

NOTICE OF LAND DEVELOPMENT APPLICATION

MOHOSIN AND FAMILY TRADERS CLOSE CORPORATION

26 Rustenburg Road

Idasvalley

Stellenbosch

Affected person's Title: Mr/Mrs

APPLICATION TYPE: ERF 4120, RUSTENBURG ROAD, IDASVALLEY

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

Application Property Address: 26 RUSTENBURG ROAD, IDASVALLEY, STELLENBOSCH

Application Property Number: ERF 4120, IDASVALLEY, STELLENBOSCH

Applicant: SBI PROPERTIES

Owner: MOHOSIN AND FAMILY TRADERS CLOSE CORPORATION

Application Reference: TP 1081/2025

Description of land development proposal:

Application in terms of Stellenbosch Municipality By-Law, for the following Departures:

- To permit 9 parking bays in lieu of 14 parking bays.
- To permit the proposed building to be within the 0m rear building line in lieu of 4.5m.
- To permit the proposed building to be within the 1m common building line in lieu of 4.5m.
- To permit the proposed building to be within the 3m from the street building line in lieu of 4.5m.

Notice is hereby given in terms of the provisions 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-notices/land-use-applications-advertisements>. If the website or documents cannot be accessed, an electronic copy of the application must be requested from the Applicant.

You are hereby invited to submit comments and / or objections on the application in terms of Section 50 of the said bylaw. Written comment, which must include the reference to the application, the name, contact details and physical address of the person to submit the comments, the reasons for the comments, and the interest of the person who submits the comment in the application, may be submitted to the Applicant by electronic mail as follows: SBI Properties - Shafiek Biscombe at sbiproperties@mweb.co.za . By lodging an objection, comment or representation, the person doing so acknowledges that information may be made available to the public and to the applicant.

The comments must be submitted within 30 days from the date of this notice to be received on or before the closing date of **24 November 2025**.

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 0836386388 during normal office hours.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Shafiek Biscombe', with a stylized flourish at the end.

Shafiek Biscombe
SBI Properties

KENNISGEWING VAN GRONDONTWIKKELINGS AANSOEK

MOHOSIN AND FAMILY TRADERS CLOSE CORPORATION

26 Rustenburg Road

Idasvalley

Stellenbosch

Titel van geaffekteerde persoon: Mr/Mev

AANSOEKTIPE: ERF 4120, Rustenburg Straat, Idasvallei, Stellenbosch

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

Adres van aansoek eiendom: 26 Rustenburg Straat, Idasvallei, Stellenbosch

Aansoek eiendom beskrywing: ERF 4120, Rustenburg Straat, Idasvallei, Stellenbosch

Aansoeker: SBI Properties

Eienaar: MOHOSIN AND FAMILY TRADERS CLOSE CORPORATION

Aansoek Verwysing: LU/TP 1081/2025

Besonderhede van die grondgebruiksaansoek:

Aansoek ingevolge die Stellenbosch Munisipaliteit By-wet, vir die volgende Ontheffings:

- Om 9 parkeer plekke toe te laat in plaas van 14 parkeer plekke.
- Om die voorgestelde gebou toe te laat binne die 0m agter gebou lyn in plaas van 4.5m.
- Om die voorgestelde gebou toe te laat binne die 1m gemeenskaplike gebou lyn in plaas van 4.5m.
- Om die voorgestelde gebou toe te laat binne die 3m van die straat gebou lyn in plaas van 4.5m.

Kennis word hiermee gegee in terme van die voorskrifte 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-notice/land-use-applications-advertisements>. Indien die webtuiste of tersaaklike dokumente nie toeganklik is nie, moet die Aansoeker versoek word om 'n elektroniese kopie van die aansoek beskikbaar te stel.

Kommentaar en/ of besware kan vervolgens gedien word op die aansoek in terms van Artikel 50 van die tersaaklike Verordening. Skriftelike kommentaar, wat besonderhede ten opsigte van die verwysings nommer van die aansoek, die name, fisiese adres en kontak besonderhede van die persoon wat die kommentaar lewer, die redes vir die kommentaar, en die belang van die persoon wat die kommentaar lewer in die aansoek, by die Aansoeker ingedien word by wyse van elektroniese pos as volg: SBI Properties - Shafiek Biscoombe -

sbiproperties@mweb.co.za. Deur 'n beswaar, kommentaar of versoë te rig, erken die persoon wat dit doen dat inligting aan die publiek en aan die aansoeker beskikbaar gestel kan word.

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 **24 November 2025**.

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 voorsiening gemaak is nie, kan die Aansoeker geskakel word vir bystand by die vermelde elektroniese pos adres of telefonies by 0836386388 gedurende normale kantoor ure.

Die uwe

Shafiek Biscombe
SBI Properties



**APPLICATION FOR PERMANENT DEPARTURE IN TERMS OF
STELLENBOSCH MUNICIPAL LAND USE PLANNING BY-LAW TO ALLOW
THE PROPOSED FLATS.**

ERF 4120, 26 RUSTENBURG ROAD, IDAS VALLEY, STELLENBOSCH.



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1. EXECUTIVE SUMMARY

PROPERTY DESCRIPTION	
Address	26 Rustenburg Road, Idas Valley, Stellenbosch
Registered owner	Mohosin and Family Trades CC
Extent	496 m ²
Current use	Vacant
Proposed use	Flats
Title Deed No	T45738/2021
Title Deed restrictions	None
Current zoning	Mixed Use

2. INTRODUCTION

The application is a Permanent Departures in terms of the Stellenbosch Municipality Zoning Scheme By-Law, 2019 in order to allow for the proposed flats on the subject property.

The subject site is currently vacant. There are no changes to the zoning and the proposed development is for 7 residential units.

The proposed site is located in Idas Valley, Stellenbosch in close proximity to Simonsrust shopping center and Helshoogte Road which also has various businesses. The proposed site is located along Rustenburg Road where intensification of land uses, and mixed use is promoted.

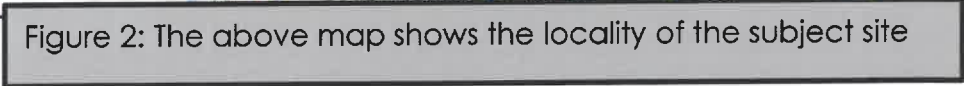
3. ZONING AND EXISTING RIGHTS



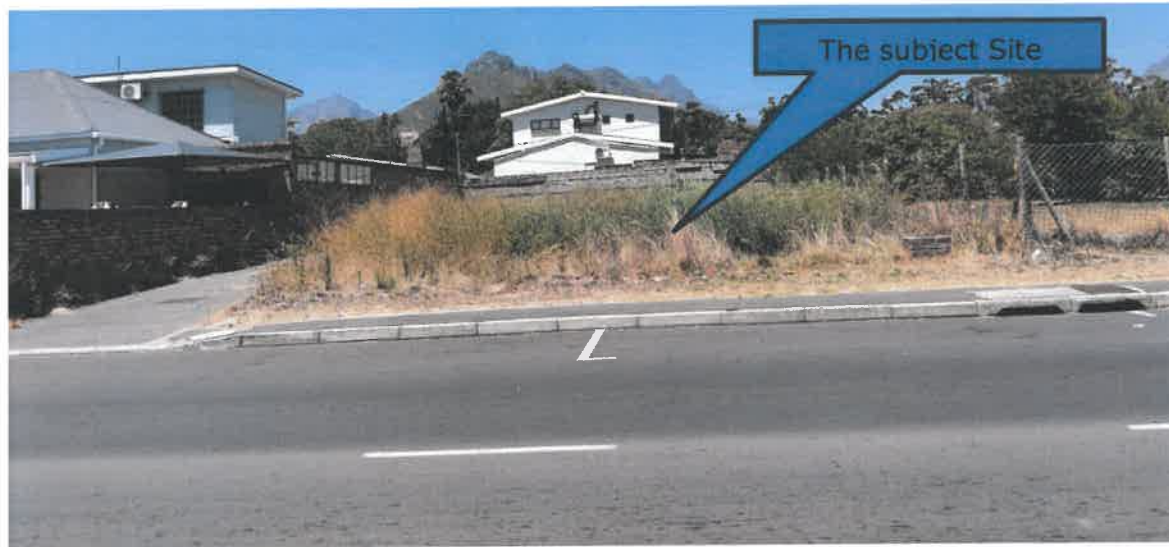
Figure 1: The above figure shows the existing zoning

The subject property is zoned **Mixed Use Zone** in terms of Stellenbosch Municipality Zoning Scheme By-Law. The property is intended to be utilized for residential purposes, no deviation from the SMZS in terms of the zoning.

