



TUESDAY, 19 NOVEMBER 2024

CASE: 1500133292

To whom it may concern

ZONING SCHEME EXTRACT
City of Cape Town Municipal Planning By-Law, 2015

On the date reflected above, Council's records indicated the property(ies) listed below to be zoned for the following purposes:

Property Description	ERF 19769-RE, MAITLAND
Physical Address	41 STATION ROAD
Base Zoning	TRANSPORT 1 : TRANSPORT USE
Subzoning	TR1
Overlay Zoning (if applicable)	PT 1
Primary land uses permitted	See Attached
Other previously approved use rights (if any)	N/A
Road widening / new road schemes (if any)	N/A

The following must be noted when reading the zoning extract:

- The above zoning is subject to various development parameters and land use restrictions which are contained in the Development Management Scheme, a copy of which is either attached or available on request at your nearest district planning office.
- This document is provided for information purposes only.
- It is further noted that the above information doesn't necessarily include reference to all previous land use approvals, restrictions, exclusions, departures or may not reflect lapsing of approvals. The reader is advised to also check the records of any other previous approvals, consents, exclusions, departures granted from the previous zoning scheme regulations or current development management scheme or whether an approval not exercised has lapsed as well as the title deed for other restrictions that might impact on the development of the property.
- Use of the property in accordance with the above specified zoning does not exempt the owner/occupier from compliance with any other legal or statutory requirement affecting the property.

Yours faithfully

Willem Naude

for **DIRECTOR: DEVELOPMENT MANAGEMENT**

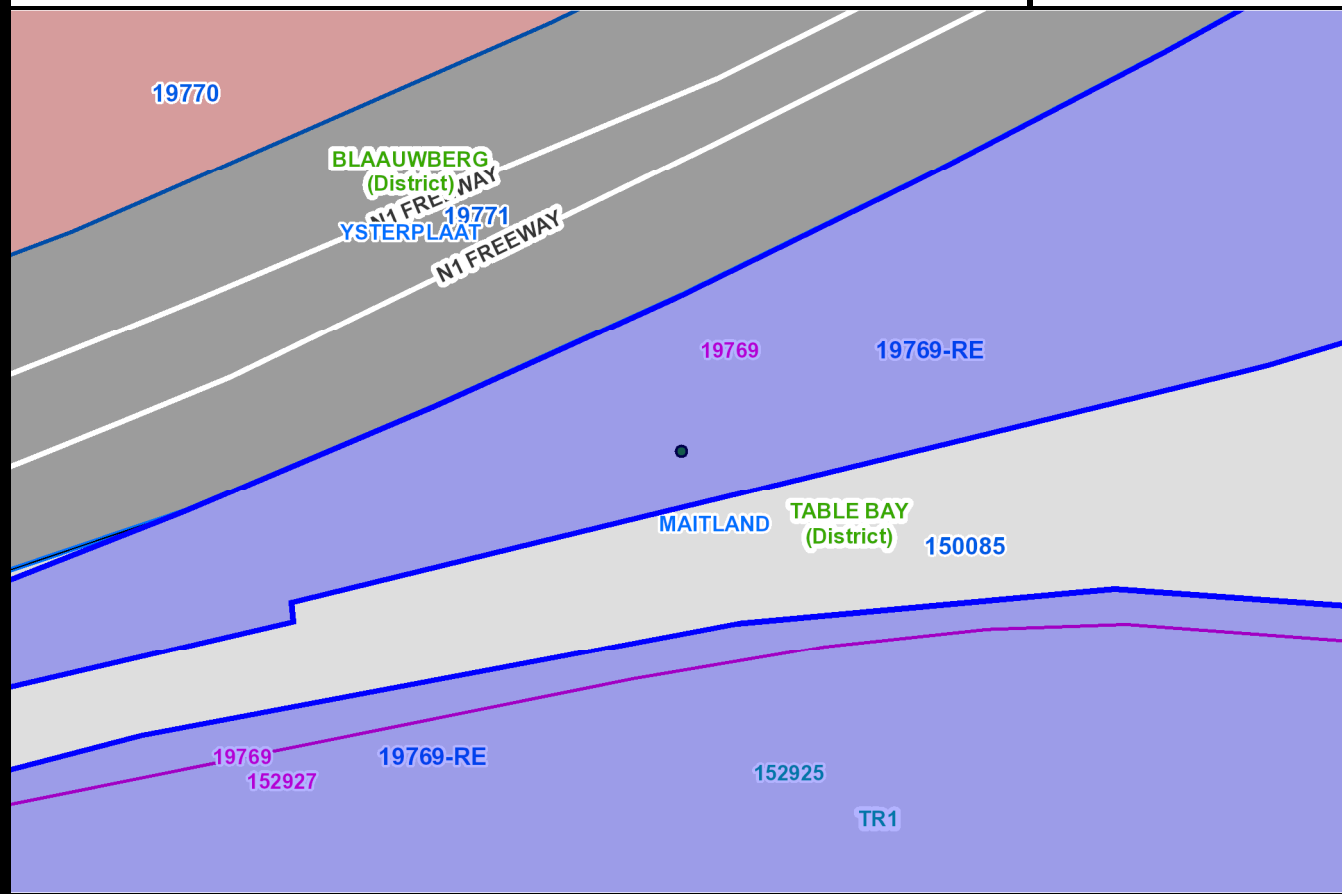
**TABLE BAY DISTRICT. MEDIA CITY BUILDING
2ND FLOOR. CNR ADDERLEY STREET AND HERTZOG BOULEVARD, CAPE TOWN 8000. PO BOX 4529**

