



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

Case ID 1500165916

**Erf 2768, 1 Ericson Road,
Forest Heights, Kleinvlei**

Development Management

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APPLICATION INTERMS OF SECTION 42 (A),42(B), IN TERMS OF THE MUNICIPAL PLANNING BY- LAW, 2015.

ERF: 2768, 1 ERICSON ROAD, FOREST HEIGHTS, KLEINVLEI

08 July 2026

CLIENT:

APPLICANT:



ARCHITECTURAL & DRAUGHTING SERVICES

Please find herewith attached the following documentation for your perusal and circulation:

Motivation Report;

- Completed & signed application form
- Power of Attorney
- Copy of the Title Deed
- Site Development Plans
- Conveyancer Certificate
- Previously approved plans



1. BACKGROUND

CM services was mandated by the owners of Erf 2768, 1 Ericson Road, Forest Heights, to apply on their behalf for re-zoning from R1 to Gr2 and departures to align with Gr2 Parameters. Flats are identified as a Primary Use Right on General Residential 2 (Gr2) Zoning. This proposal seeks to rezone the subject property from Residential 1 (R1) to General Residential 2 (GR2) in order to allow the proposed flats on the subject property. The application is submitted in terms of Section 42 (a) & (b) of the City of Cape Town Municipal Planning By-law, 2015 (MPBL) and the provisions of the Development Management Scheme (DMS).

❖ Section (A) For Rezoning

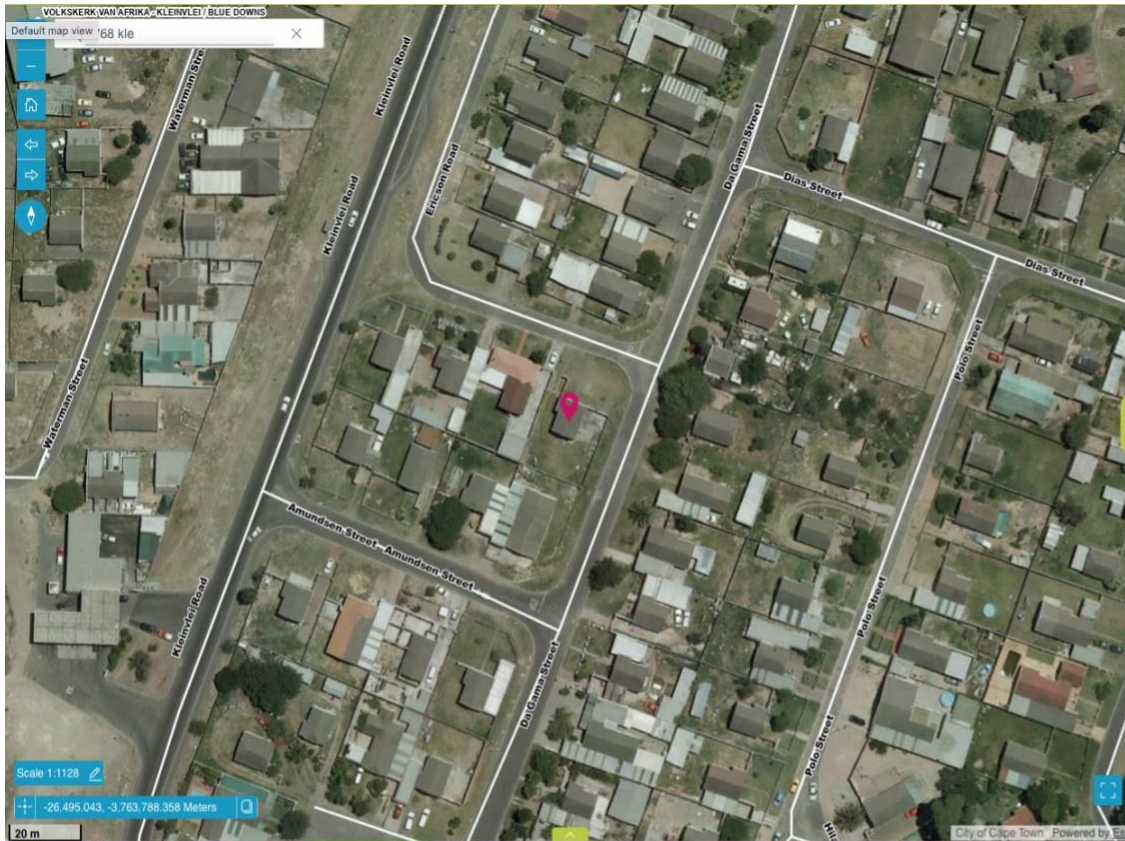
- The application for the rezoning from “**R1**” to “**GR2**” to permit the proposed flats (7 units) on the subject property.

