



DENNIS MOSS PARTNERSHIP

INTERDISCIPLINARY SUSTAINABILITY CONSULTANTS

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NOTICE OF LAND DEVELOPMENT APPLICATION TO INTERESTED AND AFFECTED PARTIES FOR COMMENT

The following land use application in terms of the Stellenbosch Land Use Planning Bylaw, 2015, refers:

Application Property Address: Stellenbosch/Somerset West Road (R44), Farm Zimzala
Application Property Number: Farm No. 528/8
Applicant: Jacques Volschenk/ Dennis Moss Partnership
PO Box 371
Stellenbosch, 7599
Tel: 021 887 0124
Fax: 021 886 5393
Owner: Amwill Trust
Tel: 021 880 1420
Cel: 074 124 9954
Application Reference: LU/12229
Application Type: Consent Use

Detailed description of land use or development proposal, including its intent and purpose:

Application is made in terms of Section 15(2)(o) of the Stellenbosch Municipal Land Use Planning By-Law dated 20 October 2015 for a consent use in order to utilize a portion of the property for a boutique canine hotel and associated services and facilities on Farm No. 528/8, Stellenbosch.

Notice is hereby given in terms of the provisions of Section 46 of the said Bylaw that the above-mentioned application has been submitted to the Stellenbosch Municipality for consideration. The application is available for inspection on the Planning Portal of the Stellenbosch Municipal Website for the duration of the public participation process at the following address:

<https://www.stellenbosch.gov.za/planning/documents/planning-notice/land-use-applications-advertisements>.

If the website or documents cannot be accessed, an electronic copy of the application can be requested from the Applicant.

Page 1 of 4



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Tel: +27 (0)21 887 0124 • Fax: +27 (0)21 886 5393 • email: info@dmp.co.za • website: www.dmp.co.za

Dennis Moss Planners & Architects (Pty) Ltd. Reg. No. 2003/007711/07
Directors: DF Moss, URP (SA) BA M (URP) M SAPI • GC de Klerk, URP (SA) B Econ M (URP) M SAPI • M Le Roux-Cloete, Pr Arch, BAS, B Arch (UCT), MIArch, CIA
SW vd Merwe, Pr Sci Nat, NHD (Nature Conservation) SACNASP • JMH Lackay, Pr S Arch, T MIArch • PJ Niemann, Pr Arch, B Arch (UFS) MIArch, CIA
Associate Landscape Architect: WJ Tijmens, Ing (NED) FILASA

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw with the following requirements and particulars:

- The comments must be made in writing;
- The comments must refer to the Application Reference Number and Address,
- The name of the person that submits the comments;
- The physical address and contact details of the person submitting the comments;
- The interest that the person has in the subject application;
- The reasons for the comments, which must be set out in sufficient detail in order to:
 - Indicate the facts and circumstances that explain the comments;
 - Where relevant demonstrate the undesirable effect that the application will have if approved;
 - Where relevant demonstrate any aspect of the application that is not considered consistent with applicable policy; and
 - Enable the applicant to respond to the comments.

The comments must be addressed to the applicant by electronic mail as follows: Jacques Volschenk email: jacques@dmp.co.za.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **5 July 2021**.

It should be noted that the Municipality, in terms of Section 50(5) of the said Bylaw, may refuse to accept any comments/ objection received after the closing date.

For any enquiries on the Application or the above requirements, or if you are unable to write and /or submit your comments as provided for, you may contact the Applicant for assistance at the e-mail address provided or telephonically at 021 887 0124 / 082 821 6365 during normal office hours.

Yours faithfully

JL VOLSCHENK



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KENNISGEWING VAN GROND ONTWIKKELINGS AANSOEK AAN GEÏTRESSEERDE EN GEAFFEKTEERDE PARTYE VIR KOMMENTAAR.

Die volgende grondgebruiksaansoek in terme van Stellenbosch se Verordeninge op Grondgebruikbeplanning, 2015, verwys:

Adres van aansoek eiendom:	Stellenbosch/Somerset Westpad (R44), Plaas Zimzala
Aansoek eiendom beskrywing:	Plaas No. 528/8
Aansoeker:	Jacques Volschenk/ Dennis Moss Partnership PO Box 371 Stellenbosch, 7599 Tel: 021 887 0124 Fax: 021 886 5393
Eienaar:	Amwill Trust Tel: 021 880 1420 Cel: 074 124 9954
Aansoek Verwysing:	LU/12229
Tipe Aansoek:	Vergunningsgebruik

Besonderhede van die grondgebruiksaansoek, insluitende die doel en uitkoms:

Aansoeke word gedoen ingevolge artikel 15(2)(o) van die Stellenbosch Munisipale verordening op grondgebruikbeplanning, gedateer 20 Oktober 2015 vir 'n vergunningsgebruik om 'n gedeelte van die eiendom te gebruik vir 'n boetiekhondehotel en gepaardgaande dienste en fasiliteite op Plaas 528/8, Stellenbosch.