The proposed site is situated in a mixed-zone area with residential as the predominant zone. The other zoning in the area includes community zone, business, multi-unit and conventional residential.

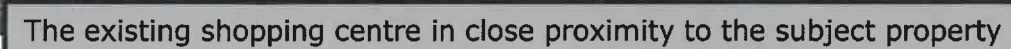
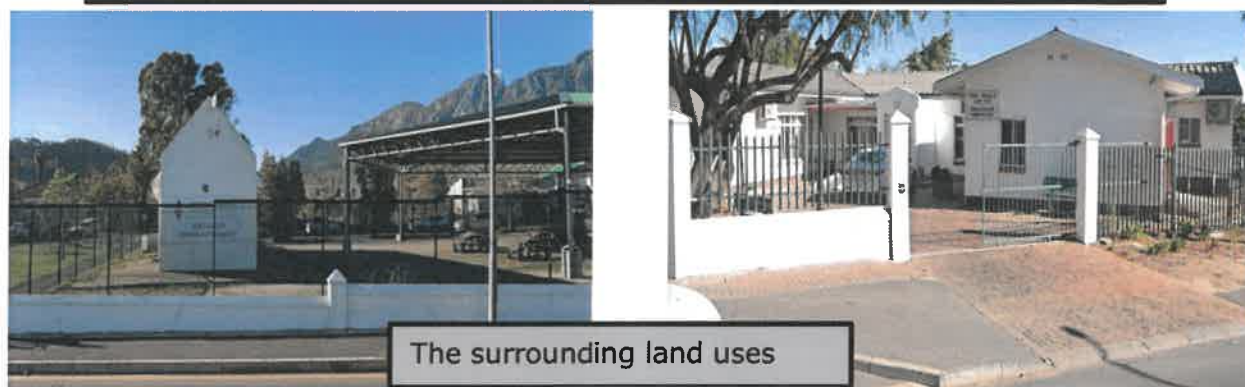


The subject property is currently vacant. The surrounding area is also characterized by mixed uses with predominantly residential. The proposed site is also located in close proximity to Helshoogte Road which connects Idas Valley to the Stellenbosch CBD, there are also various businesses that are located along this road. There are various blocks of flats that are located in close proximity to the proposed site.