❖ Section (B) For Permanent Departures

- Permanent departure of the street building line to permit the proposed rezoning of the property. (Dagama Street). **1.5m in lieu of 4.5m.**
- Permanent Departure of common building lines on the South side to permit the proposed rezoning of the subject property. **0m in lieu of 4.5m**
- Permanent Departure of common building lines on the West side to permit the proposed rezoning of the subject property. **0m in lieu of 4.5m.**
- Permanent departure of on-site parking requirements **.3bays in lieu of 13 bays**

2. LOCALITY

The subject property is situated in a desirable location to allow the proposed rezoning in order to allow the proposed flats on the subject property. There is a pressing need for affordable accommodation options in areas that have proximity to commercial, educational, recreational, and community opportunities. This proposal seeks to permit internal alterations and extension on the existing dwelling to acquire 7 units and departures to ensure alignment with GR2 zone. The subject property is situated at a corner along Ericson Road and Dagama Street within a mixed-use zone of properties zoned GR1, CO1 and GB1.the.



Layer List

Themes Imagery Basemaps External

☒ Aerial Imagery

☐ Aerial Imagery 2025 Jan

☒ Aerial Imagery 2024

☐ Aerial Imagery 2023 Jan

☐ Aerial Imagery 2022 Jan

☐ Aerial Imagery 2021 Mar

☐ Aerial Imagery 2020 Jan

☐ Aerial Imagery 2019 Jan

☐ Aerial Imagery 2018 Feb

☐ Aerial Imagery 2017 Jan

☐ Aerial Imagery 2017 Jan CBD True Ortho

☐ Aerial Imagery 2016 - Paarl

☐ Aerial Imagery 2016 Jan CBD True Ortho

☐ Aerial Imagery 2016 Jan

☐ Aerial Imagery 2015 Feb

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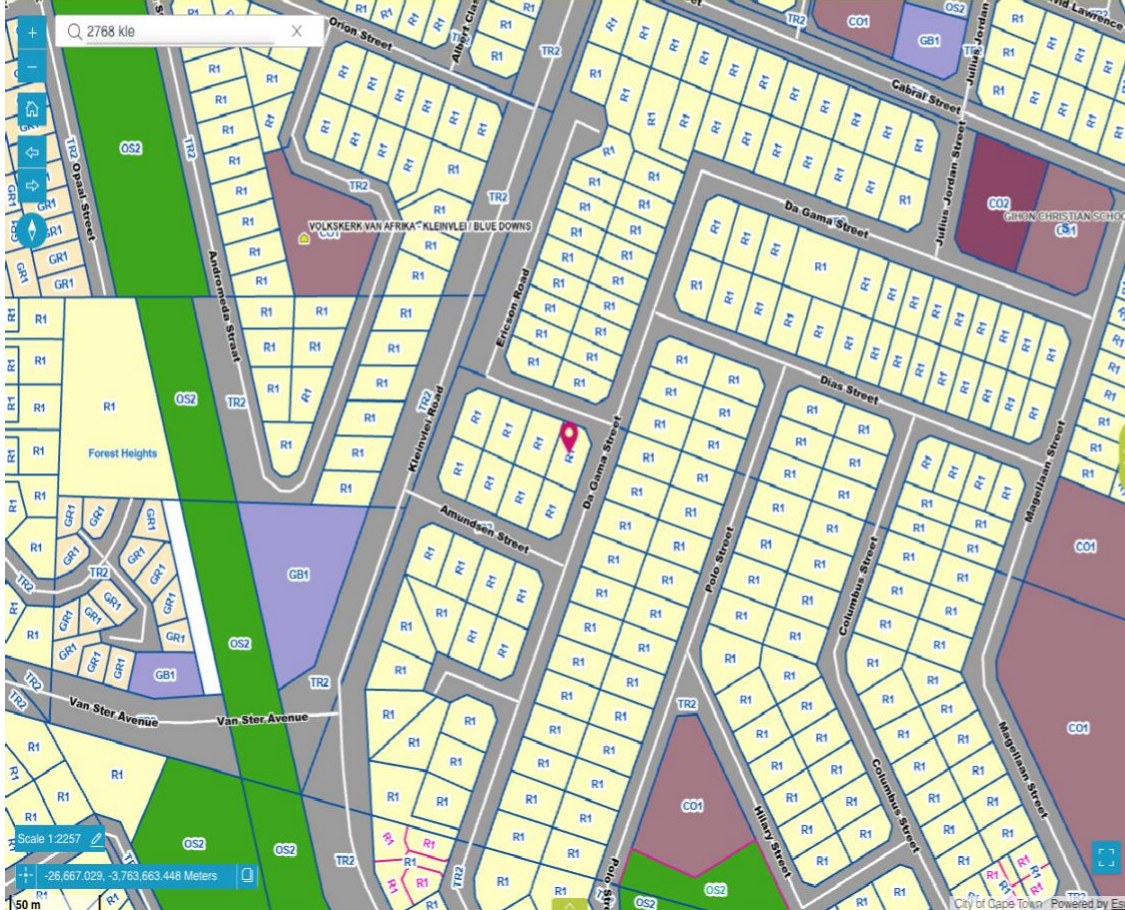
Query Tools +

