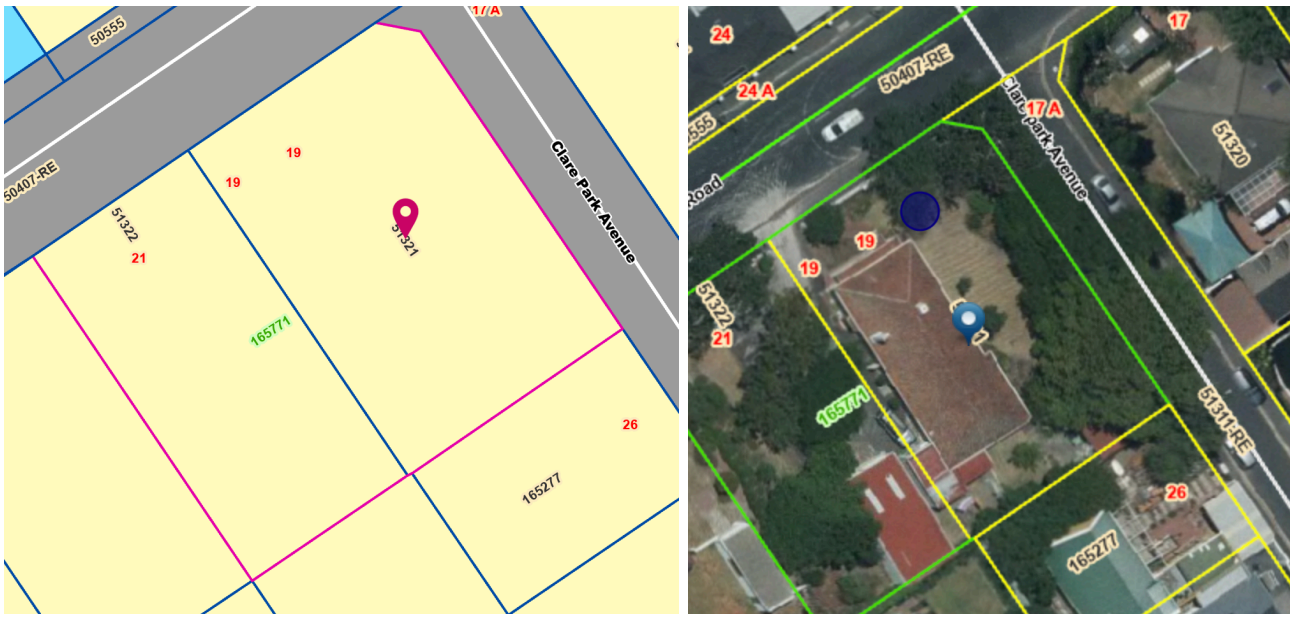
The subject properties are owned by a and the necessary documents associated with this business have been provided together with a resolution letter authorising an individual to act as the representative of this CC. This representative has in turn authorised Lloyd Gluckman to submit the relevant land use applications containing the required applications associated with the proposed land use and development.

APPLICATIONS

1) Application in terms of Section 42(f) of the MPBL for the proposed consolidation of Erven 51321 & 51322, Cape Town
2) Application in terms of Section 42(a) of the MPBL for the proposed rezoning of the consolidated land unit from Residential Zone 1 to Local Business 2.
3) Application in terms of Section 42(b) of the MPBL for a permanent departure from Item 136B(g)(bb) to permit the Clare Park Lane street boundary wall to have 0% permeable visibility in lieu of 25%.

SUBJECT PROPERTY & THE LOCAL AREA

The subject properties are located at 19 & 21 Belvedere Road Claremont. The below images indicate that the properties are both zoned Residential Zone 1 as depicted in yellow on the image to the left and that they contain no features of biophysical significance as indicated on the aerial image to the right. The aerial image also shows that there is existing development on both erven. Erf 51322 is smaller in area than erf 51321 by approximately 265 square meters.





The above image shows a number of important attributes of properties in the surrounding area. It confirms that property sizes vary and that the proposed consolidation will not result in a property which deviates from the character of the local area. It also shows that there are a number of properties, particularly those located on Belvedere Road, which are not zoned Residential Zone 1. The subject properties are demarcated above by the red dotted line and it is clear that a number of properties to the west are zoned for a variety of uses exhibiting zonings other than Residential Zone 1. The property directly opposite Erf 51322 is zoned Local Business 2, and properties further west along Belvedere Road are zoned a combination of Local Business, General Business and General Residential. The General Business 1 (GB1) zone allows for more intensive

business use than the Local Business 2 zoning proposed herein. A review of these properties to the west indicates that they facilitate a range of different business activities including a salon and beauty academy, offices for a promotional and marketing company, offices for a book distributor, a service station, strip mall, Belvedere Square and a range of other businesses and amenities. The area has thus clearly established itself as a commercial node/corridor supported by the Milner/Belvedere Road Corridor.