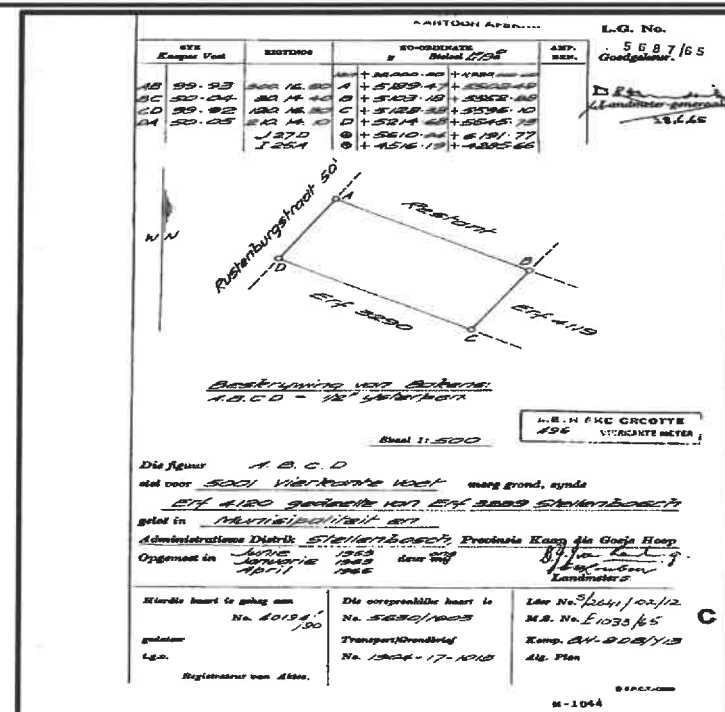


The above and below pictures shows the surrounding land uses





5. GENERAL PLAN/DIAGRAM

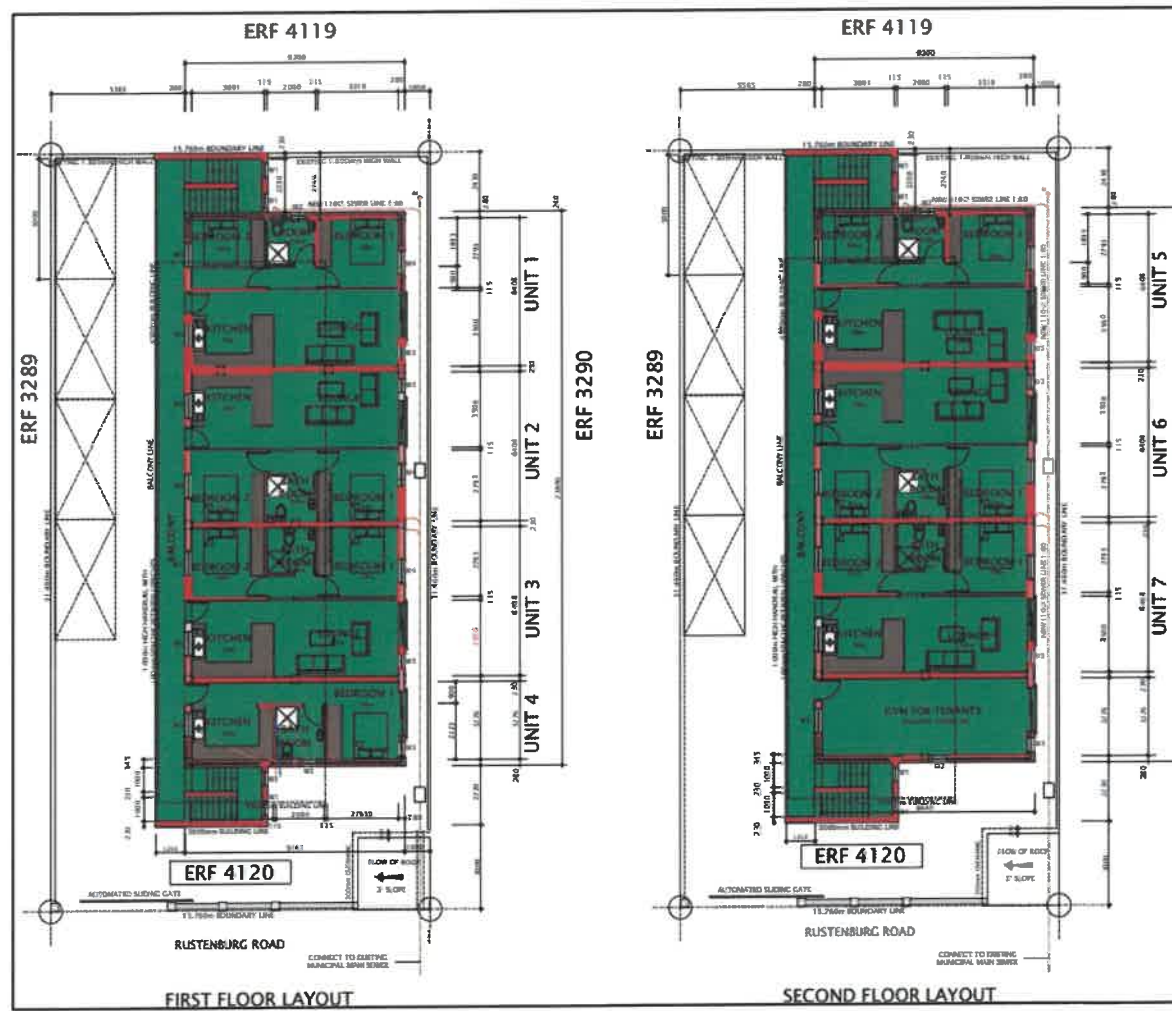


Erf 4120,
Stellenbosch is
registered under
diagram no.
5687/65.

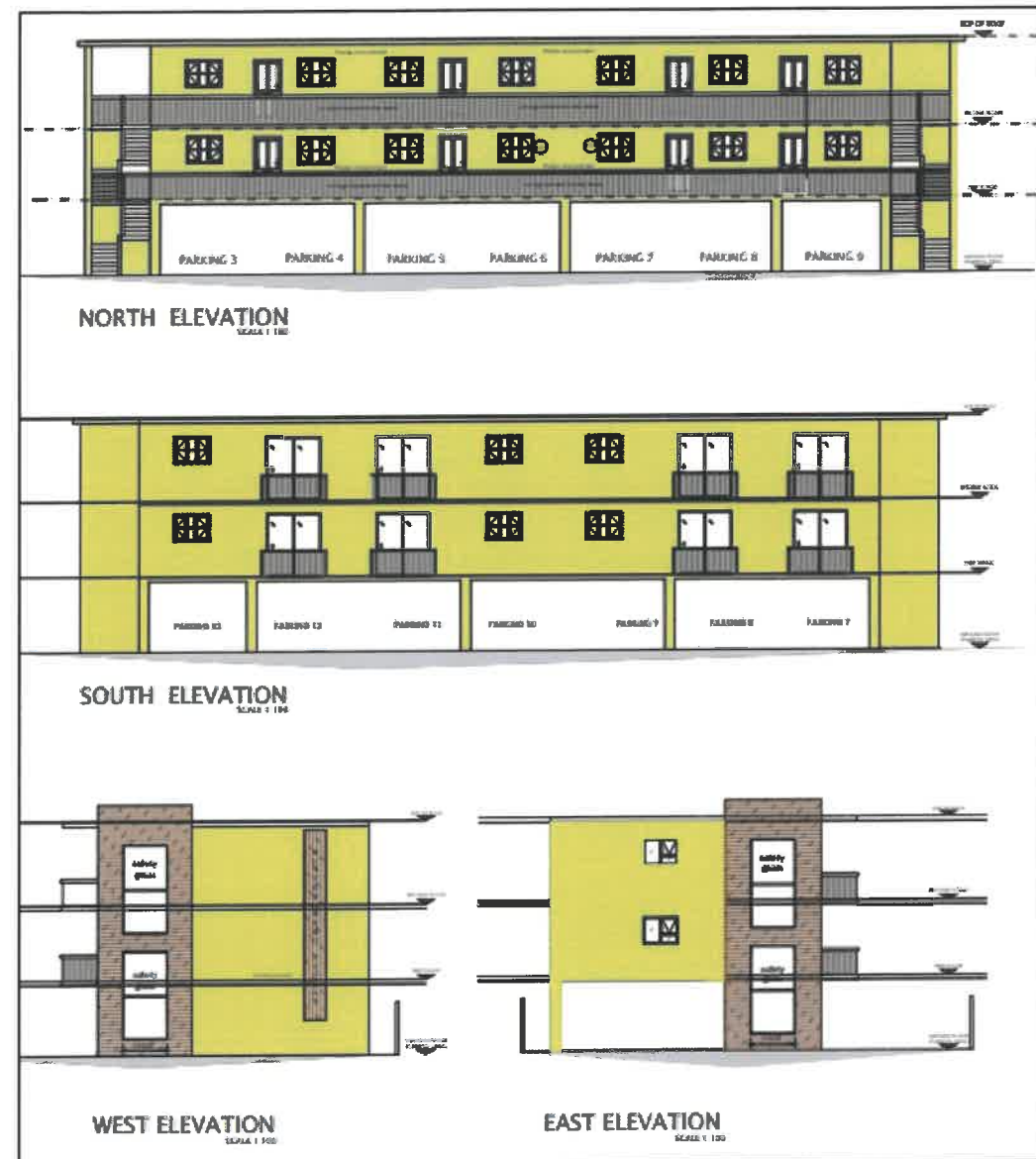
Figure 3: This figure shows the diagram for Erf 4120.

SITE PLAN/GROUND FLOOR

THE PROPOSED BUILDING PLANS



THE PROPOSED 1ST FLOOR AND
2ND FLOOR



THE PROPOSED ELEVATION

7. LEGISLATIVE FRAMEWORK

7.1 STELLENBOSCH MUNICIPALITY ZONING SCHEME BY-LAW.

103. Zone name and designation on map

- (1) The Mixed-use zone may be referred to by the code (MU) and shall be indicated on the zoning map in blue (Colour code 3,113,255).

104. Purpose of the zone

- (1) The purpose of this zone is to make provision for the following:
- (a) a variety of business uses (retail and office) and other related land uses within the central business areas of towns;
 - (b) a variety of higher density residential uses and tourist accommodation.
 - (c) a variety of community uses, creating a zone of mixed land uses that do not have a negative impact on each other.

110. Building development parameters in this zone

- (1) The following building lines, coverage and height shall apply to all buildings within this zone:

Building type	Street boundary building lines (m)	Common boundary building lines (m)	Coverage	Height
Business premises	0m	0m	85%	6 storeys
Filling station	3m	3m	85%	2 storeys
Guest house, hostel, hotel, tourist accommodation	All levels 4,5m	Ground floor: 4,5m First floor: 4,5m Second floor: 6m	50%	6 storeys
All other buildings	4,5m	4,5m	85%	6 storeys

TABLE A: OFF-STREET PARKING REQUIREMENTS		
Land Use Category	Normal parking	Additional parking reserved for visitors
Residential		
Bed- and breakfast (additional to dwelling)	1 bay/guest bedroom	
Commune	1 bay/bedroom	
Community Residential building: orphanage and old age home	0,3 bay/bedroom	
Dwelling house in all zones except LFR:		
1 bedroom	1 bay/dwelling house	
2 or more bedrooms	2 bays/dwelling house	
Dwelling house in LFR Zone	1 bay/dwelling house	
Flats in all zones except LFR:		
1- & 2-bedroom units	1 bay/dwelling unit	0,5 bay/dwelling unit
3-bedroom units	1,25 bays/dwelling unit	0,5 bay/dwelling unit
4 or more-bedroom units	1,5 bays/dwelling unit	0,5 bay/dwelling unit
Flats in LFR Zone:	1 bay/dwelling unit	0,25 bay/unit

The subject property is zoned **Mixed-Use** in terms of Stellenbosch Municipality Zoning Scheme By-Law. The property will be used for residential purposes. No deviation from the SMZS in terms of zoning. The proposed flats are allowed as primary use under this zone.

