

PLANNING APPLICATIONS AND ADVICE

PLAN-ENVIRO CC

(REG NR. 2001/047946/23) VAT NR. 4810227035

PO BOX 101642, MORELETA PLAZA, 0167

TEL: 082 850 0101

E-MAIL: aps@mweb.co.za

MOTIVATING MEMORANDUM IN SUPPORT OF THE APPLICATION FOR CONSENT FOR PRIVATE PARKING ON THE REMAINING EXTENT OF ERF 610 GREENSIDE EXTENSION AND ERF 611 GREENSIDE EXTENSION.

1. INTRODUCTION

Application is hereby made for the Consent Use, Section 19 of the City of Johannesburg Municipal Planning By-Law, 2016 and read with Clause 40 the City of Johannesburg Land Use Scheme, 2018, on the **Remaining Extent of Erf 610, Greenside Extension and Erf 611 Greenside Extension** for private parking.

2. PROPERTY DETAIL

2.1 Description

The property is described as **Remaining Extent of Erf 610 Greenside Extension and Erf 611 Greenside Extension**, in Deeds of Transfer No's.: T5419/2014 and T12660/2011 respectively. (Referred to hereafter as the property/ies).

2.2 Registered Owner

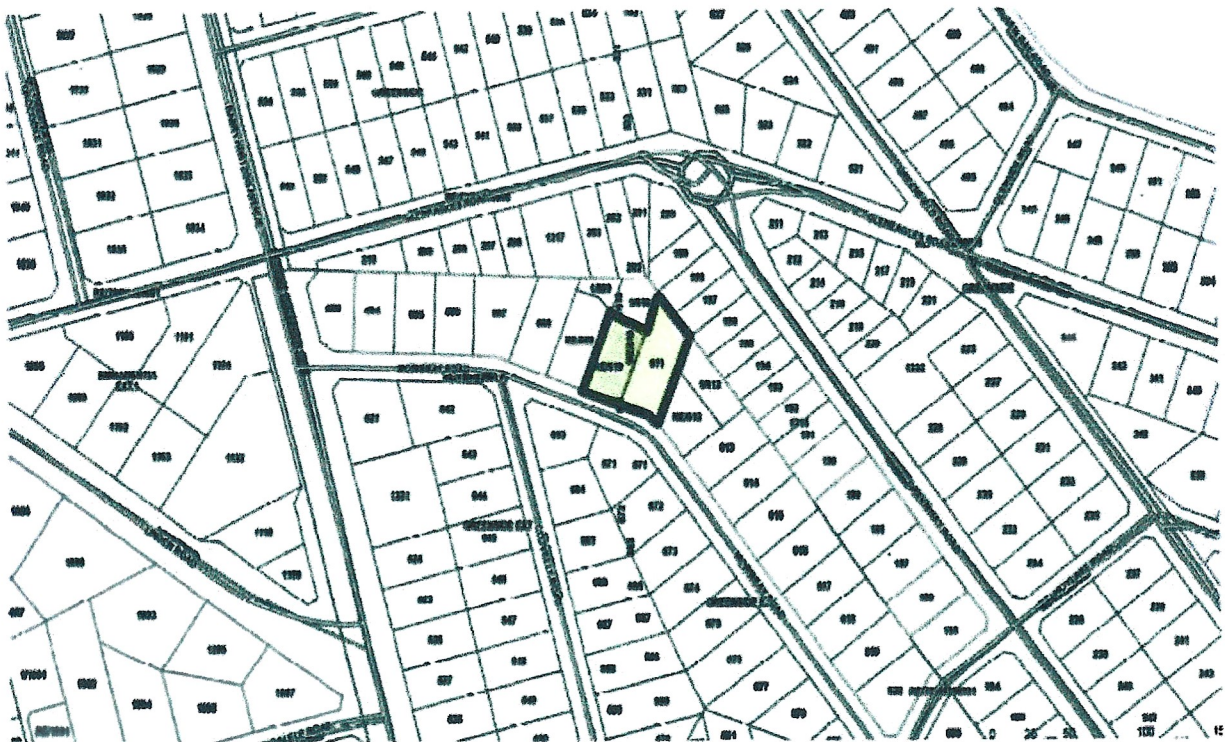
The ownership of both properties is vested in the name of **BUSINESS VENTURE INVESTMENTS NO 872 PROPRIETARY LIMITED** with Registration Number **2004/010024/07** in terms of the above-mentioned Deeds of Transfer.

