

**MEMORANDUM IN SUPPORT OF APPLICATIONS
FOR REZONING TO A GUEST LODGE AND A DEPARTURE:
ERF 3502 KNYSNA**



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MEMORANDUM: ERF 3502 KNYSNA

SUMMARY OF APPLICATION:

1. The application is for rezoning to allow a guest lodge on the property.
2. Departures to relax the building lines due to the revised zoning

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ANNEXURES

ANNEXURE A	Title Deeds
ANNEXURE B	Power of Attorney

ANNEXURE C	Site Layout Plan
ANNEXURE D	Encroachment Agreement
ANNEXURE E	Site Development Plan
ANNEXURE F	Monuments Council Letter
PLANS:	Approved plans

1. BACKGROUND INFORMATION

1.1 Pre- Application Consultation

No pre-Application consultation was held, however the owner of the property had discussions with the Planning Department regarding the processes required for this application.

1.2 Application details:

Location: The site is located in the Knysna central area in Faure Street as shown below:



While the application is on Erf 3110 Knysna, there is a lease agreement with Knysna Municipality over part of Erf 297 which is used for access and parking from Faure Street. The agreement is attached as an Annexure D.

1.2.1. **Zoning:**

The site is zoned Single Residential Zone 1 and therefore the uses as intended require a rezoning and a consent use combined.

1.2.1. The Applications:

The applications are in terms of the Knysna Spatial Planning and Land Use Management By-Laws 2021 read with the Knysna Zoning Scheme By-Law 2020, as follows:

- A **Rezoning** in terms of **Section 15(2)(a)** for a guest lodge or GENERAL RESIDENTIAL IV
- A **permanent departure** in terms of **Section 15(2)(b)** to relax the standard building lines applicable to a guest lodge, to the building lines normally imposed for a Single residential Zone 1 zoning. The details are expanded below.

1.3 Property Details and Ownership:

The site is owned by EVERGREEN STAYS PTY LTD by virtue of the attached Deed of Transfer T29870/2025 and is 1861m² in extent.

1.4 Legal Matters:

1.4.1 Conditions of Title: There are no restrictive conditions of Title.

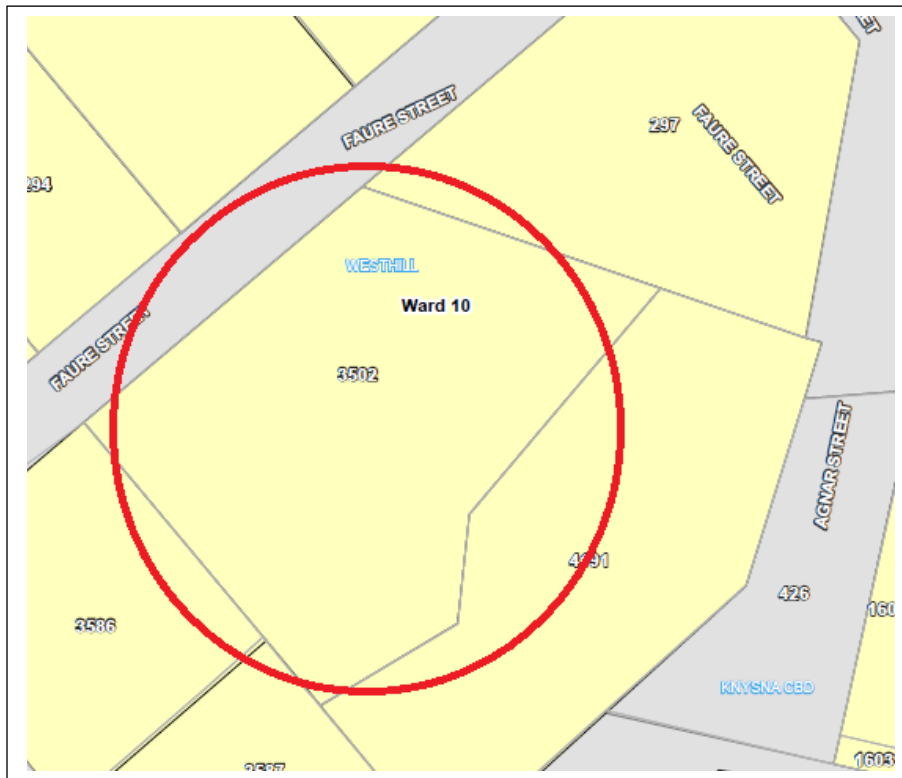
1.4.2 Bond holders' consent:

There are no bonds registered over the property.