PARKING

Bylaw	Proposed site
1.5 bay per dwelling unit, plus 0.5 bays per dwelling unit for visitors. Total= 14 bays required	7 units are proposed 9 onsite parking bays have been provided onsite.

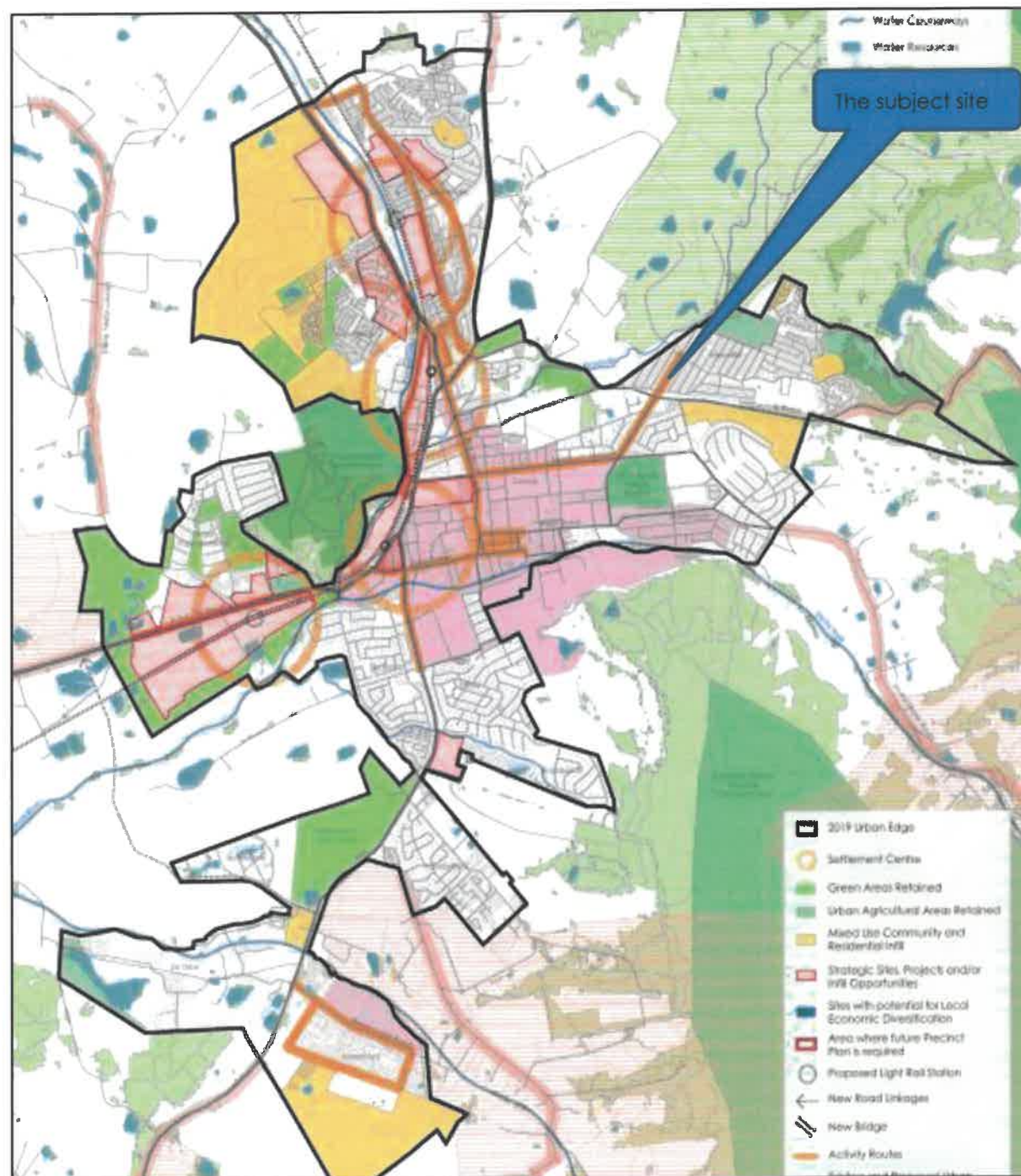
7.2 STELLENBOSCH MUNICIPALITY SPATIAL DEVELOPMENT FRAMEWORK, 2019

The proposed site falls in with urban development in Stellenbosch. Stellenbosch is regarded as the most significant settlement in the municipality. The town has grown significantly as a place of study, work, and tourism, while perhaps inadequately providing residential opportunities for all groups, and certainly lacking adequate provision of public transport and NMT options. Managing the residential growth of the town, through providing more inclusive housing at higher densities than the norm, is vital.

The proposed flats support the SDF's objective of infill housing by introducing higher density, inclusive living options that help manage residential growth sustainably. With Stellenbosch facing challenges related to long commuting distances and a heavy reliance on private vehicles, the proposed flats are ideally positioned to reduce these pressures. Their strategic location ensures that residents can access key urban services, educational institutions, and employment opportunities within a shorter distance, thereby promoting more

sustainable, environmentally friendly travel options such as public transport and non-motorized modes of transit.

The proposed site is located along Rustenburg Road which is an activity road where intensification of land uses, and mixed use is promoted.



7.3 SPATIAL PLANNING AND LAND USE MANAGEMENT ACT 2013.

In considering the application, the decision maker needs to be guided by the development principles contained in (Chapter II) of Spatial Planning and Land Use Management Act 2013 (Act no 16 of 2013) SPLUMA.

The Spatial Planning and Land Use Management Act 16 of 2013 aims:

- a) to specify the relationship between the spatial planning and the land use management system and other kinds of planning.
- b) to provide for the inclusive, developmental, equitable and efficient spatial planning at the different spheres of government.
- c) to address past spatial and regulatory imbalances.
- d) to promote greater consistency and uniformity in the application procedures and decision-making by authorities responsible for land use decisions and development applications.
- e) to provide for the facilitation and enforcement of land use and development measures.

The proposal is therefore compatible with the above principles as it also encourages sustainable settlements and efficient settlements with diverse functions.

7.4 LAND USE PLANNING ACT, 2014 (ACT 3 OF 2014) (LUPA)

In considering the application, the decision maker needs to be guided by the development principles contained in (Chapter II) of Land Use Planning Act, 2014 (Act 3 Of 2014) (LUPA).

Section 49 of LUPA (3/2014) provides the criteria that all municipalities must apply when considering a land use application.

These include:

- The applicable spatial development frameworks.
- The applicable structure plans, the principles referred to in Chapter VI (Land Use Principles);
- The desirability of the proposed land use; and
- Guidelines that may be issued by the Provincial Minister regarding the desirability of the proposed development.

The proposal is therefore compatible with the above principles as it is considered desirable and compatible with all legislative framework applicable to the area.