2.3 Size

The Remaining Extent of Erf 610 Greenside Extension measures **1066m²** (One Thousand and Sixty-Six) Square Metres and Erf 611 Greenside Extension measures **1508m²** (One Thousand Five Hundred and Eight) Square Metres. The total site area of the property is **2574m²** (Two Thousand Five Hundred and Seventy-Four) Square Metres.

2.4 Locality

The properties address according to the CGIS Department is described as 204 Mowbray Road for the Remainder of Erf 610 Greenside Extension and 202 Mowbray Road for Erf 611 Greenside Extension. The properties are next to each other and are located on the northern side of Mowbray Road.





(Locality and aerial photograph taken from the CGIS webpage)

2.5 Zoning

In terms of the City of Johannesburg Land Use Scheme, 2018 the properties are zoned Residential 1. The Primary Rights are depicted as "As per Scheme" and similarly for the Consent Rights (As per Scheme).

2.6 Surrounding Area

- North: -** To the north of the property along Greenway and Gleneagles Road, a varying scale and typologies of businesses together with a mixture of offices and residential units which are located above the business, are noted. Residential properties away from the node from Greenfield Road are noted.
- South: -** To the south of the property along Mowbray Road and further south residential erven with varying erf sizes are noted.
- East: -** Properties along Mowbray Road are Residential with associated uses.

West: - Properties immediately abutting the site are characterized as Residential, however, the properties are nestled between the subject properties and another private parking area which accommodates the restaurant's parking requirements.

2.7 Land Use

2.7.1 The Site

The site is currently used as a parking area and numerous neat shade ports have been erected.

2.7.2 Legal Aspects

The restrictive conditions in the respective Title Deeds No's.: T5419/2014 and T12660/2011 prohibiting the consent use as applied for, are being removed.

The application will be advertised as per the prescribed By-Laws and proof thereof will be submitted.

The property is subject to a mortgage bond and the respective Mortgage Bond Holder's (Standard Bank) consent dated 1 February 2024 has been annexed hereto for reference.

3. APPLICATION PROPOSAL

The purposes of the application is to apply to the City of Johannesburg Local Authority for their consent to allow private parking on both erven, the application also requests for the formalization and regularization of the carports already erected on the property to cater for the vehicles using the parking area.

4. MOTIVATION

4.1 Need for the consent use

In terms of the City of Johannesburg Land Use Scheme, 2018, Table 2: Use Zone 1 (Residential 1) allows for (Under the Secondary Land Use Rights) public or private parking areas.

Parking along Greenway Road as well as Gleneagles Road is a major problem as insufficient parking is available and with the lack of parking, the spilling over of cars parking into Mowbray Road as well as other surrounding roads, like Mowbray Road, Clovelly Road and Barry Hertzog Road is experienced. The problem is historical and has arisen from the fact that the Provincial Administration allowed

the planning and development of areas with no or limited parking requirements. The approved FAR and coverage applicable to the business developments are also relatively high which ultimately caused limited parking areas. This application (one of very few in the area) seeks to lessen the burden of parking problems and traffic congestion in the area. The traffic congestion and insufficient parking problem will not disappear until sufficient parking is made available. More solutions like this application is needed.

This application for a private parking area, seeks to alleviate some of the problem that is experienced, where specific patrons will be allowed to park on the subject properties. The parking area also provides a physical barrier for both sound and an actual barrier between the businesses and restaurants along Greenway Road and Gleneagles Road.

The erection of the shade ports and a guard house are the only structures that are required at this point, together with the boundary wall. Sufficient maneuverability has been taken into consideration as well as the sizes of each parking bay thus adhering to the City's minimum requirements for parking areas.

The need for a parking area is self-explanatory within this neighbourhood and with the alleviation of no available parking, less vagrancy is noted. Less vagrancy ultimately can mean less crime related acts to patrons frequenting the businesses and restaurants where you would be able to identify where people are going to and also coming from.

A consent use is an additional land use right, which may be terminated if a breach of the specific conditions as set out by Land Use Management is done. In the unlikely event this has happened, the property can be reverted back to its original rights. In this case, only shade ports will be erected thus making the consideration of the application even easier.

An application similar in nature to this application was supported by the Municipal Planning Tribunal during July 2023 on Erven 604 and 605 Greenside Extension. The provision of parking was supported along Mowbray Road and this provision of parking has seamlessly integrated with the surrounding development. This application however seeks to gain access from Greenway Road. The boundary of the properties along Mowbray Road have been walled up and with the wall being over 1.8m the noise levels have drastically been lowered between the site and residential components along Mowbray Road.

