

MOTIVATIONAL MEMORANDUM:
Consent Use Application
for
Erf 2033 Klipfontein View Ext 2
on behalf of
Repelong Property Group (Pty) Ltd

| | | |
|--------------------|--|------------------------------------|
| Date | 13 September 2023 | |
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INTRODUCTION

The purpose of this memorandum is to introduce, elaborate upon and motivate the application for consent use for a residential building (boarding house) on Erf 2033 Klipfontein View Ext 2.

The full extent of the application is set out in this memorandum, which comprises of the following:

- ❖ Chapter 1: General Information
- ❖ Chapter 2: The Application
- ❖ Chapter 3: Policy Environment
- ❖ Chapter 4: Motivation
- ❖ Chapter 5: Conclusion

1. GENERAL INFORMATION

KiPD (Pty) Ltd, the authorised agent, has been appointed by Repelong Property Group (Pty) Ltd, the registered owner of the property, to lodge an application for consent for a residential building (boarding house) on Erf 2033 Klipfontein View Ext 2. The property will be referred to as “the site”, “the subject properties” and/or “the proposed development” in this memorandum.

1.1. THE APPLICATION

Application is hereby made in terms of Section 19 of the City of Johannesburg (CoJ) Municipal Planning By-Law, 2016, hereinafter referred to as the “By-Law”, read together with the provisions of the Spatial Planning and Land Use Management Act, 2013 (Act 16 of 2013) (SPLUMA), for consent to allow for a boarding house to be developed on the property.

1.2. AGENT AND CLIENT

1.2.1. Agent

The authorised town planning agent acting on behalf of the client is:

| | |
|---------------------|-------------------------------|
| Name | KiPD (Pty) Ltd |
| Responsible Persons | Saskia Cole |
| Postal Address | 47 Third Street, Linden, 2195 |
| Contact Number | 011 888 8685 / 082 574 9318 |
| Email | saskia@kipd.co.za |

1.2.2. Client

The client's details are as follows:

| | |
|----------------|--|
| Name | Mabuye Mokoena |
| Contact Number | 061 462 8902 |
| Address | 63 8 th Ave Northmead, Benoni |
| Email | mabuye@dimolox.com |

1.3. LAND DEVELOPMENT AREA

1.3.1. Site Locality

See locality plans attached.

Klipfontein View is located in the Midrand region, north east of Allandale Road, south of Commercial and Glen Austin, and west of Chloorkop. The property is located at no 10 Koloni Street, Klipfontein View Ext 2.

1.4. LEGAL ASPECTS

1.4.1. Ownership

In terms of Deed of Transfer T10099/2023, the property is registered in the name of Repelong Property Group (Pty) Ltd and measures 395 m².

1.4.2. Company Resolution

The Directors of Repelong Property Group (Pty) Ltd have provided a resolution authorising the nominated individual to provide a power of attorney to enable KiPD to submit a formal application as per the requirements of the City of Johannesburg Municipal Planning By-Law, 2016.

1.4.3. Power of Attorney

The authorised individual has in turn provided a signed power of attorneys to enable KiPD to submit a formal application as per the requirements of the City of Johannesburg Municipal Planning By-Law, 2016.

1.4.4. Restrictive Title Conditions

There are no restrictive title conditions contained in the title deed restricting the use of the property as a residential building.

1.4.5. Registered Mortgage Bonds

There is no mortgage bond registered against the property.

1.5. EXISTING LAND USE

The property is currently being used as a single dwelling house with rooms to rent

1.6. SURROUNDING LAND USE

See attached land use plan.

Klipfontein View Ext 2 is predominantly a residential suburb and is thus surrounded by low density residential development.

1.7. EXISTING ZONING AND DEVELOPMENT CONTROLS

In terms of the City of Johannesburg Land Use Scheme, 2018, the property is currently zoned as follows:

| | |
|------------------|---|
| Zoning | Residential 1 |
| Primary rights | Dwelling units |
| Secondary rights | Residential buildings, religious purposes, places of instruction, child care centre, social halls, institutions, special buildings, sport and recreation clubs, public or private parking areas, medical consulting rooms, guest house, tavern / shebeen. |
| Floor Area | 1.2 |
| Density | 1 dwelling per erf plus 2 subsidiary units |
| Coverage | 50% - 1 & 2 storey 40% - 3 storeys |
| Height zone | 3 storeys |
| Building Lines | As per scheme: 3m street boundary |

1.8. SURROUNDING ZONING

See attached zoning plan.

In terms of the City of Johannesburg Land Use Scheme, 2018, most of the erven surrounding the site is zoned "Residential 1". Erf 1761, adjacent east of the site is zoned "Institutional", however the property is vacant and Erf 1762, south of the property is zoned "Educational".