Map Tools +

Print +

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City of Cape Town Map Viewer



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☐ Aerial Imagery 2015 Feb

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3. PROPERTY SUMMARY

Property description	Erf. 2768 Kleinvlei
Property address	1 Ericson Road ,Forest Heights
Application components/ description	• Rezoning from “R1” to “General Residential 2” • P/Departure of Street & Common Building Line • P/Departure of on-site parking requirements
Site extent	• 512 sqm
Current Zoning	• R1
Proposed zoning	• GR2
Current Land Use	• Dwelling House
Proposed use	• Dwelling house & Flats
SAHRA Heritage	• n/a

5. THE PROPOSAL

i. Proposed Re-zoning

The proposed is to conduct internal alterations and extension on the existing dwelling for young professionals and students seeking affordable housing apart from conventional dwelling houses. In order to fulfill the owner's wishes, the rezoning of the property is required. The proposed rezoning shall be from R1 to GR2. The site currently has a developed dwelling house, and the existing zoning for the proposed development doesn't fall within the primary or consent use of the zone. The proposed GR2 zone shall fit well into the area since the property is large enough to support the proposed density and is in close proximity to public transport. There is a community facility and business in close proximity. The addition of the Flats is aesthetically pleasing and boosts the overall area. The proposed rezoning shall not have a significant negative impact but shall have a positive contribution to the overall area.

The following reasons why this proposed rezoning is desirable:

- This proposal brings more densification to the area.
- This proposal is located in a Development Corridor;
- This proposal is located in a mixed-use intensification Zone.
- This proposal is located in a Metropolitan Node;
- There are GR1 and GB1-zoned properties in the immediate surrounding area, and therefore, this proposal to rezone from R1 to GR2 fits the context. GR2 is less intensive than GB1 and appropriate for our location;
- Public transport is available on Kleinvlei Road (1 minutes' walk away).
- This proposal will provide affordable accommodation to students within a busy and vibrant node.
- This proposal will bring young professionals and students to the area and liven up the area, thus promoting local business.
- Development Charges will be payable, which will assist with resources for the infrastructure;
- Employment will be created in the construction phase and after.

The proposal may align with environmental sustainability goals by encouraging the use of public transportation, cycling, or walking. Fewer parking spaces can prompt residents and employees to seek alternative modes of transport, which contributes to reduced traffic congestion and lower carbon emissions, promoting local businesses and creating a more dynamic urban environment.

ii. Permanent Departure: Street Building Line (Dagama Street)

The proposed relaxation of the street building line from 4.5m to 1.5m is required to accommodate the conversion and extension of the existing dwelling into seven residential units while making efficient use of the site.