The use for private parking, is again shown as being minimal in terms of intrusiveness and alleviates problems noted above in terms of parking spillage into surrounding streets. A Site Development Plan in terms of the approval was

required taking into account ingress and egress points, this will be confirmed by the Johannesburg Roads Agency. In the event that this application is approved a Site Development Plan, showing the parking layout as well as the entry and exiting to the site, will also have to be assessed allowing Land Use Management another opportunity to scrutinize the site and ensure all measures are as per the approval are met.

An enquiry was submitted to Land Use Management where the enquiry was supported in principle and from the submission that was made, the application from a town planning point of view is acceptable to Land Use Management.

As stipulated by Land Use Management in the enquiry, the site falls within the General Urban Zone and the City's vision for the site and surrounding properties, *"uses supported in this zone include but are not limited to Light commercial, residential, offices, retail, public open space, recreation, community services, childcare, health care and small scale non-polluting (including noise) urban manufacturing as well as a minimum density of 60 dwelling units per hectare"*.

In terms of what can be supported from a policy point of view, this application seems to be far less intrusive and will have less of an impact to that which can be supported as indicated.

The application in terms of planning principles therefore makes sense and is aligned to the development principles as set out in Section 7(1) the Spatial Planning and Land Use Management Act, 2013, the Nodal Review Policy, 2020 as well as the COJ Spatial Development Framework 2040.

4.2 Impact on surrounding properties

As stated above, if the application is approved, the end result of the proposal will entail a small self-operating entity with minimal interference to the external/ surrounding properties. No construction of buildings would transpire in the event this application is considered making no impact to surrounding owners.

As stipulated above, no access will be permitted along Mowbray Road, making impact in terms of traffic generation to the residential erven along Mowbray Road non-existent. Patrons frequenting the property do not all arrive at once or leave at once, therefore making traffic far less impactful and making congestion along Greenway Road minimal.

In terms of engineering services (electrical, sewerage and water), no impact will emanate from the site. On-site security will also curb patrons leaving the premises

from noise-making and other disturbances and ensure the patrons leave in an orderly manner.

5. SUMMARY AND CONCLUSION

- 5.1 Application is hereby made for the Consent Use, Section 19 of the City of Johannesburg Municipal Planning By-Law, 2016 and read with clause 40 of the City of Johannesburg Land Use Scheme, 2018, Remaining Extent of Erf 610 Greenside Extension and Erf 611 Greenside Extension for private parking.**
- 5.2 It is respectfully requested that the application for Consent Use in terms of The City of Johannesburg Municipal Planning By-Law, 2016 read with clause 40 of the Land Use Scheme, 2018 in respect of the Remaining Extent of Erf 610 Greenside Extension and Erf 611 Greenside Extension for private parking be approved.**