Kennis word hiermee gegee in terme van die voorskrifte van die Artikel 46 van die genoemde Verordeninge dat bovermelde aansoek by die Stellenbosch Munisipaliteit ingedien is vir oorweging. Die aansoek is beskikbaar vir insae op die Beplannings Portaal van die Stellenbosch Munisipaliteit se Webtuiste vir die tydspan van die publieke deelname proses by die volgende adres:

<https://www.stellenbosch.gov.za/planning/documents/planning-notices/land-use-applications-advertisements>.

Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, kan die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Page 3 of 4



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Associate Landscape Architect: WJ Tijmens, Ing (NED) FILASA

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening wat die volgende vereistes en besonderhede moet bevat:

- Die kommentaar moet skriftelik wees;
- Die kommentaar moet die aansoek se verwysings nommer en adres insluit;
- Die naam van die persoon wat die kommentaar lewer;
- Die fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer.
- Die belang wat die persoon wat die kommentaar lewer, in die aansoek het.
- Die redes vir die kommentaar wat gelewer word, welke redes genoegsame besonderhede moet bevat ten opsite van die volgende aspekte:
 - Die feite en omstandighede aantoon wat die die kommentaar toelig;
 - Indien toepaslik, aantoon wat die onwenslike resultaat sal wees indien die aansoek goedgekeur word;
 - Waar toepaslik moet aangetoon word indien enige aspek van die aansoek strydig geag word met enige relevante beleid;
 - Dat die insette voldoende inlgting sal gee wat die aansoeker in staat sal stel om kommentaar daarop te lewer.

Die kommentaar moet by wyse van elektroniese pos aan die Aansoeker gestuur word as volg: Jacques Volschenk e-pos adres: jacques@dmp.co.za.

Die kommentaar moet binne 30 dae vanaf die datum van hierdie kennisgewing gestuur word en moet ontvang word voor of op die laaste dag van die sluitings datum van **5 Julie 2021**.

Daar moet kennis geneem word dat die Munisipaliteit, in terme van Artikel 50(5) van die vermelde Verordeninge, mag weier om enige kommentaar / beswaar te aanvaar wat na die sluitingsdatum ontvang word.

Indien daar enige navrae op die aansoek of bovermelde vereistes vir die lewer van kommentaar is, of indien dit nie moontlik is om geskrewe kommentaar te lewer of die kommentaar op die wyse te lewer soos voorsienning gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 021 887 0124 / 082 821 6365 gedurende normale kantoor ure.

Die uwe

JL VOLSCHENK



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EXECUTIVE SUMMARY

CONSENT USE APPLICATION: REMAINDER PORTION 8 (PORTION OF PORTION 7) OF FARM NO. 528, STELLENBOSCH

The purpose of this application is to allow for the permanent utilization of a portion of the property for a canine boutique hotel comprising 33 accommodation units for dogs and associated facilities.

1 INTRODUCTION AND CONTEXT

The owners of the Zimzala K9 Estate, Amwill Trust, situated on the above-mentioned property, have been operating the canine hotel since 2009 when a temporary departure was issued to utilize the existing stables on the property for the purpose of the canine hotel. A further application for the same purpose was approved during 2015.

Whereas the original canine hotel comprised 21 dog accommodation units, owing to the 9 converted horse stables, this most recent application will request that an addition store room, which forms part of the accommodation building, also be permitted for 12 more accommodation units. Thereby allowing a total of 33 dog accommodation units.

2 LOCATION AND SITE DESCRIPTION

The subject property is located along the R44 (Stellenbosch/Somerset West Road), amongst a number of smallholdings which is located outside of the urban edge of Stellenbosch and is some 5km from the centre of town. The property is approximately 1km south of the Stellenbosch Square in Jamestown, along the R44. The property borders on a portion of municipal land, next to the Stellenbosch Aerodrome, which is utilized as recreational and riding space as part of the Stellenbosch District Riding Club.