The departure is considered acceptable for the following reasons:

- The property is situated on a corner erf, which naturally results in two street frontages and more restrictive building line requirements than an internal erf.
- The reduced setback will not adversely affect traffic visibility or pedestrian movement, as sufficient sight distances are maintained at the intersection of Ericson Road and Dagama Street.
- The proposal maintains an active street edge that is consistent with urban consolidation and the objectives of the Municipal Spatial Development Framework to encourage more efficient land use in well-located residential areas.
- The reduced setback does not result in unacceptable visual intrusion or dominate the surrounding streetscape.
- The departure enables the redevelopment of an existing residential property without extending development beyond what is considered appropriate for the proposed GR2 zoning.

Accordingly, the departure will not prejudice the rights of adjoining owners nor negatively affect the public realm.

2.2 Permanent Departure: Southern Common Building Line

The proposed 0m common boundary building line along the southern boundary is necessary to optimise the internal layout and ensure that the proposed flats function efficiently.

The departure is supported because:

- The development primarily extends existing built form and does not introduce an incompatible land use.
- Building directly on the boundary is common within higher-density residential developments and is consistent with the development parameters generally associated with General Residential zoning.
- The proposal has been designed to minimise overlooking into neighbouring properties through the careful placement of windows and internal layouts.
- The scale and height of the development do not create excessive overshadowing beyond what could reasonably be expected from development under the proposed zoning.
- No significant loss of privacy, sunlight or ventilation is anticipated.

The departure therefore represents an appropriate balance between achieving residential

densification and protecting neighbouring amenity.

2.3 Permanent Departure: Western Common Building Line

The relaxation of the western common building line to 0m is necessary to accommodate the proposed residential units within the site while making efficient use of available land.

The departure is considered appropriate because:

- It allows the redevelopment of an existing property without creating an overdevelopment of the site.
- The proposal remains compatible with the surrounding urban form where buildings are located relatively close to common boundaries.
- The design has taken into account privacy, overshadowing and visual impact on adjoining properties.
- The development will not materially reduce the development potential of adjoining erven.
- The proposal promotes the City's objective of residential intensification within existing urban areas where engineering and social infrastructure already exist.

The departure is therefore consistent with sound planning principles and the intent of the GR2 zoning.

2.4 Permanent Departure: On-site Parking

The proposed departure to provide three parking bays instead of the required thirteen bays is supported by the characteristics of the site and the surrounding area. The departure is justified because:

- The property is located within an established urban area where residents have access to public transport, schools, places of worship, local shops and community facilities within reasonable walking distance.
- The proposed units are intended to provide affordable accommodation, where vehicle ownership rates are generally lower than conventional family housing.
- Strict compliance with the parking requirement would significantly reduce the number of affordable residential units that can be provided and would undermine the efficient use of well-located urban land.
- The proposal supports the City's objectives of urban densification, affordable housing and reduced dependence on private motor vehicles.
- The anticipated parking demand is expected to be lower than the standard requirement due to the nature and size of the proposed units.
- Adequate space exists for service and emergency vehicle access, and the reduced parking provision will not compromise public safety.

The proposed parking departure therefore represents a reasonable balance between parking provision and the efficient use of land for residential purposes.

Overall Planning Justification

The proposed development:

- makes efficient use of an existing serviced property;
- contributes towards the supply of affordable rental accommodation;
- supports urban infill and densification;
- is compatible with the mixed-use character of the surrounding area, which includes GR1, CO1 and GB1 zoned properties;
- does not materially prejudice neighbouring properties;
- does not negatively impact public safety or the functioning of the surrounding road network; and
- promotes the principles of spatial justice, sustainability and efficient land use as contained in the Spatial Planning and Land Use Management Act, 2013 (SPLUMA).

Accordingly, the requested departures are considered reasonable, desirable and in the public interest.

6. ASSESSMENT OF DESIRABILITY CRITERIA IN TERMS OF SECTION 99(1) OF THE MUNICIPAL PLANNING BYLAW, 2015

The application complies with the minimum threshold requirements in Section 99(1), i.e.: (a)

The proposed development is consistent with the municipal spatial development framework (MSDF), with a deviation from the MSDF not being required.

(b) The property is to be rezoned from R1 to GR2. There is no floor factor that could result in giving the parameters of the next subzone.