The area is also characterised by more dense residential housing typologies on a number of properties including flats. This character is consistent with areas where there is a high concentration of commercial activity including a range of public and private amenities.

It is also clear that Belvedere Road is a designated Metropolitan Road thus a 5m street boundary building line is required in terms of this designation. This setback is shown on the proposed building plans which confirms that no structures are proposed within 5m of this boundary.

DESCRIPTION OF APPLICATION & PROPOSALS

1. PROPOSED CONSOLIDATION

The subject properties are proposed to be consolidated to contain a single land unit which result in a property with a total area of +- 1645 sqm. Below is a discussion of the existing use rights of each of the subject properties in their current form together with the review of the use and development rights that will be applicable following the approval of the proposed consolidation. It must be made clear from the outset however that this exercise is merely a formality as it does not accurately represent the proposal and the eventual outcome given the inclusion of an application for the proposed rezoning of the subject property.

Current Permissible Land Use for Erf 51321 & Erf 51322, Cape Town:

Primary Use Rights: dwelling house, private road, micro wind turbine, structure-mounted energy system and additional use rights
Additional Use Rights: home occupation, bed and breakfast establishment, second dwelling, third dwelling, filming, affordable rental flat, supplementary dwelling unit, small-scale wind turbine, place of instruction (with not more than 34 children) and home childcare (subject to further conditions)

Permissible Development on Erf 51321 & Erf 51322, Cape Town:

Maximum Floor Space: 1500 sqm
Maximum Height: 10 above EGL
Street Boundary Building Line: 3.5m
Common Boundary Building Line: 3m

Proposed Address of the consolidated land unit: 19 Belvedere Road, Claremont.

Following the consolidation of these properties the changes to permissible development and land use on the subject property will be as follows.

SCALE AND DESIGN OF DEVELOPMENT

Permissible Development on Consolidated Land Unit

Where use rights apply to each property individually, these will now only apply rot a single land unit. As such where a total of three dwellings were permitted on each property, for example, allowing for a total of 6 dwellings across the two properties, only 3 will be permitted in total. So, while the permissible use rights remain unchanged these now only apply to a single land unit and not 2 reducing the total achievable uses by half.

Permissible development rights associated with a property zoned Residential Zone 1 with a total area of 1645 square meters is as follows:

Maximum Floor Space: 1500 sqm
Maximum Height: 10 above EGL
Street Boundary Building Line: 4.5m
Common Boundary Building Line: 3m

IMPACT ON BUILDING MASSING

As is clear from the above, the development rights applicable to the consolidated land unit remain largely unchanged with the exception of the street boundary building line which is more restrictive as a result of the increased area. The maximum permissible floor space is significantly reduced resulting in only half the permissible floor space which is currently permitted across the two existing land units. Where 1500 sqm of floor space was permitted on each erf totalling 3000 sqm between them, now only half that is permissible on the consolidated property. Important to note too is that there is no change to permissible building height nor to the common boundary building line.

Overall it is clear that the resultant consolidation reduces the number of total dwelling units and the permissible development across the properties. This results in a significant reduction in permissible building massing.

IMPACT ON SURROUNDING PROPERTIES

The above demonstrates clearly that there will be no expected negative impacts to neighbouring properties as a result of the approval of the proposed consolidation. The allowable development and building massing is drastically reduced, common boundary building lines remain the same with the same applicable development rules with the exception of the street boundary building lines which are now more restrictive.

2. PROPOSED REZONING FROM RESIDENTIAL ZONE 1 TO LOCAL BUSINESS ZONE 2

The above section cannot be considered in isolation as application is also included for the proposed rezoning of the subject property from Residential Zone 1 to Local Business 2. The approval of this rezoning will change the permissible land use and development on the consolidated land unit as described below.

Permissible land use associated with Local Business 2 on the consolidated land unit:

Primary use rights: shop, office, dwelling house, second dwelling, boarding house, bed and breakfast establishment, flats, place of instruction, place of worship, institution, clinic, guest house, service trade, utility

service, rooftop base telecommunication station, private road, veterinary practice filming, electric vehicle charging stations, micro wind turbine, structure-mounted energy system and open space.