Access to the property is obtained directly off the R44 (Stellenbosch / Somerset West Road) at a specific point described in the title deeds and illustrated on the Surveyor-General Diagram.



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The property is described in the relevant title deeds as the Remaining extent of Portion 8 (portion of Portion 7) of the Farm No. 528 and is 2.5957ha in extent. The property is zoned Agriculture and Rural Zone, as per the Stellenbosch Municipality: Zoning Scheme By-Law, 2019. In terms of the latter zoning, *kennels* are permitted as a consent use.

A *kennel* is defined in the scheme as follows: *kennel services for dogs, cats, and other pets, and includes commercial breeding, boarding kennels, pet motels and/or dog training facilities.*

3 EXISTING ESTATE FACILITIES AND PROPOSALS

Since 2009, the existing stables have been utilized as a boutique canine hotel. Where the original hotel offered 9 luxury accommodation units for dogs (owing to the 9 stables), the need for more accommodation soon increased and the 9 units were subdivided to accommodate 21 units. Today, Zimzala facilitates a premium Hotel for Dogs, The Parlour for all dog grooming services, Doggie Daycare facilities, K9 Training School and The Dogshop@Zimzala.

The consent use application will entail the utilization of a portion of the existing facilities for a dog kennel and associated services and facilities. The kennels will be confined to the existing stables and store building of approximately 530m² while the existing paddocks will be used as outdoor play area and training paddocks.

4 CONCLUSION

- a) The owners have obtained the required land use planning approvals since the initiation of the project. It is, however, their wish to permanently operate the boutique canine hotel from the property. Where the previous zoning scheme did not allow such permanent utilization of the property, the new Stellenbosch Zoning Scheme By-Law, 2019 allows for council to approve the permanent utilization as a consent use.
- b) Since inception, the facility has been managed and operated in a professional manner and no record of complaints or objections have been received within the approval period.
- a) The objectives of the Agriculture and Rural Zone is to make provision for the preservation of agricultural land and the continued use of farmland for agriculture. The proposal will strengthen said objectives as no agricultural land will be converted/utilized for any land use other than those identified in the zoning scheme.
- b) The proposal is also subservient to the primary use of bona fide agriculture and will be confined to a bona-fide agricultural building – apart from the outdoor facilities and activities for which no additional buildings is required. The proposal will therefore not result in the loss of productive agricultural land.
- c) The scale of the building used for the consent use is in keeping with the character of buildings on the land unit and the character of the area. The existing stables and store building are in the order of 530m² and is all lawful and approved. The building is also built in a similar architectural style as the main dwelling and cottage elsewhere on the property and will therefore not detract from the other buildings on site.
- d) The proposal is consistent with municipal policy and the Spatial Development Framework. In this regard the proposal will not jeopardize the scenic qualities of the area and will contribute to the enhancement of the semi-rural nature of the immediate area.
- e) The proposal will not negatively impact on the enjoyment of any neighbouring property.



DE ZALZE WINELANDS GOLF ESTATE

STELLENBOSCH AIRFIELD

STELLENBOSCH URBAN EDGE

STELLENBOSCH SQUARE SHOPPING CENTRE

JAMESTOWN

FARM NO. 528/8

STELLENBOSCH/SOMERSET WEST RD.

ANNANDALE RD.

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CLIENT:
AMWILL TRUST

PROJECT TITLE:
ZIMZALA K9 ESTATE

DRAWING TITLE:
LOCALITY MAP

PROJECT NO.:	V4305	SCALE:	NTS
DRAWING NO.:	P001	DATE:	18/06/2020
REV.		DRAWN:	JLV
		CHECKED:	

FOR DISCUSSION

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RE/6/528

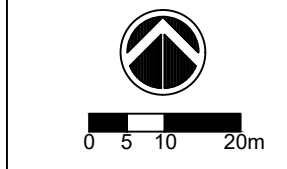
RE/502

15/528

18/528

RE/2/528

RE/1166



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CLIENT: **AMWILL TRUST**

PROJECT TITLE:
**ZIMZALA K9 ESTATE
 REM. FARM NO. 528/8**

DRAWING TITLE:
SITE DEVELOPMENT PLAN

PROJECT NO:	V4305	SCALE:	1:1000
DRAWING NO:	PL002	DATE:	02/07/2020
REV:	/	DRAWN:	JLV
		CHECKED:	

FOR INFORMATION

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