7. ASSESSMENT OF DESIRABILITY CRITERIA IN TERMS OF SECTION 99(2) OF THE MUNICIPAL PLANNING BYLAW, 2015

i. *The Municipal Spatial Development Framework (MSDF):*

The MSDF promotes residential densification and appropriate land use intensification across the city to promote a variety of housing options, dwelling sizes, and land uses within any one area. The MSDF emphasizes on diversification of mono-use residential patterns and incremental intensification (density and diversity) via subdivisions, second and third dwellings, and rezonings where the maintenance of existing infrastructure and development should be according to infrastructure capacity and associated lifecycle costs. The proposed Rezoning is in line with the approved MSDF, which encourages a more compact, efficient, and sustainable city where the use of available resources is optimized.

In light of the above-stated, the property is situated in an area with GB1 and GR2 zonings and conventional single-dwelling houses. The introduction of flats in the area will encourage a diverse variety of housing options. The area has sufficient infrastructure to support the development. The

development encourages incremental intensification and densification.

ii. Spatial Planning Land Use Management Act (Spluma) 2013 & Land Use Planning Act (Lupa) 2014

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.

SPLUMA aims to develop a new framework to govern planning permissions and approvals, sets parameters for new developments, and provides for different lawful land uses in South Africa. SPLUMA is a framework law, which means that the law provides broad principles for a set of provincial laws that will regulate planning.

Section 7 of the Act describes a set of development principles that need to be considered when evaluating any development application. These principles include the following:

iii. Social development strategy:

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

- Maximise income generation 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 the following objectives:

- Develop the skills of people excluded or at risk of exclusion
- Facilitate access to housing opportunities
- Foster diversity and inclusiveness.

iv. Spatial justice:

The principle of spatial justice requires that past spatial and other development imbalances must be

redressed through improved access to and use of land. The location of this property and the type of land use envisaged cannot directly contribute to spatial reform. These matters are best addressed through Spatial Development Frameworks, Zoning Schemes, and other management systems. The idea of creating affordable accommodation within existing built-up areas has an element of redress in the sense that it opens more opportunities for people.

v. Spatial sustainability:

The proposal supports this principle of spatial sustainability in the sense that it facilitates densification within the urban area, thereby limiting urban sprawl and encouraging the optimal use of existing urban land and services. The proposed rezoning to develop a flat that consists of 7 units aligns with the principle of spatial justice by promoting equitable access to housing in Cape Town. By increasing the density of residential units, the application directly addresses the pressing need for affordable housing in urban areas, ensuring that diverse community members can access suitable living conditions.

vi. Spatial efficiency:

The proposal supports the efficient use of existing resources and infrastructure where decision-making procedures are designed to minimize negative financial, social, economic, or environmental impacts. The positive consideration of the application will contribute to the efficient use of serviced urban land with minimal negative impact.

vii. Spatial resilience and good administration:

Resilience is the capacity and ability of a community to withstand stress, survive, adapt, bounce back from a crisis or disaster, and rapidly move on. The proposed medium-density development can create a solution to the challenge of inadequate affordable housing. It can also bring in a rental income that may be required to shield a family against unforeseen circumstances such as loss of income, therefore alleviating the livelihoods of the owner.

viii. Spatial quality

The project aims to improve the quality of the built environment by introducing well-designed housing units that contribute to a more vibrant and inclusive community. The development's design considers aesthetics and functionality, creating a pleasant living space that accommodates people with diverse needs, including those with disabilities.

ix. Economic growth strategy (EGS)

The principal objective of the EGS is to stimulate economic growth and create job opportunities. This is also the overarching objective of the "Opportunity City," one of the five pillars of the City's Integrated Development Plan (IDP). The proposed application is compliant with the general

principles and strategy of the EGS and the IDP.

8. THE URBAN DESIGN POLICY

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

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.

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 safer.

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.

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.

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.

Objective 6: Ensure enclosure and positive interfaces onto the public realm. The front façade has overlooking features that makes the public realm safer. 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.

9. MITCHELLS PLAIN/KHAYELITSHA DISTRICT

The proposed rezoning from R1 (Residential 1) to GR2 (General Residential 2) to permit the development of 7 rental flats aligns with the Mitchells Plain/Khayelitsha district plan's objectives of promoting sustainable urban growth and addressing the critical need for affordable housing. The development supports the city's housing strategy by increasing rental accommodation in an area with a high demand for affordable living spaces. The location is well-served by existing infrastructure and public transport, ensuring minimal strain on resources. This rezoning will not only provide much-needed housing but also contribute to the area's social and economic development, offering residents a safe and accessible living environment. Therefore, we support the rezoning application, as it is consistent with local planning goals and will benefit the community.