Additional use rights are supplementary dwelling unit ,small- scale wind turbine (all subject to specific development rules)

Permissible development associated with Local Business 2 on the consolidated land unit:

Floor Factor: 1 (total floor space of 1645 sqm)
Coverage: 75%
Maximum Height: 12m
Street and Common Boundary Building Lines: 0m

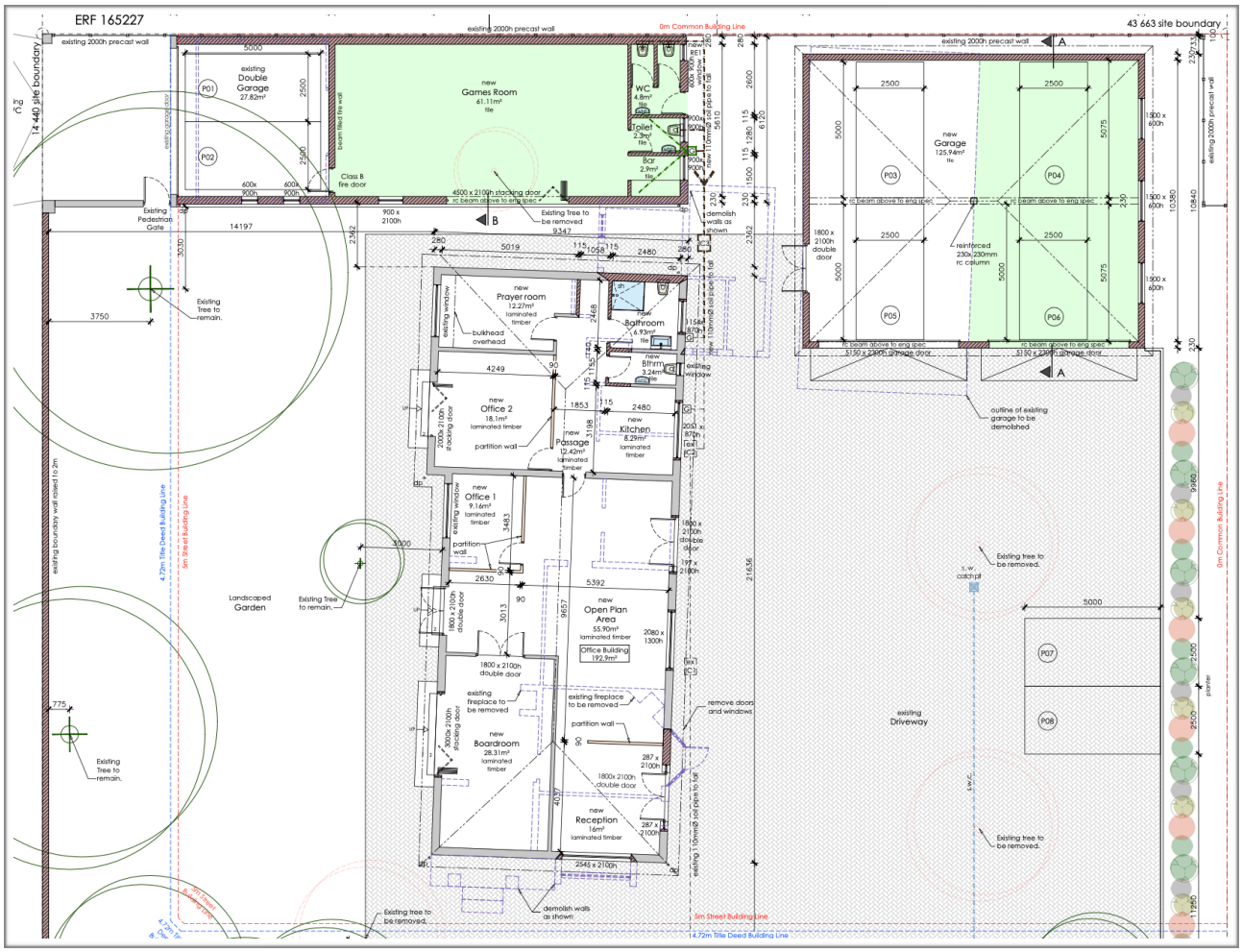
The above represents a slight increase in permissible floor space and height in comparison to the provisions of Residential Zone 1. Where Residential Zone 1 has no limitations on coverage this is limited to 75% as per the provisions of Local Business 2. Street and common boundary building lines are 0m as per the provisions of Local Business 2 however, as has been noted, Belvedere Road is a designated Metropolitan Road and thus requires a 5m street boundary building line.