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ZONING MAP
Development Management

ANNEXURE :



Zoning Legend

Transport 1 : Transport Use		TR1
Utility		UT

Erf: 19769-2, 19769-RE

Allotment: CAPE TOWN

District: TABLE BAY

Suburb: MAITLAND

Ward: 56

Sub Council: 3



1:1 739

Disclaimer: The City of Cape Town makes no warranties as to the correctness of the information supplied. Persons relying on this information do so entirely at their own risk. The City of Cape Town will not be liable for any claims whatsoever, whether for damages or otherwise, which may arise as a result of inaccuracies in the information supplied.

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UTILITY, TRANSPORT AND NATIONAL PORT ZONINGS	FLOOR FACTOR	COVERAGE	MAXIMUM HEIGHT ABOVE EXISTING GROUND LEVEL	BUILDING LINES		STREET CENTRELINE SETBACK	OTHER PROVISIONS
				Street boundary	Common boundaries		
TRANSPORT ZONING 1: TRANSPORT USE (TR1) PRIMARY USES Transport use, multiple parking garage, utility service, warehouse, rooftop base telecommunication station, minor freestanding base telecommunication station, minor rooftop base telecommunication station and container site CONSENT USES Business premises, flats, place of assembly, place of entertainment, hotel, conference facility, service station, motor repair garage, service trade, freestanding base telecommunication station, wind turbine infrastructure, airport, helicopter landing pad, informal trading, industry and air and underground rights	2.0	75%	15.0 m for stacked shipping containers 18.0 m for any other building Refer to item 83(c)	0.0 m	3.0 m	N/a	Parking and access Service station and motor repair garage Informal trading Air and underground rights
TRANSPORT ZONING 2: PUBLIC ROAD AND PUBLIC PARKING (TR2) PRIMARY USES Public street, public road, minor freestanding base telecommunication station, minor rooftop base telecommunication station and utility service CONSENT USES Multiple parking garage, informal trading, wind turbine infrastructure and air and underground rights	As determined by a site development plan (Refer to item 88)						Deemed zoning Construction and deposit of materials Air and underground rights Proposed public street, street widening and street closure Informal trading
TRANSPORT ZONING 3: TOLL ROAD (TR3) PRIMARY USES Toll road, public street, public road, minor freestanding base telecommunication station, minor rooftop base telecommunication station and utility service CONSENT USES Wind turbine infrastructure and air and underground rights	As determined by a site development plan (Refer to item 92B)						

Part 2: Transport Zoning 1: Transport Use (TR1)
(items 82 - 86)

The TR1 zoning provides for transportation systems, excluding public roads and public streets, but including all other transport undertakings which serve the public such as airports, harbours, railway lines, bus, railway and other depots associated with public transport uses, public transport terminuses, ranks or holding areas, and cable car stations. Provision is made to approve other uses that can help to support the transport undertaking.

82 Use of the property

The following use restrictions apply to property in this zoning:

- (a) Primary uses are transport use, multiple parking garage, utility service, shop, restaurant, service trade, office, warehouse, rooftop base telecommunication station, minor freestanding base telecommunication station, minor rooftop base telecommunication station and container site.

[Para. (a) substituted by s. 59 of City of Cape Town: Municipal Planning Amendment By-Law, 2019]

- (b) Consent uses are business premises, flats, place of assembly, place of entertainment, hotel, conference facility, service station, motor repair garage, freestanding base telecommunication station, wind turbine infrastructure, airport, helicopter landing pad, informal trading, industry and air and underground rights, provided that:
 - (i) such consent uses do not detract from transport use as the dominant use; and
 - (ii) if, in the opinion of the City, a consent use application constitutes a significant and permanent change to the property from the intended primary use, the City may require a rezoning application instead.

83 Development rules

The following development rules apply:

- (a) Floor factor
The floor factor on a land unit shall not exceed 2,0.
- (b) Coverage
The coverage of all buildings on a land unit shall not exceed 75%.
- (c) Height
 - (i) The maximum height of a building shall be 18 m measured from existing ground level to the top of the roof;
[Sub-para. (i) substituted by s. 60 (a) of City of Cape Town: Municipal Planning Amendment By-Law, 2019]
 - (ii) Earth banks and retaining structures are subject to item 126; and
 - (iii) Shipping or transport containers when stored or stacked outside a building, may not extend higher than 15 m above existing ground level.
[Sub-para. (iii) substituted by s. 60 (b) of City of Cape Town: Municipal Planning Amendment By-Law, 2019]
- (d) Building lines
 - (i) The street boundary building line is 0 m.
 - (ii) The common boundary building lines are 3,0 m.
 - (iii) The general building line encroachments in item 121 shall apply.
- (e) Parking and access
Parking on and access to a land unit shall be provided in accordance with Chapter 15.