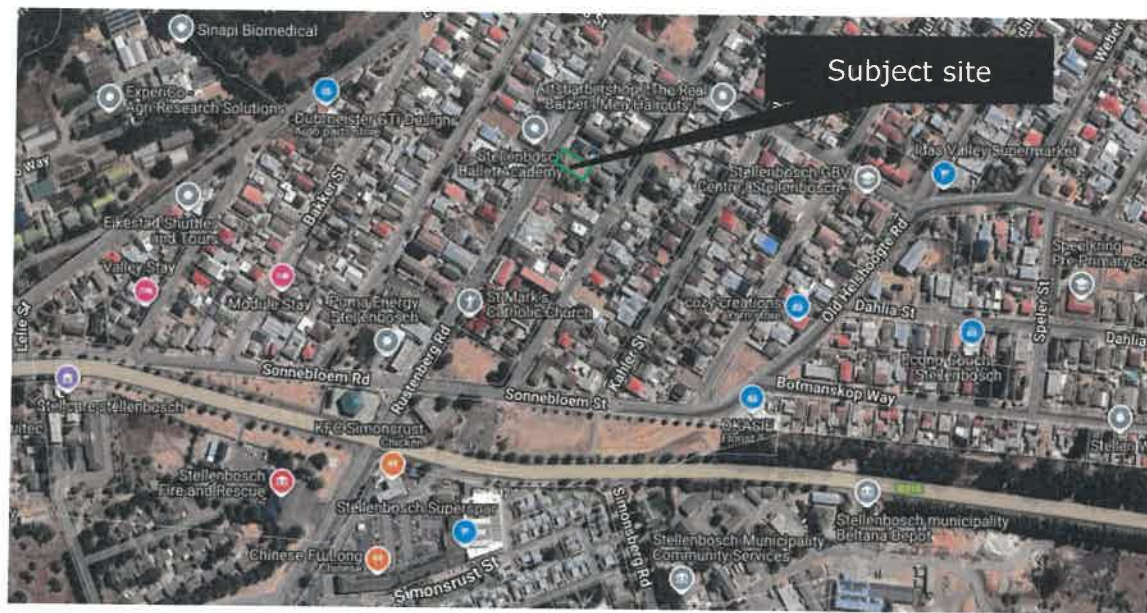
8 MOTIVATION

The proposed site is currently vacant. The intention is to develop this under utilise vacant land. The proposal complies with the legislative framework applicable in the area. The activity is considered to have a less negative impact on the surrounding properties. The residential character of the area will not be affected. The flats will be operated in a controlled environment.

The proposed development will result in the creation of employment and job opportunities, and approval of the application will have a positive impact in this community in terms of alleviating housing needs and job creation during construction. The proposed development will result in an increase in the value of the subject property and subsequently an increase in property values in the area. It is unlikely that the use of the property for the purpose of a flats will have a negative impact on the amenity of the neighborhood or on property values. The surrounding land uses are mixed

land uses which comprise of residential, fuel station, old age home, churches, schools, shopping centre and other public amenities.

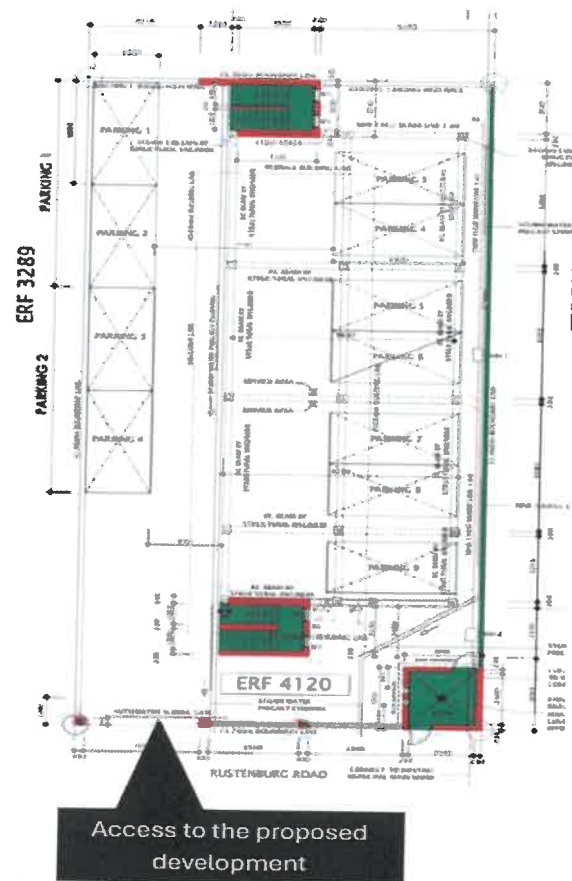
The proposed development is considered compatible with surrounding land uses. It is to be noted that the subject property is currently vacant, and the proposed development seeks to intensify the use of this land from under-utilized open space to a development which will benefit this community and surrounding areas.



The proposed development is within the existing urban area of Idas Valley and connections to existing municipal services, including water, sewerage, and electricity, can be made. The proposed development will not have any significant impact on external engineering services, as the scale of the development will be limited to the approved land uses and subject to compliance with the conditions of approval. It is envisaged that there are no issues that would restrict the development or the opportunity to connect to the Municipal bulk services network and the proposed development will not add an adverse constraint to existing services.

The land-use and scale of development is considered compatible with surrounding development and no negative impact on the wellbeing of the surrounding community is anticipated. On the contrary, the proposed development is to improve this underutilized vacant land which is prone to dumping and invasion.

The application does not trigger any authorizations in terms of heritage legislation, the proposal is not expected to have any impact on the heritage of the area. The application does not trigger any authorization in terms of the environmental legislation, it can be concluded that the bio-physical impact, if any, will be insignificant. There are no biophysical environments that will be impacted by the proposed development. The proposed development will not impact negatively on the built or natural environment as there is no sensitive natural vegetation or trees that were identified on-site.



Access to the site will be gained from Rustenburg Road. The proposed site is located close to the public transport route and where there is an integrated public transport system which includes taxis. The proposed site is also located in an area where there is public transport and utilization of uber/bolt system is high.

The owner of the property has provided 9 onsite parking bays. The proposal will not have a negative impact on the existing vehicle and pedestrian movement.