2. THE APPLICATION

2.1. PROPOSED CONSENT USE

It is intended for the existing house on the property to be demolished and a new dwelling house is to be constructed as a boarding house. The property is currently zoned "Residential 1", which allows for a dwelling house with two additional dwelling units, subject to certain conditions. Within the current zoning, the City of Johannesburg Land Use Scheme allows for the property to be used as a residential building (boarding house) with the consent of the municipality.

The owner of the property would like to have rooms to be rented out for extended periods of time, where the tenants would share the kitchen facilities but have their own bathrooms.

The proposal is to construct 20 rooms for rental as a boarding house.

2.2. PARKING

The property is located within Zone B, a deprivation area, and thus in terms of Table 8 of the City of Johannesburg Land Use Scheme, 2018 parking to a ratio of 0.3 parking bays per room must be provided for a boarding house.

As per the attached site plan, six (6) parking bays can be accommodated on site for the 20 rooms.

3. SPATIAL PLANNING ENVIRONMENT

In terms of Section 5(2) of the City of Johannesburg Municipal Planning By-Law, 2016 – "any land development application in terms of said By-Law shall be guided and informed by the City's Integrated Development Plan and Municipal Spatial Development Framework as adopted and approved in terms of Section 20 of SPLUMA and Section 10 of said By-Law."

This section therefore reviews all relevant spatial planning documents and plans, to determine the suitability and compliance to the spatial plans of the City.

The following spatial planning documents have been reviewed :

- City of Johannesburg Spatial Development Plan, 2040 (2016);
- Nodal Review Policy 2019/2020.

3.1. SPATIAL DEVELOPMENT FRAMEWORK 2040

The Spatial Development Framework 2040 (SDF) is a city-wide spatial policy document that identifies the main challenges and opportunities for the City, sets a spatial vision for the future city and outlines a set of strategies to achieve that vision.

Along with providing a spatial vision, the SDF defines the strategic spatial areas to be used in the City's capital investment prioritisation model. This will ensure that infrastructure investment is directed to areas with the highest potential to positively impact on the development trajectory of the City as defined in the SDF.

In terms of the SDF, the subject property falls within the "Deprivation Zone", specifically, category 1. These are typically areas that despite their deprivation classification are relatively well located within the broader urban context. This category displays the following characteristics:

- Good regional transport connections.
- Relatively close to large-scale economic centres.
- Interconnected to the urban continuum.
- Centrally located within the broader city region

These areas display high potential for integration and functional interconnectedness with economic centres and adjoining urban areas over time. Improvement of public transport links to employment centres of Olifantsfontein industrial node, Midrand and Modderfontein as a future principle metropolitan sub-centre will provide a local public transport backbone around which incremental development, densification and future expansion can take place.

The proposed development of a boarding house within Klipfontein view is an ideal opportunity to create formal and quality residential opportunities, specifically for people working in the nearby economic centres of Midrand and Modderfontein.

Furthermore, the site is well located in close proximity to public transport network and infrastructure. The sentiments of the Spatial Development Framework are wholly adhered to in the development of Erf 2033 Klipfontein View as a residential building.