The design of the flats (units) respects the residential character of the surrounding area and adheres to the relevant building standards.

- The proposed units respond to the local demand for affordable accommodation and contribute to the District Plan's goal of meeting community needs.
- The units (Flats) foster a diverse and inclusive community, promoting social cohesion and a sense of belonging among residents.
- The units(Flats) support the local economy by providing accommodation for students and workers who contribute to the local economy.

10. RELEVANT CRITERIA CONTEMPLATED IN THE DMS

I. Relevant criteria contemplated in theDMms:

It is proposed to rezone from R1 to General Residential 2, and the proposed Use falls within the primary uses on the proposed zoning GR2.

11. DENSIFICATION POLICY 2012

- A mix of residential densities ensures diversification and choice of housing types and tenure options. The proposed development offers one-bedroom flats in an area that is dominated by dwelling houses and a few mixed uses. This offers people a variety of housing types and tenure options in this regard.
- Appropriately designed and located higher densities (in terms of form, scale, height, and orientation). It can provide an opportunity for placemaking and the creation of attractive and safe urban Environments, particularly those in proximity to public spaces (both natural

and built).

- Densification supports the development of a viable public transport system. Safer City Guidelines

The proposed development, as seen above, promotes the guidelines as indicated within the safer City, which encourages overlooking to create a safe feeling within the area. The development proposes an appealing façade that encourages interaction in the area through balconies facing the street and permeable fences.

12. ASSESSMENT CRITERIA IN TERMS OF SECTION 99(3) OF THE MUNICIPAL PLANNING BY-LAW, 2015

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

(a) 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 for domestic activities like cleaning and maintenance afterward, therefore alleviating the livelihoods of the people involved. It will also create additional accommodation opportunities in an area that has high access to commercial, educational, recreational, and community opportunities. The increased densification ensures a compact urban fabric that is good for the general public. Development Charges will contribute to improvements in the City infrastructure.

(b) Impact On Surrounding Uses

The proposed development is situated in an area that has a variety of zones and land uses. The proposed development is also situated on the taxi route. The proposed use shall fit well into the area as a medium density and close to various uses. The surrounding uses have distinct facades, and the proposed development shall also enhance the streetscape. The residential intensification will also help to strengthen the residential uses within the area and provide the thresholds for the existing and future public transport services and commercial activities. This proposed rezoning is contextually appropriate in terms of the permitted uses and built form.

(c) Impact On External Engineering Services

The proposed development will have an impact on the external engineering services. No bulk or link services are required for the proposed development. However, the property owner is willing to contribute towards any infrastructure needed for the proposed development.

(D) Health, Safety, & Well-Being Of The Surrounding Community

The proposed development shall not impact the surrounding community however, it shall provide the necessary surveillance for the area.

(e) Traffic Impact, Parking, Access, And Transport-Related Impacts

The site has provided inadequate parking bays; however, the level of car ownership for the demographic whom this proposal targets, which is young professionals and students, is low. The area is currently serviced by an informal transport system (taxi), which is the most used form of transport in Cape Town and the country at large. The proposed development is situated within an area that has access to the preferred mode of transport. Therefore, there is no anticipated traffic impact caused by the development.

(f) Impact On The Biophysical Environment

The proposed development does not impact the biophysical environment. The development is within a built-up area, and no impacts shall be anticipated on the biophysical environment.

(e)Heritage Impact

The proposed development shall have no heritage impact.

Conclusion

We hope you will deem this proposal desirable and recommendable for APPROVAL for the following because this proposal is broadly consistent with spatial planning frameworks and relevant Council Policies, holds positive socio-economic benefits, is compatible with the surrounding land uses and built environment, is of an appropriate scale and form that relates to the surrounding urban fabric. This proposal will not have a negative impact on the safety, health, and well-being of the surrounding community. Therefore, the proposal is consistent with section 99 of

the Cape Town Municipal Planning By-Law (MPBL).

Regards

Marshall Chitovhoro