A-Series Map-RE/610 Green

CORPORATE GEO-INFORMATICS
City of Johannesburg

Legend

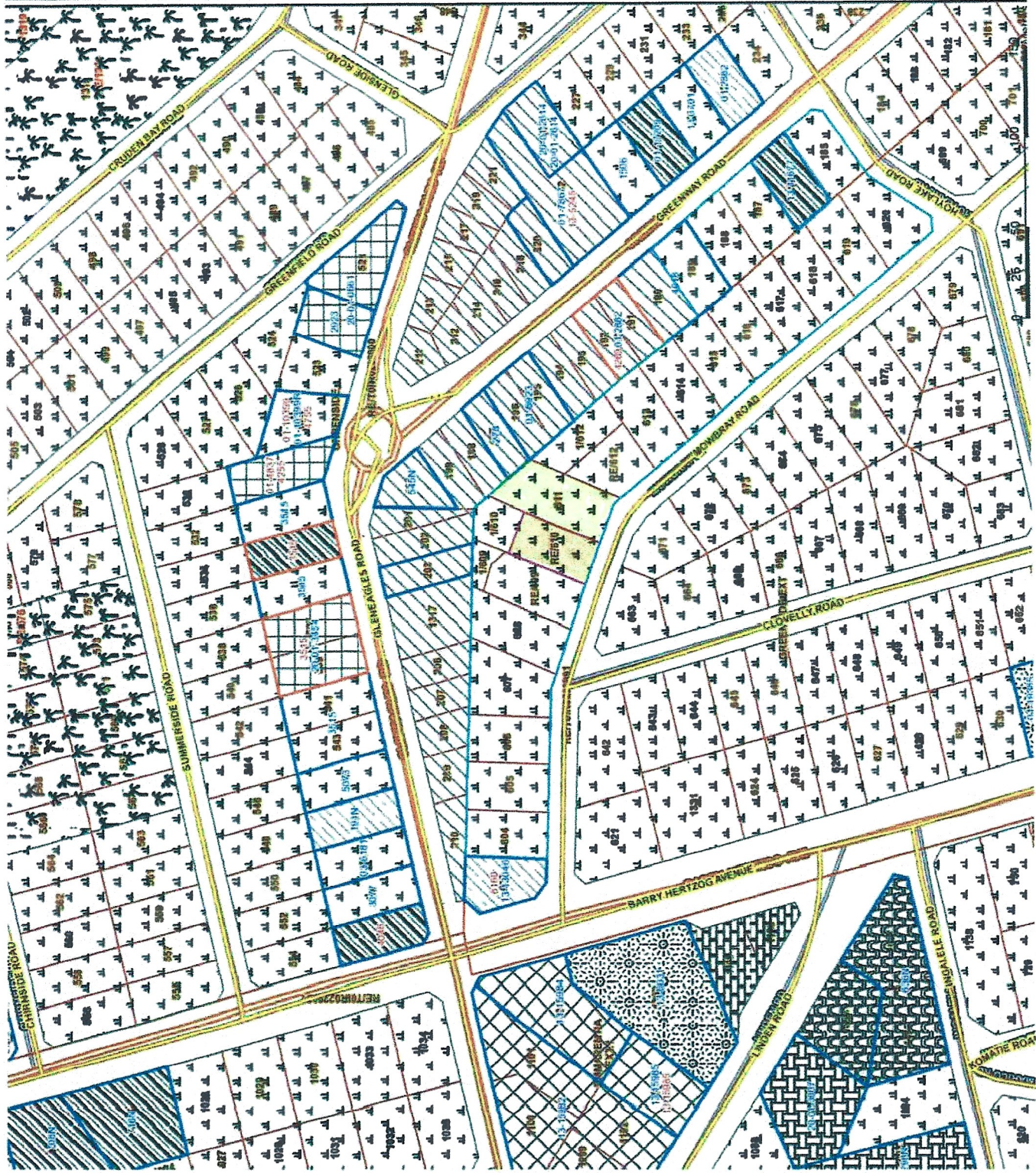
- GIS Road Centreline
- Urban Development Zone
- Amendment Scheme
- CURRENT
- HISTORY
- Use Zone - A Series: Monochrome


- Aerodrome
- Agricultural
- Amusement
- Business 1
- Business 2
- Business 3
- Business 4
- Cemetery
- Commercial
- Commercial 1
- Commercial 2
- Demarcated Mining Land
- Ecclesiastical
- Educational
- Existing Public Roads
- Existing Roads
- General
- Government
- Industrial 1
- Industrial 2
- Industrial 3
- Institutional

Municipal
PREPARED BY:
CGIS GeolGIS
DATE: 05/04/2024
Proposed New Roads and Widening
Public Garage
Public Open Space



1:2 000



 <p>a world class African city</p>	<h2>ZONING INFORMATION NOTE PAD</h2>
REQUESTED BY:	
LAND USE SCHEME: CITY OF JOHANNESBURG LAND USE SCHEME , 2018	
NAME OF APPLICANT:	
ERF / HOLDING / FARM PORTION: RE/610 (1065 m²)	
TOWNSHIP NAME / HOLDING NAME / FARM NAME: GREENSIDE EXT	
STREET NAME AND NUMBER: 204 MOWBRAY ROAD	
ZONING INFORMATION	
USE ZONE: Residential 1	
HEIGHT ZONE: A:H0 (REFER TO TABLE 4)	
FLOOR AREA RATIO:	REFER TO TABLE 6
COVERAGE:	REFER TO TABLE 5
DENSITY: 1 dwelling per Erf m²	
BUILDING LINE: REFER TO TABLE 7	
PARKING: AS PER SCHEME	
AMENDMENT SCHEME APPLICABLE: N/A	
SERVED BY: Sanelise	DATE: 05/04/2024

The Town Planning Scheme is open for inspection at the 8th floor, 158 Civic boulevards (previously 158 Loveday Street) between 8:00 and 15:30 weekdays. The applicant must verify the information contained herein by inspection of the Town Planning Scheme. Whilst the utmost is done to ensure accuracy, the City of Johannesburg does not accept responsibility for any incorrect information given on this form.

The applicant's attention is drawn to the general provisions of the Town Planning Scheme.

It should be noted that the provisions of the Town Planning Scheme do not override any restrictive conditions that may be contained in the Title Deeds.

PLEASE NOTE:

No information will be given telephonically due to the technical and interpretive complications.

**GREENSIDE EXTENSION PARKING LAY-OUT:
ERVEN RE/610 AND 611**