1.4.3 Legal Jurisdiction and zoning:

The property falls within the Knysna area and is zoned **"SINGLE RESIDENTIAL ZONE I"** in terms of the Knysna Municipality Zoning Scheme By-Law 2020. See attached Zoning Certificate, and below:

ZONING: SINGLE RESIDENTIAL ZONE 1



1.4.4 Property Description and configuration :

The site which contains the guest lodge is positioned on Erf 3502, however, there is an existing lease agreement with the municipality on part of Erf 297 which is owned by the municipality.

2. APPLICATION AND DEVELOPMENT PROPOSALS

2.1 Requirements of the Application

2.1.1 Rezoning for a guest lodge:

The zoning of General Residential Zone IV stipulates the following:

1	2	3
Zoning	Primary use	Consent use
General Residential Zone IV (GRIV)		
<i>The objective of this zone is to provide a temporary residence for transient guests in an appropriately scaled establishment that may include a small conference/ training facility that also caters for business meetings and where lodging and meals are provided.</i>	Guest lodge	Backpackers' lodge Restaurant

The primary land use will be a guest lodge as defined below.

“guest lodge”

Land use description: “*guest lodge*” means an appropriately scaled establishment that provides temporary residence for transient guests lodging and meals are provided and:

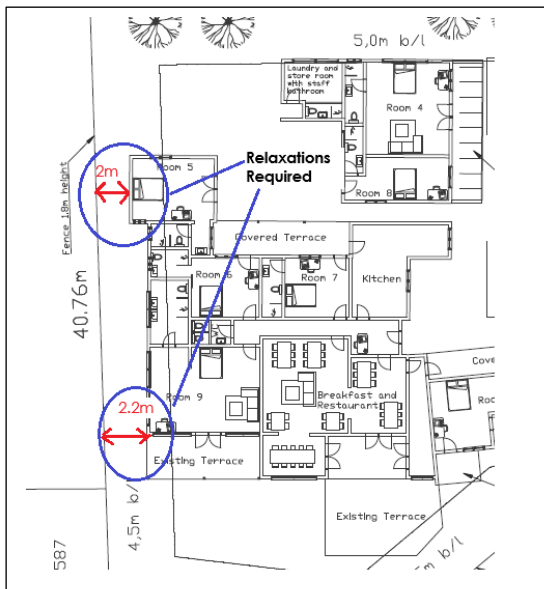
- (a) includes a small conference or training facility and also caters for business meetings, and
- (b) does not include a restaurant or backpackers' lodge.

The rezoning application is therefore done in terms of **Section 15(2)(a)** of the Knysna Spatial Planning and Land Use management By-Law.

2.1.2 Permanent Departure to relax building lines:

An application in terms of **Section 15(2)(b)** is required to relax the building lines stipulated in terms of the parameters for a guest lodge zoning, namely **5m on street** boundaries and **4,5m on side and rear**, to the standard stipulated parameters for the current zoning of **4,5m on street** and **2m on lateral boundaries**.

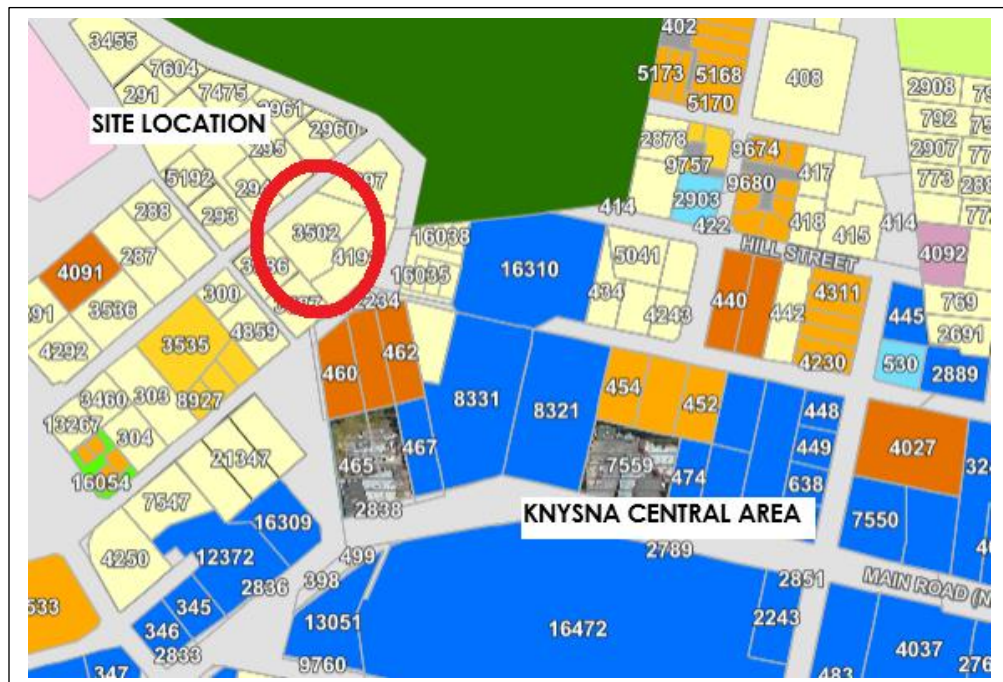
These revised lines are shown on the attached plan, and diagrammatically overleaf, and amount to a lateral building line relaxation to 2m and 2,2m respectively:



3. SITE CONTEXT

3.1 Location and surrounding uses:

In terms of site's location, it is in a convenient location and very close to the central Knysna area, as shown in the diagram below.