The by-law indicates that the LB2 zoning, "provides for low-intensity commercial and mixed-use development which serves local needs for convenience goods and personal services. Limitations are placed on the scale of such development so that it is capable of integration into the adjacent residential neighbourhood without adversely affecting the amenity of the neighbourhood". The context of the local area has been considered when identifying the appropriate zoning for the subject property and the provisions of the by-law together with the surrounding character of the local area have been taken into consideration. Based on the above, together with the proposed development and land use, the LB2 zoning was found to be the most compatible.

Description of the proposed use and development on the subject property:

As per the proposed building plans provided the proposal includes the location of offices on the subject property. The below floor plan depicts the proposed uses and their location. As discussed in other sections

of this report, this proposed use is compatible with the character of the local area and with relevant policies provided by the City.



The above extract from the proposed building plans shows the proposed offices together with a reception area and a boardroom. Included is also a proposed prayer room, kitchen and bathroom, proposed games room, a proposed double garage and a proposed 4 car garage. The primary use of the property being for offices.

The total proposed development is in accordance with the provisions of the Local Business 2 zone. Building heights are well below the permissible 12m and the proposed coverage and floor space is also below that which is permissible. Sufficient parking has been provided with total of 8 parking bays.

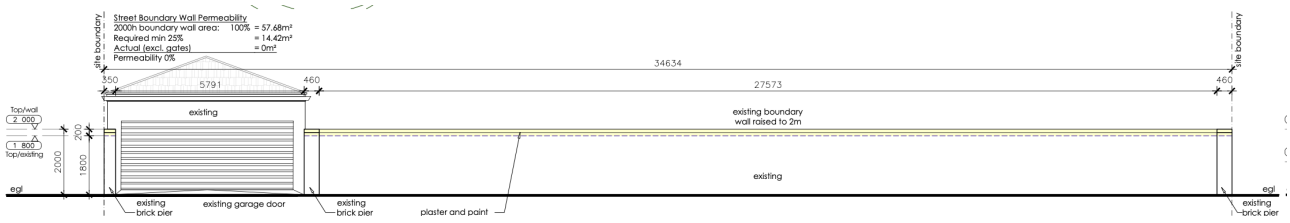
The proposed building plans indicate a total GLA of 131.5 square meters. With the 'games room' area included the total = 192.61 sqm (192.61/100 x 4 = 7.7 = 8 bays required

Overall the proposed development of the subject property does not maximise the permissible development parameters of the LB2 zoning and maintains large street boundary setbacks, proposing a total coverage of +- 27%, a total floor space of +- 446 square meters and a proposed maximum building height of less than 6m above EGL. As such the proposed building work is not expected to result in structures which deviate from the character of the local area or in massing which could be expected to result in negative impacts on neighbouring properties. The carriageway crossings and parking requirements have been provided in accordance with the by-laws further mitigating any potential for negative impacts on the surrounding area.

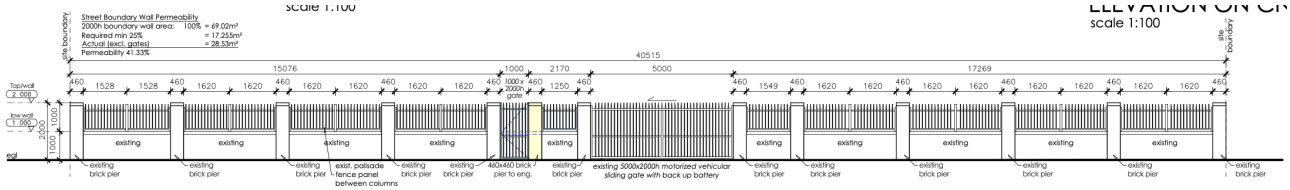
PROPOSED DEPARTURE FROM BOUNDARY WALL VISUAL PERMEABILITY REQUIREMENTS

Application has been included for a proposed departure from 136B(g)(bb) to permit the Clare Park Lane street boundary wall to have 0% permeable visibility in lieu of 25%.