84 Service station and motor repair garage

The development rules applicable to a service station and motor repair garage in Local Business Zoning 2 shall also apply to a service station and motor repair garage in this zoning.

85 Informal trading

Informal trading shall only be permitted on sites demarcated for informal trading in terms of the City's informal trading by-law.

86 Air and underground rights

The City may approve a consent use for air or underground rights provided that:

- (a) A site development plan is submitted to the City's satisfaction in terms of item 123;
- (b) The City is satisfied that structural components, clearance and operational characteristics are sufficient to ensure safe and efficient operation of streets, roads or parking;
- (c) Such consent use does not compromise the intended primary use of the land;
- (d) An agreement defining the extent of rights, time period, compensation, ownership and maintenance obligations relating to the property is concluded between the parties concerned and is approved by the City; and
- (e) A servitude in respect of the air or underground rights is registered over the concerned land.

Part 3: Transport Zoning 2: Public road and public parking (TR2) (items 87 - 92)

The TR2 zoning provides for public streets and roads, whether constructed or still to be constructed, as well as premises for the public parking of operable motor vehicles. Such parking may be provided in buildings or open parking areas, with or without the payment of a fee, in order to address the need for off-site parking. On-site parking for a permitted activity in any zoning is considered to be an associated use and do not represent a separate use category that requires separate zoning or approval.

87 Use of the property

The following use restrictions apply to property in this zoning:

- (a) Primary uses are public street, public road, minor freestanding base telecommunication station, minor rooftop base telecommunication station and utility service.
[Para. (a) substituted by s. 61 of City of Cape Town: Municipal Planning Amendment By-Law, 2019]
- (b) Consent uses are informal trading, multiple parking garage, wind turbine infrastructure and air and underground rights.

88 Development rules

The following development rules apply:

- (a) The City may require a site development plan for a primary use, and shall require a site development plan for a consent use application.
- (b) The site development plan as approved by the City shall constitute the development rules for a primary use if applicable, and a consent use.
- (c) The provisions for a site development plan in item 123 shall apply.

89 Construction and deposit of materials

No person shall:

- (a) construct a private crossing, bridge or culvert onto, under or across a public street;
- (b) construct or lay a sidewalk on a public street;
- (c) construct a verandah, stoep, wall, steps or other projection in or over a public street;
- (d) deposit or leave any goods, articles, building materials or waste in a public street or road reserve other than for a reasonable period during the course of loading, off-loading or removal thereof,

except in accordance with and after the City has given its approval.

90 Air and underground rights

The City may approve a consent use for air or underground rights provided that:

- (a) a site development plan is submitted to the City's satisfaction in terms of item 123;
- (b) the City is satisfied that structural components, clearance and operational characteristics are sufficient to ensure safe and efficient operation of streets, roads or parking;
- (c) such consent use does not compromise the intended primary use of the land;
- (d) an agreement defining the extent of rights, time period, compensation, ownership and maintenance obligations relating to the property is concluded between the parties concerned and is approved by the City; and
- (e) a servitude in respect of the air or underground rights is registered over the concerned land.

91 Proposed public street, street widening and street closure

- (1) The City may indicate on the zoning map:
 - (a) new public streets and public roads which it proposes to establish;
 - (b) public streets and public roads which it proposes to widen; and
 - (c) public streets and public roads which it proposes to close.
- (2) Any indications referred to in sub-item (1) are intended for the information of the public, and to assist the City in achieving its planning and development objectives. The base zoning of the property in question does not change until the new public street, widening or closure has been approved in terms of relevant legislation, and any further legal procedures relating to rezoning have been complied with.

92 Informal trading

Informal trading shall only be permitted on sites demarcated for informal trading in terms of the City's informal trading by-law.

Part 3A: Transport Zoning 3: Toll Road (TR3) (items 92A-B)

The TR3 zoning provides for toll roads, whether constructed or still to be constructed.

92A Use of the property

The following use restrictions apply to property in this zoning:

- (a) Primary uses are toll road, public street, public road, minor freestanding base telecommunication station, minor rooftop base telecommunication station and utility service.
- (b) Consent uses are wind turbine infrastructure and air and underground rights.

92B Development rules

The following development rules apply:

- (a) The City shall require a site development plan for a primary and consent use.
- (b) The site development plan as approved by the City shall constitute the development rules for a primary use and a consent use, if applicable.
- (c) The provisions for a site development plan in item 123 shall apply.

[Part 3A inserted by s. 62 of City of Cape Town: Municipal Planning Amendment By-Law, 2019]