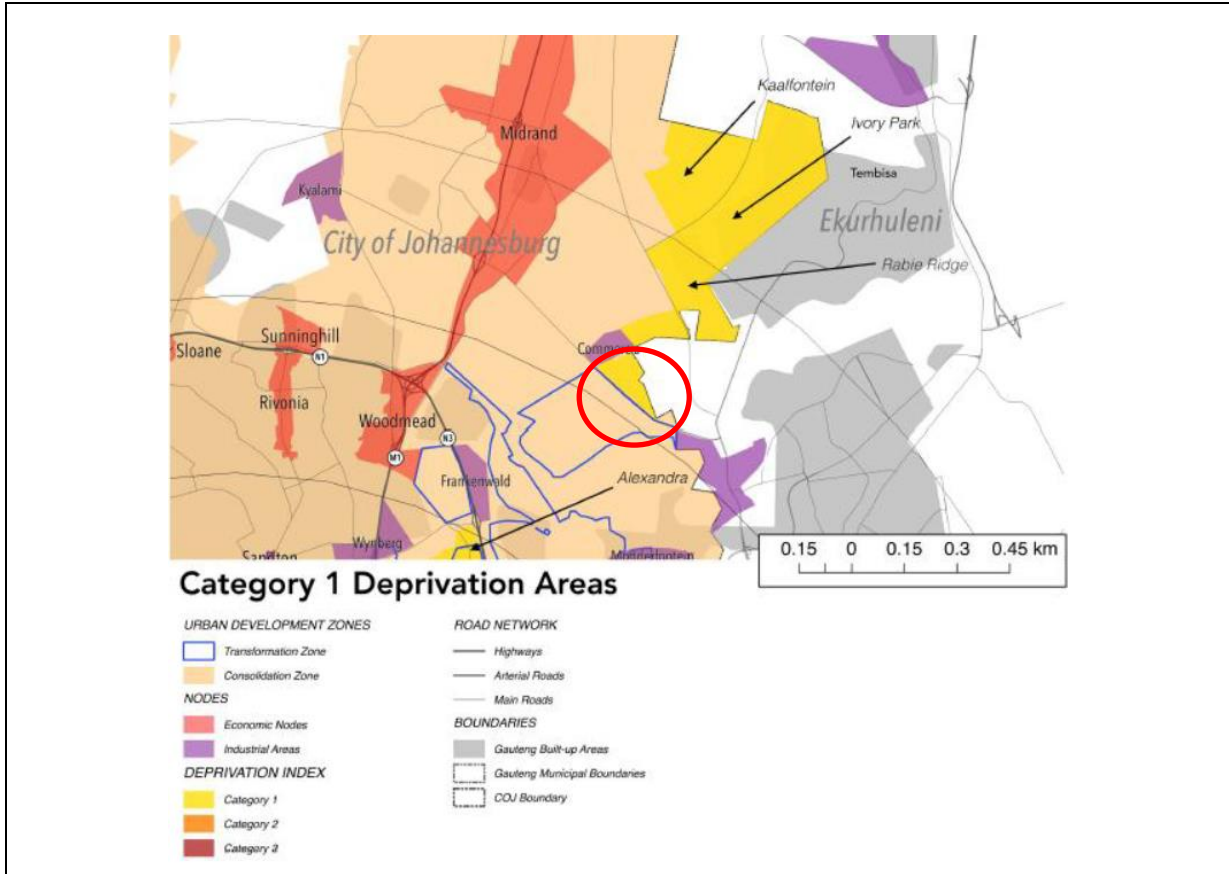


Figure 1: COJ SDF MAP- Category 1 deprivation areas



FIGURE 2: CATEGORY 1 DEPRIVATION AREA - AERIAL IMAGE

4. MOTIVATION

4.1. NEED AND DESIRABILITY

It is proposed that a boarding house with 20 rooms be developed on the property, where habitable rooms will be let out on an extended basis of time.

The need and desirability of this development is expressed in terms of :

1. Locality
2. Access to and affordability of residential accommodation

The property is located along adjacent west of Allandale Road, which is a major mobility road linking many major economic centres. The property is located in fairly close proximity to the economic hubs of Midrand, Modderfontein, Woodmead, Frankenwald and Linbro Park.

The spatial distribution of affordable housing compared to employment opportunities in the City has often seen a major disparity, with most affordable and subsidised housing developed on the peripheries of the Cities. Klipfontein View , to a large extent is also victim to this phenomenon, which is why the City of Johannesburg has identified the area as a deprivation zone. However, the area is still fairly well located and connected via function public transport networks.

In order to reduce the phenomenon of overcrowding and informal structure development, it is encouraged for such areas to provide more formal housing opportunities for those seeking it. A residential building is an ideal model, as it allows for each tenant to have a private and dignified space, at a fraction of the price it would cost to rent a flat or apartment within or close to the economic centres.

The economic landscape currently, makes affording residential accommodation extremely expensive, thus, providing an alternative is an ideal opportunity.

5. SPLUMA DEVELOPMENT PRINCIPLES

In terms of the Spatial Planning and Land Use Management Act (Act 16 of 2013) (SPLUMA), the following principles apply to spatial planning, land development and land use management and are hereby applied to this application:

| SPLUMA Referral | | Proposed Development Compliance |
|-----------------|------------------------|--|
| 7 (a) | Spatial Justice | The development addresses the principle of spatial justice as it answers to the rectification of previous injustices by improving access to residential stock. |
| 7 (b) | Spatial Sustainability | The principle of spatial sustainability is addressed in the fact that the development is being implemented in an area that is considered viable for the development to occur within and addresses the immediate need to the amenity. |

| | | |
|-------|---------------------|---|
| 7 (c) | Efficiency | The land development optimises the use of existing engineering infrastructure. |
| 7 (d) | Spatial Resilience | By providing more residential units, the principle of spatial resilience applies in that the Spatial Development framework supports the type of development that’s been instituted in the area, therefore adhering to the vision of the City. |
| 7 (e) | Good Administration | The development answers to the broader scope and the microscope of all spheres of government, in that it answers the need of the intention to increase accessibility to necessary social needs within South Africa. |

6. RECOMMENDATION

The application is in line with the City of Johannesburg’s vision for this area and supports the policy; the proposed development would align with the surrounding area. The City is in dire need of more affordable, safe and well located residential opportunities. This application aims at addressing this need and more efficiently utilising well located space in the City.

We therefore recommend that the application be approved.