Item 136B(g)(bb) provides for visual permeability requirements for properties zoned local business requiring a minimum of 25% of the total vertical area of the boundary wall, including any visually permeable gates or garage doors. The visual permeability calculations have been provided on the attached building plans and show the boundary wall along Belvedere Road to be compliant with these provisions. The boundary wall along Clare Park Land however does not meet these requirements and, as such, application for a departure has been included.



The extract above from the proposed building plans depicts the boundary wall along Clare Park Lane, the height of which 2.2m with a visual permeability of 0%. This is consistent with the majority of properties in this road. The proposal therefore is not expected to result in conditions which deviate from the characteristics of the local area. The high degree of permeability that has been provided for along Belvedere Road is believed to mitigate any potential negative impacts as there is still visual permeability provided for into the property. As this property has two street boundaries the proposal is believed to create some privacy for the consolidated land unit and is not expected to result in any negative impacts to the streetscape or the character of the area.



The above extract from the proposed building plans shows the boundary wall along Belvedere Road exhibiting high degrees of visual permeability with a permeability of +- 41 % well above what is required in terms of the provisions of the MPBL.

MOTIVATION

PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK

The provisions contained within the PSDF have been considered as they relate to this proposal and it has been found that the proposal does not contravene any of the policy directives contained within this document.

MUNICIPAL SPATIAL DEVELOPMENT FRAMEWORK

The MSDF, taking the provisions of the above mentioned PSDF into account, provides for a spatial framework highlighting and promoting the desired future development of Cape Town. This policy is developed with three key strategies in mind and incorporates and informs other city wide and localised policies to factor in socio-economic needs and balance this with the sustainable use of land and natural resources.

With this in mind the policy is designed to work toward creating a "city of hope for all" and the creation of a city "where the economy can thrive and bring investment and jobs". In fact, it is economic growth which is highlighted as the most important of the 6 priorities which are outlined which will lead to job creation, the reduction in poverty and allow for the creation of a more inclusive, prosperous and safer city. The proposal

made within this report to enhance economic opportunities and create job opportunities directly addresses the needs and desires of this policy. To relate it directly to the policy objectives the proposal will address the need to create more job opportunities which results in reduced poverty and leads to conditions which allow for the creation of a more inclusive, prosperous and safer city.

The spatial vision for the city is guided by a number of aspects which seek to enhance the lives of those living within the city and create equitable access to opportunities and resources. The economic, socio-economic and environmental landscapes are all addressed and targeted as a means to achieving this. The City considers land use, development economics and transport in an integrated manner. The MSDF highlights the relationship between land use and transportation and the importance of land use intensification. This intensification of land use is described as implying a diversification and mixture of both residential and non-residential land uses which can be achieved within existing areas.

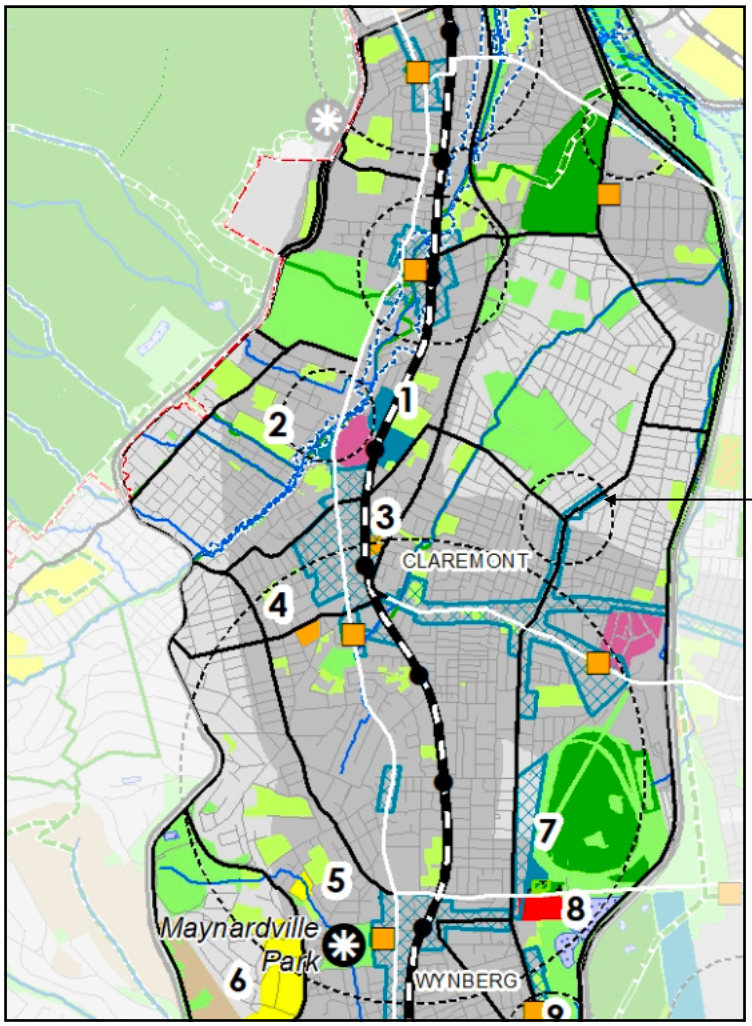
The Integrated Public Transport Network Plan shows that the Metro South-East Corridor runs in close proximity to the subject property. There are also well established private transport (taxi) routes along the nearby Imam Haron Road as well as an existing BRT system.