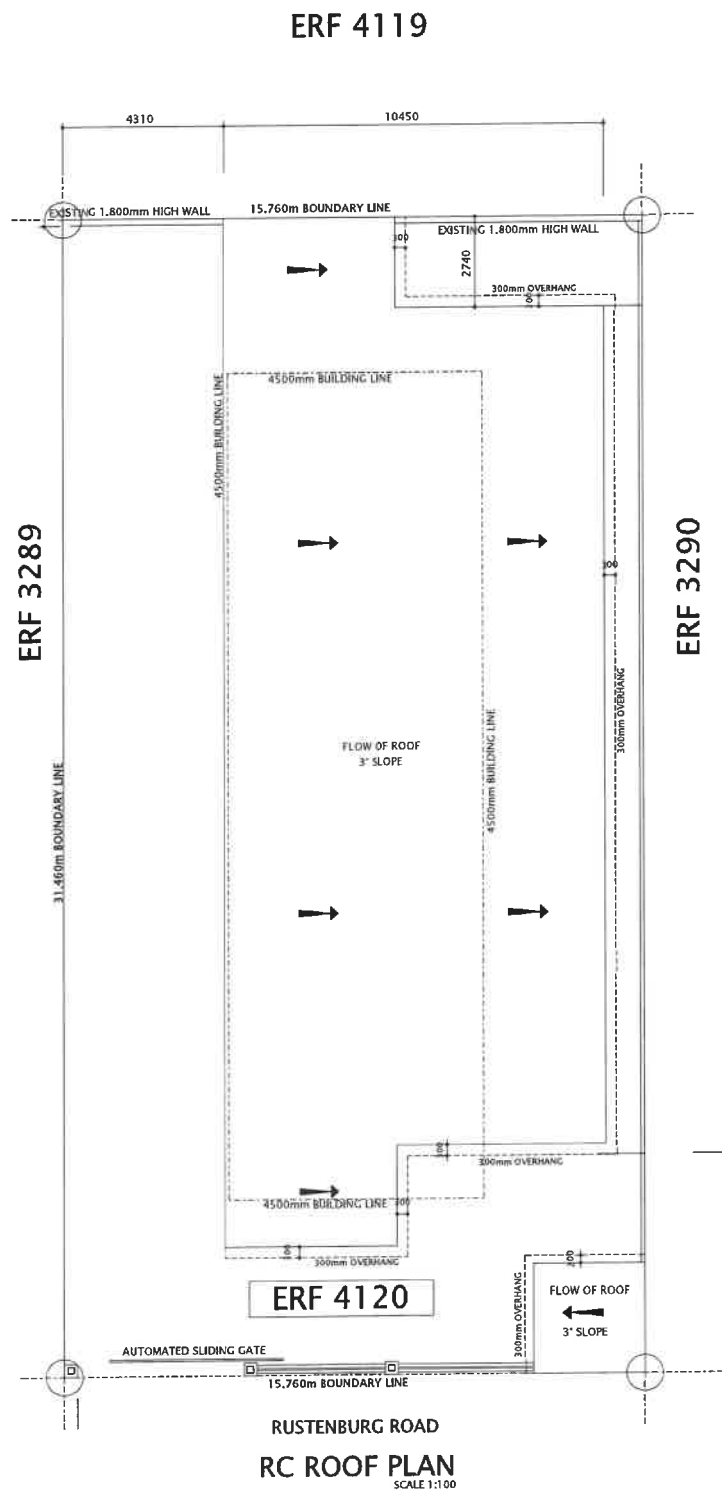
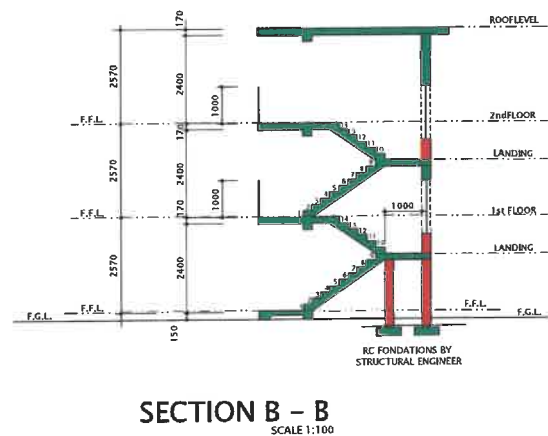
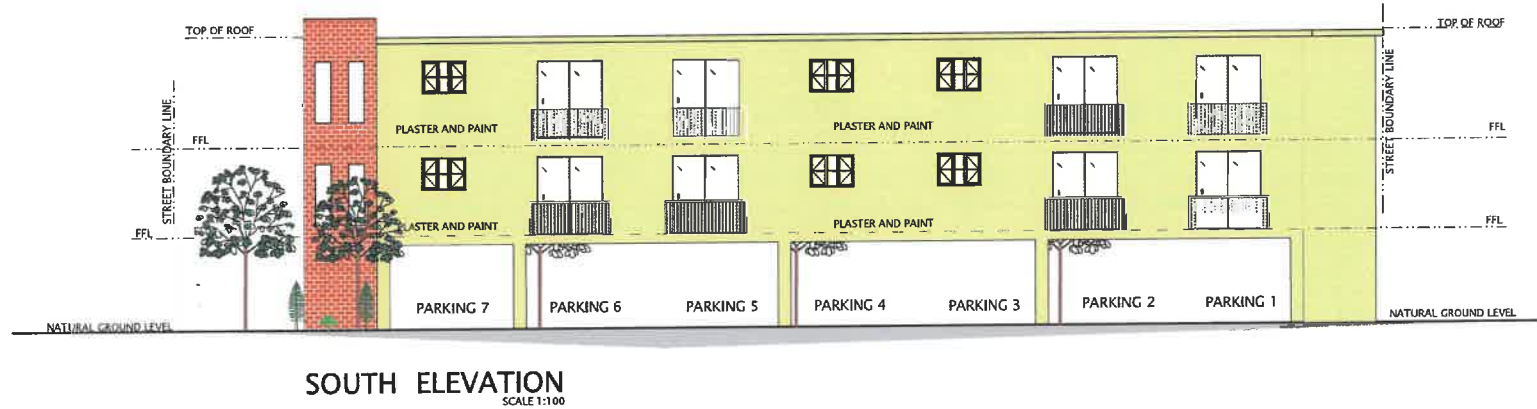
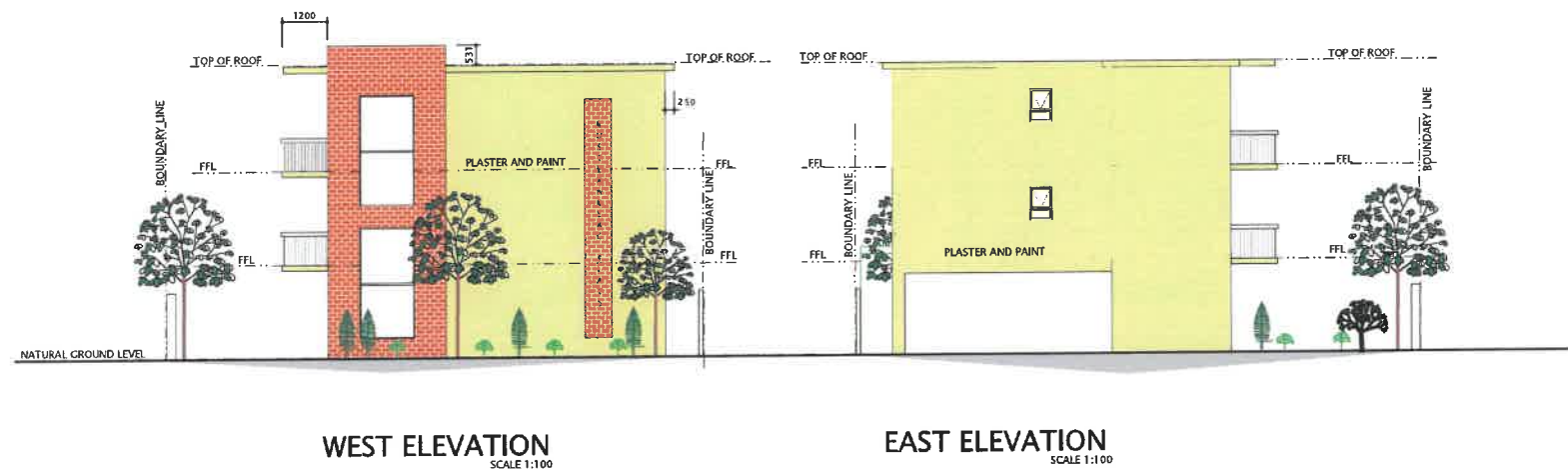
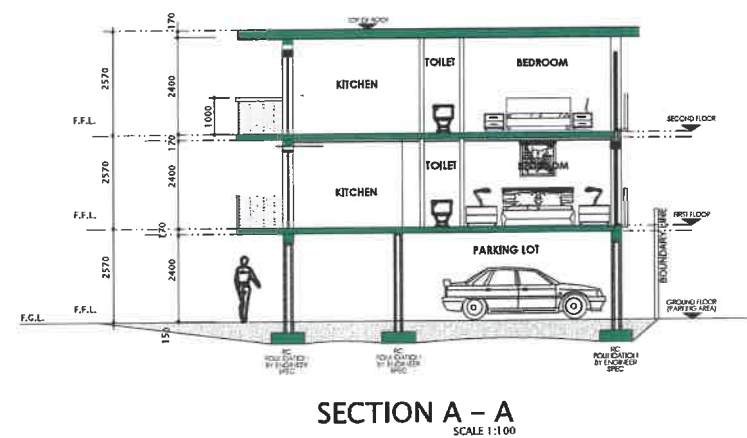
DEVELOPMENT PARAMETERS - COMPLIANCE

	MIXED USE ZONE	PROPOSED DEVELOPMENT	COMPLIANT/NON-COMPLIANT
Coverage	85%	44,15%	Compliant
Street building lines	4.5 m	3.m	Non-Compliant
Common/rear	4.5m	1m, 0m,	Non-Compliant
Height	6 Storeys	3 Storeys	Compliant
Parking	1.5 bay per dwelling unit, plus 0.5 bays per dwelling unit for visitors. Total= 14 bays required	9 bays, departure for 14 bays is required.	Non-Compliant

9 CONCLUSION

The proposed development is considered desirable, and it will not have an adverse impact on the character of the area. The proposed application for the approval of departures is considered compatible with the surrounding land uses as it is located in a mixed-use area and the applicable policies\framework in the area promote mixed land uses and intensification of land uses.

The proposed development will not impact negatively on the immediate surrounding properties. The proposed development will not have a negative impact on the value of the surrounding properties. The location is further ideal for the proposed development as the proposed site is located in close proximity to businesses, shopping centre and mixed land uses.



CALCULATIONS	
PLOT SIZE	496,00m ²
FIRST FLOOR	218,96m ²
SECOND FLOOR	218,96m ²
STAIRCASES	29,52m ²
COVERED BALCONIES	60,93m ²
TOTAL	528,37m ²
COVERAGE FOOTPRINT %	44,15%

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REVISION

AMENDED LETTER DATED - 28-10-2024 - rev1

DRAWING

FOR SUBMISSION

sbas

SHAFIEK BISCOMBE
ARCHITECTURAL
SERVICES

P. Archt. (Reg. Nr. T1539)

OFFICE ADDRESS: 8 Orrell Street,
Cloeteville, Stellenbosch, 7600.
mobile: 083 638 638 8,
e-sbproperties@mweb.co.za

CLIENT

**MOHOSIN
FAMILY TRUST**

PROJECT

**PROPOSED NEW
FLATS ON ERF 4120,
RUSTENBURG ROAD,
IDASVALLEY,
STELLENBOSCH**

DRAWN BY S. BISCOMBE
CHECKED BY F. BARENDIS
SCALE AS SHOWN
DATE NOVEMBER 2024

ERF 4119

ERF 4119

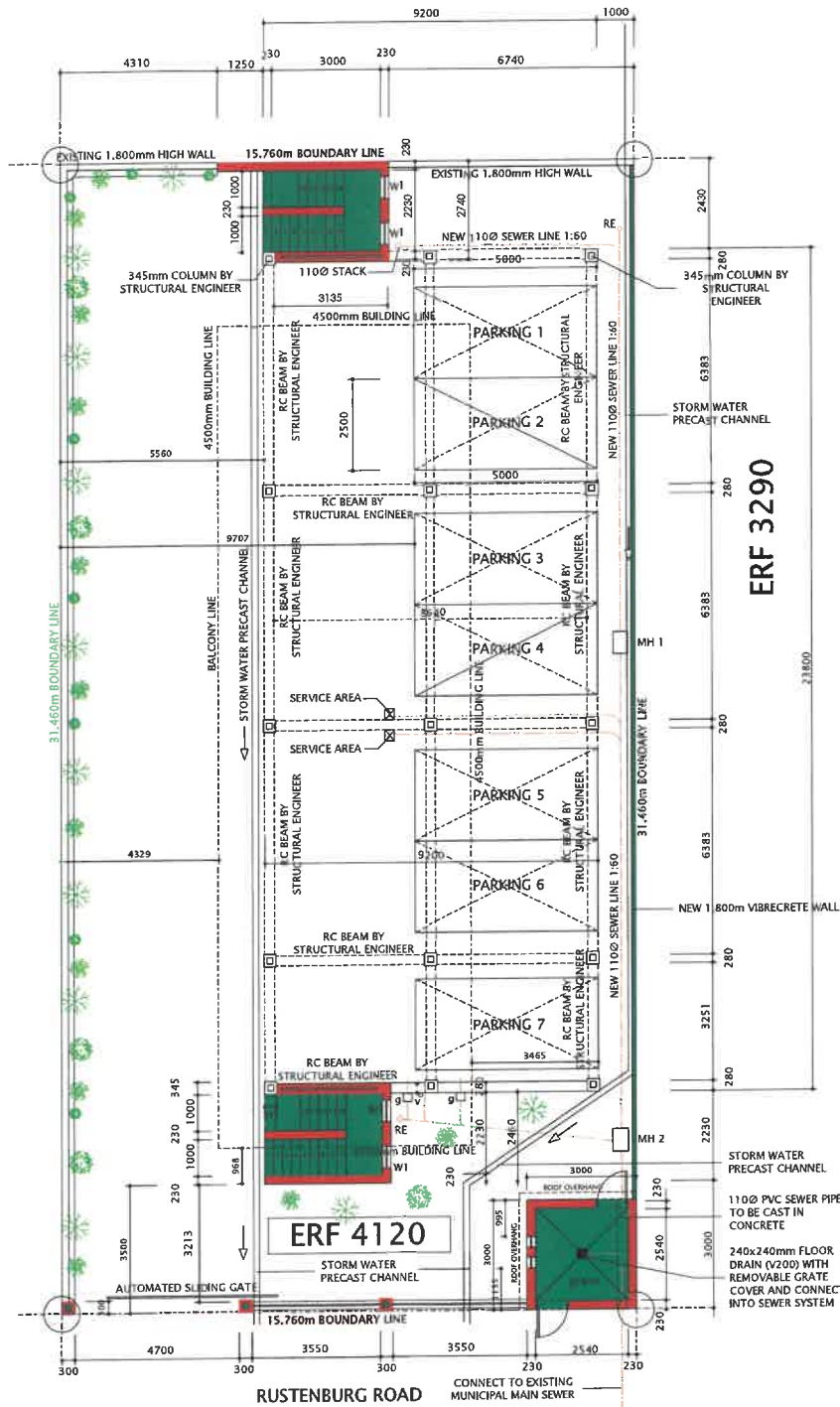
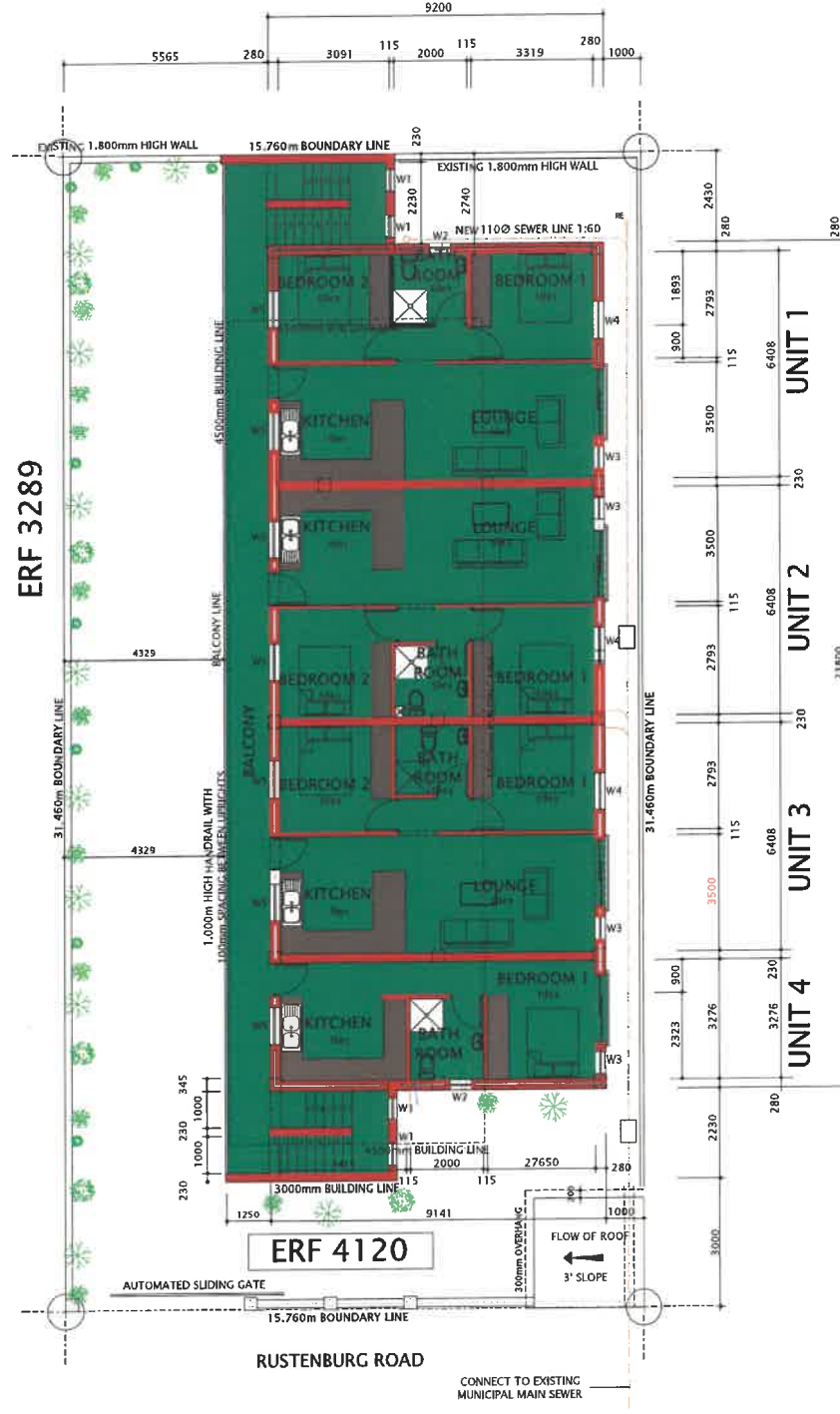
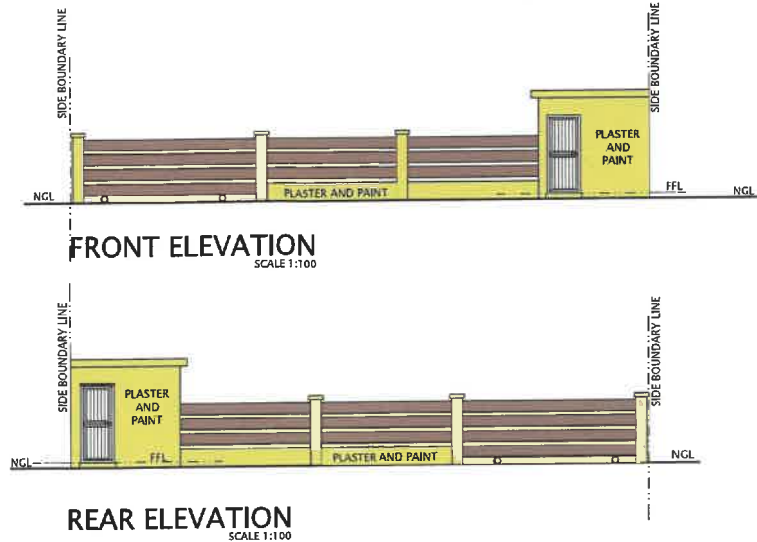
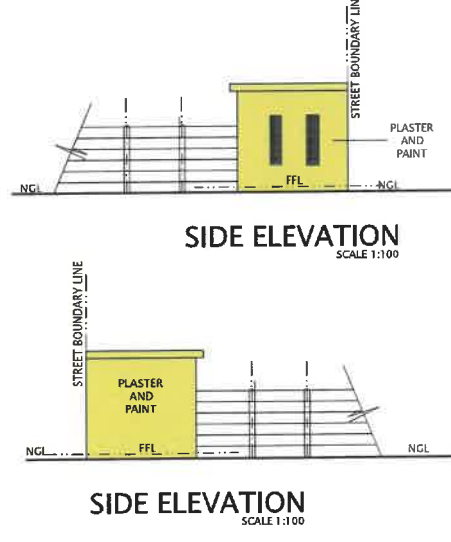
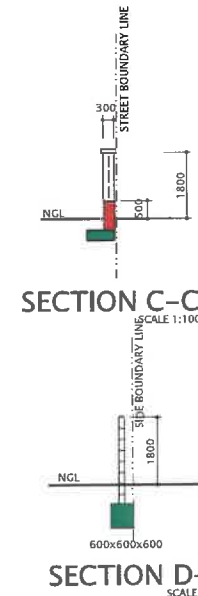
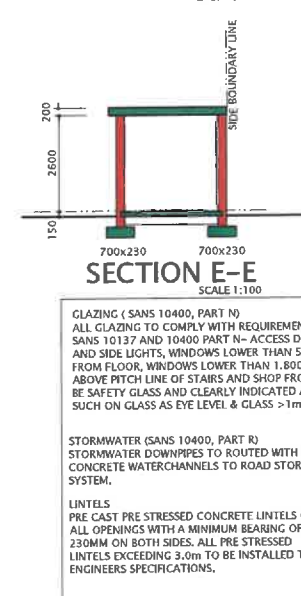
ERF 4119