The subject property is located in an area identified by the MSDF as the 'Urban Inner Core'. The private sector is supported in these areas in a manner which helps to stimulate opportunities for inclusive and sustainable economic growth. Intensification and diversification of land uses is supported and the City is also committed to 'future proofing' these areas with investment targeted at upgrading and maintaining bulk infrastructure and services.

Strategy 1 of the MSDF is to "Plan for economic growth and improve access to economic opportunities". The proposal made within this application is believed to support this strategy whilst remaining sensitive to context, including the existing land uses and urban fabric of the local area, by providing job opportunities in a well located area and supporting local economic growth. Enhanced economic opportunities in this area will further support TOD principles of the City and bolster existing and planned future public transport networks. This will contribute toward the creation of a more inclusive city as per Strategy 3. The efficient use of urban land as well as a contribution toward a more sustainable public transport network also supports Strategy 2 in promoting the environmental benefits that come with better public transport systems as well as reducing pressures for outward expansion of the city. Promoting land use intensification and diversification in

a manner proposed within this application is believed to be compatible with the local area and assists in the achievement of multiple directives put forward within the MSDF.

SOUTHERN DISTRICT PLAN



Location of the Subject Properties

The above extract of the Southern District Plan shows the subject properties to be located within the Existing Urban Development Spatial Planning Category, a neighbourhood node and a mixed use intensification area. It's location within an Urban Development SPC indicates that further development on the property is able to be supported by existing infrastructure and the District Plan indicates that mixed use intensification areas are areas in which further intensification and diversification of existing land uses should be supported. The proposals made within this application are believed to support and promote this mandate.

The subject properties enjoy high degrees of accessibility to the M5 (providing access to and from the area in a north-south direction and Keurboom and Imam Haron Roads (providing linkages in a west-east direction). Well established public transport networks in the area have been discussed, particularly the well serviced nature of the Imam Haron Corridor. This enhances accessibility to the area in which the subject property is located for those who either do not have access to private transportation or choose to make use of public transport as an alternative.

The proposed rezoning and use of the subject property is believed to be supportive of the policy directives of the District Plan and are in no way believed to result in conditions which contravene the vision for the district. The proposal is not believed to impact upon the natural or cultural beauty of the district and will contribute to enhancing employment opportunities in an area where mixed use intensification is specifically promoted.

SOCIAL DEVELOPMENT STRATEGY

The proposed rezoning of the consolidated land unit will provide an increase in commercial activity in an area where such uses are desirable creating enhanced economic and employment opportunities. This will assist in the promotion of a more equitable city as is desired by the Social Development Strategy. The provisions of this strategy have been assessed against the proposal made herein and there is no finding to suggest that these proposals will limit the achievement of the outcomes put forward by this policy.

INCLUSIVE ECONOMIC GROWTH STRATEGY

Promoting increased commercial use in a well located area is believed to support the creation of an Opportunity City as this will result in the increased provision of employment opportunities. The area in which the subject property is located is accessible via public transport and is located within a neighbourhood node and mixed use intensification area where similar, and other, commercial uses are already in existence on properties zoned Local Business 2 and General Business. As has been noted, the proposed rezoning of the subject property will result in increased job opportunities for individuals residing in the area as well as those who live in other parts of the city. The proposal is believed to promote sustainable growth and contribute to the enhancement of inclusivity within the city and ultimately have a positive contribution toward the achievement of an Opportunity City.