ERF 3289

ERF 3289

ERF 3289

ERF 3290

SITE AND PARKING LAYOUT
SCALE 1:100FIRST FLOOR LAYOUT
SCALE 1:100SECOND FLOOR LAYOUT
SCALE 1:100CONSTRUCTION SPECIFICATION FOR
REFUSE AREA

FOUNDATIONS (SANS 10400, PART H)
600 X 230 DEEP CONCRETE FOUNDATIONS FOR ALL
LOADBEARING WALLS, 600 X 230 DEEP FOR ALL NON-
BEARING WALLS. ALL FOUNDATIONS TO BE EXCAVATED TO
A DEPTH OF NOT LESS THAN 500MM BELOW EXTERNAL
GROUND LEVEL.

FLOORS (SANS 10400, PART J)
25mm SCAFFOLD ON 100mm CONCRETE
SLAB (1:3:6) ON 250 MICRON D.P.C. ON WELL
COMPACTED FILL.

WALLS (SANS 10400, PART K)
ALL BRICKWORK TO BE REINFORCED WITH BUTTERFLY TIES
TO NHBC REQUIREMENTS.
D.P.C. TO BE PROVIDED UNDER THE EXTERNAL AND
INTERNAL WALLS.

ROOF (SANS 10400, PART L)
200mm RC ROOF BY
STRUCTURAL ENGINEER

CEILING (SANS 10400, PART L)
6mm RHINOBOARD WITH 76MM COVER CORNICE NEATLY
MITRED ON 38x38 BRANDING AT 400 C/C MAX.

RAINFALL (SANS 10400, PART R)
APPROVED P.V.C. GUTTERS AND 75MM DIAMETER
DOWNPIPES. ALL WATER TO BE TAKEN FROM
FOUNDATIONS.

SHEET 1 OF 3

CALCULATIONS	
PLOT SIZE	496.00m ²
FIRST FLOOR	218.96m ²
SECOND FLOOR	218.96m ²
STAIRCASES	29.52m ²
COVERED BALCONIES	60.93m ²
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STRUCTURAL ENGINEER TO
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sbas
SHAFIEK BISCOMBE
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P. Archt. (Reg. Nr. 11539)

OFFICE ADDRESS: 8 Ortel Street,
Cloetesville, Stellenbosch, 7600.
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e-sbproperties@mweb.co.za

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**MOHOSIN
FAMILY TRUST**

PROJECT
**PROPOSED NEW
FLATS ON ERF 4120,
RUSTENBURG ROAD,
IDASVALLEY,
STELLENBOSCH**

DRAWN BY S. BISCOMBE
CHECKED BY F. BARENDSE
SCALE AS SHOWN
DATE NOVEMBER 2024

DRAWING Nr. rf/24/12/23/A1