SPLUMA & LUPA

The proposals made herein are not believed to contravene any of the provisions of the Spatial Planning and Land Use Management Act (SPLUMA) nor those contained within the Western Cape Land Use Planning Act (LUPA). This application is believed to promote numerous Development Principles contained within SPLUMA. By proposing increased commercial use in an area where such use is desirable the principle of spatial justice and the creation of a resilient community is promoted via the creation of job opportunities. The property is not located in an environmentally sensitive area and none of the proposals contained within this application are expected to have a negative impact on the natural environment. Making more efficient use of land within the urban edge is regarded as a means through which to protect the integrity of the urban edge by reducing pressures which result in urban sprawl which compromises valuable natural and agricultural land on the periphery of the city. The principle of efficiency is promoted in that the proposal results in effective use of land in a well located area. The property falls within the Existing Urban Development SPC and the proposed use is already engrained within the urban fabric of the area. Utilising this property for enhanced commercial purposes is regarded as highly desirable given its location within a mixed use intensification area. The Development Principles are carried through into provincial legislation, LUPA, as Land Use Planning Principles. These have been considered and it is believed that the proposals made within this application support these principles in a similar manner to those described above.

IMPACT ON EXISTING RIGHTS

The rights of surrounding property owners are not expected to be negatively impacted upon as a result of the proposals made within this application. The approval of these applications will not result in the loss of property.

As has been discussed, the following land uses will be permissible on the rezoned and consolidated land unit as per Local Business 2:

Primary use rights: shop, office, dwelling house, second dwelling, boarding house, bed and breakfast establishment, flats, place of instruction, place of worship, institution, clinic, guest house, service trade, utility service, rooftop base telecommunication station, private road, veterinary practice filming, electric vehicle charging stations, micro wind turbine, structure-mounted energy system and open space.

Additional use rights are supplementary dwelling unit, small- scale wind turbine (all subject to specific development rules)

Permissible development associated with Local Business 2 on the consolidated land unit:

Floor Factor: 1 (total floor space of 1645 sqm)
Coverage: 75%
Maximum Height: 12m
Street and Common Boundary Building Lines: 0m

The above illustrates the new rights that will be afforded to the subject property as a result of the approval of this application. It must be noted though that a plan indicating the proposed development and land use on the property has been included within this proposal and clearly reflects the desired outcome. The total proposed development and land use has been shown to be compatible with the character of the local area and neither of these factors are expected to result in conditions which impact negatively on the existing rights of the City or of surrounding property owners.

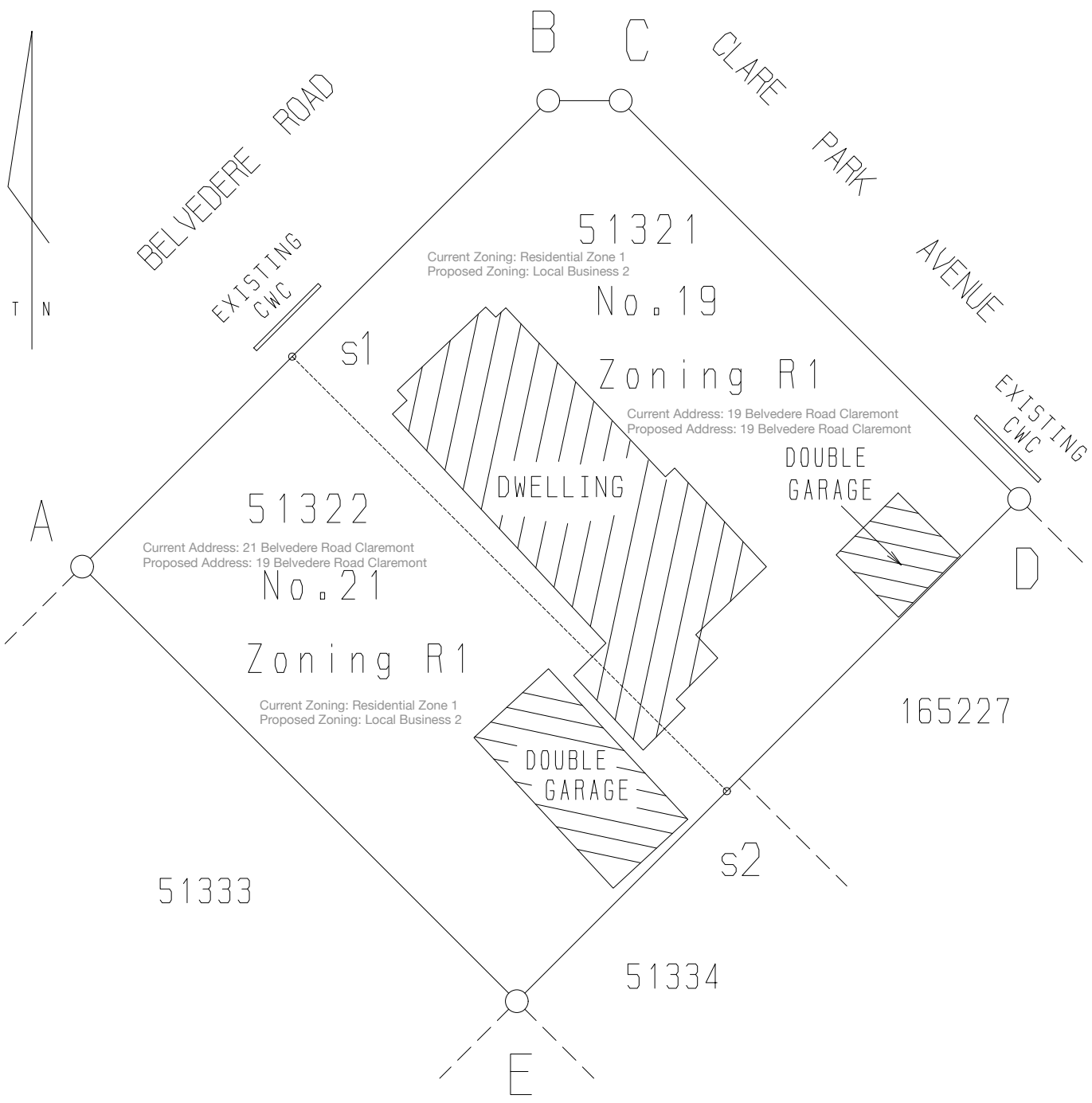
CRITERIA	IMPACT
(a) Socio-Economic Impact	The proposed rezoning will allow for commercial use of the property creating economic and job opportunities and is believed to result in a positive socio-economic outcomes. This is in line with the provisions of numerous policies as discussed within this report.
(b) Compatibility with Surrounding Area	The proposed rezoning, consolidation and departure have been shown to be compatible given the context of the surrounding area both in terms of existing use, size and development of properties in the area. The spatial plans and policies of the local area have been discussed in detail and these proposals are shown to be desirable in terms of these policies.
(c) Impact on External Engineering Services	The proposal is not expected to have a negative impact on external engineering services. There is believed to sufficient capacity to support the proposal given that the property is located within an Existing Urban Development SPC.

(d) Impact on Safety, Health and Wellbeing of the Surrounding Community	The approval of this application is in no way expected to result in detrimental impacts to the safety, health and well-being of the local community.
(e) Impact on Heritage	Factors concerning heritage have been considered as they relate to this application. It was found that no requirements related to heritage apply.
(f) Impact on Biophysical Environment	The property is not situated in an environmentally sensitive area nor are the proposals made expected to impact negatively on the biophysical environment.
(g) Traffic Impacts	No negative impacts on traffic are expected to result from the approval of this consolidation and rezoning. Entrances and access points along with parking provision are all in accordance with the provisions of the MPBL.
(j) Imposition of Conditions to Mitigate Adverse Impact	Not believed to be applicable with regards to this application.

CONCLUSION

This application contains all required supporting documentation as per the MPBL, 2015, as well as providing a comprehensive motivational report as per S99 of these By-Laws. We respectfully request that this application be assessed and approved.

PLAN OF PROPOSED CONSOLIDATION



NOTES:

1. THE FIGURE A,s1,s2,E REPRESENTS ERF 51322 CAPE TOWN
2. THE FIGURE s1,B,C,D,s2 REPRESENTS ERF 51321 CAPE TOWN
3. THE INE s1,s2 REPRESENTS THE PROPOSED CONSOLIDATION LINE.
4. ZONING: RESIDENTIAL

DATE: KUNE 2026	DRAWING: MG1742C1
DRAWN BY: R.C.	SCALE: 1 / 250

PROPOSED CONSOLIDATION OF ERVEN 51321 AND 51322 CAPE TOWN AT CLAREMONT

OWNER/S:

DEED OF TRANSFER: T

PREPARED BY: M J GLUCKMAN
Pr. Land Surveyor
65 Liesbeeck Road
Rosebank
Cape Town, 7700

DIAG No: A1257/1929 A1258/1929	S.G. No. M1408 Val Ref No.