The location is therefore very convenient for guest accommodation who are within easy walking distance of all the facilities within the Knysna Central area, which include the Knysna

Mall, Knysna Waterfront, a number of restaurants and other services which are available to tourists.

There are a number of guest houses in this vicinity due to the excellent location, which underlines the suitability of this location.

The site is also close to the Pledge Nature Reserve which is an accessible public open space for tourists to visit.

Other surrounding uses are residential by nature.

4. POLICY FRAMEWORKS

4.1 Spatial Development Frameworks, SPLUMA and IDP's

4.1.1 Current Policy Implications

The principle of land uses which underpin tourism are viewed in all prevailing policy documents as desirable uses, which is a cornerstone of the Knysna economy.

In discussing strategic objectives in the Knysna SDF, the following is stated:

- **Promote diverse tourist attractions:** Attract domestic and international visitors by showcasing Knysna's unique natural, cultural, and adventure offerings.
- **Market accommodation options:** Facilitate diverse lodging choices to enhance visitor satisfaction.

The use of this property for a guest lodge will contribute to the objectives as indicated in the MSDF and stated above.

Similarly, with regard to SPLUMA, the overall guiding principles contained in Chapter 2 of the Act, speak to principles relating to sustainability, spatial efficiency, resilience and spatial justice. These are intended to promote Land Development and Spatial Planning in a direction which is beneficial to the characteristics of the area, and the region under consideration. These principles are also embodied in the Spatial Frameworks for an area such as Knysna and are reflected in the land development spatial structure of the Knysna area. Adding land uses which support these principles, such as tourist accommodation, align with the directives in SPLUMA. It can be concluded that the use of the property as a tourist facility in the form of a guest lodge underpins the sentiments of all guiding policies.

5. MOTIVATION OF APPLICATIONS

5.1 Reasons for the application:

The reasons for the components of this application arise because of the need to secure the rights for a guest lodge, which has functioned at least, as a bed and breakfast establishment for a long period of time. The historic use has proven to be very popular, and the new owners intend to carry on as a luxury accommodation establishment targeting tourists visiting the Knysna area.

The need for permanent departures for building lines is because the structures were erected in terms of a Single Residential Zoning which are less stringent than those applicable to a Guest Lodge zoning. The departure will rectify the matter.

5.2 History of the Site's Activities:

The new owners of the property purchased the property in mid - 2025 as a going concern having been affirmed that the property had the necessary permission to operate an accommodation establishment from the premises.

Perusal of the municipalities records as far back as 1996 refer to the use of the property for an accommodation establishment or a B & B. Correspondence from the then Town Clerk refers to the use as a permitted use, and no other documentation could be found on the files to the contrary.

Building Plans approved in about 2003 show a parking layout with 5 dedicated parking bays and in 2006 the then owner applied to the Knysna Municipality for the lease of part of the adjoining erf, Erf 297, as this portion of the erf was not maintained and was "not a good impression for guests at the lodge". It was written on the letterhead of "Guinea Fowl Lodge", and the lease encroachment agreement was subsequently granted in December 2006.

While we could find no other correspondence regarding a "lodge" or guest house, it is to be accepted that the use for tourist accommodation has been conducted on the site for at least 30 years, and furthermore, accepted as such by the municipality.

5.3 Nature of the proposed uses:

The new owners intend to continue the use on the site as a tourist accommodation, in the form of a guest lodge. The establishment will therefore contain the following:

Uses and areas on Erf 3502	
Site Area	1861m ²
Existing main building	384.87m ²
Existing outbuildings	108.68m ²
Total under Roof	519.31m ²
Coverage %	27.4%
Rooms	9
Parking	10 bays

In summary the following:

- 9 lettable rooms
- A breakfast room
- Pool and terraces
- Parking for 10 cars.

The layout of the activities is shown in the attached Site Plan , in ANNEXURE C. The schematic layout of the activities are however as below:

Schematic layout of the site:



5.4 Compliance with all parameters:

The activities as proposed will be within the existing structures which have been in existence for many years.

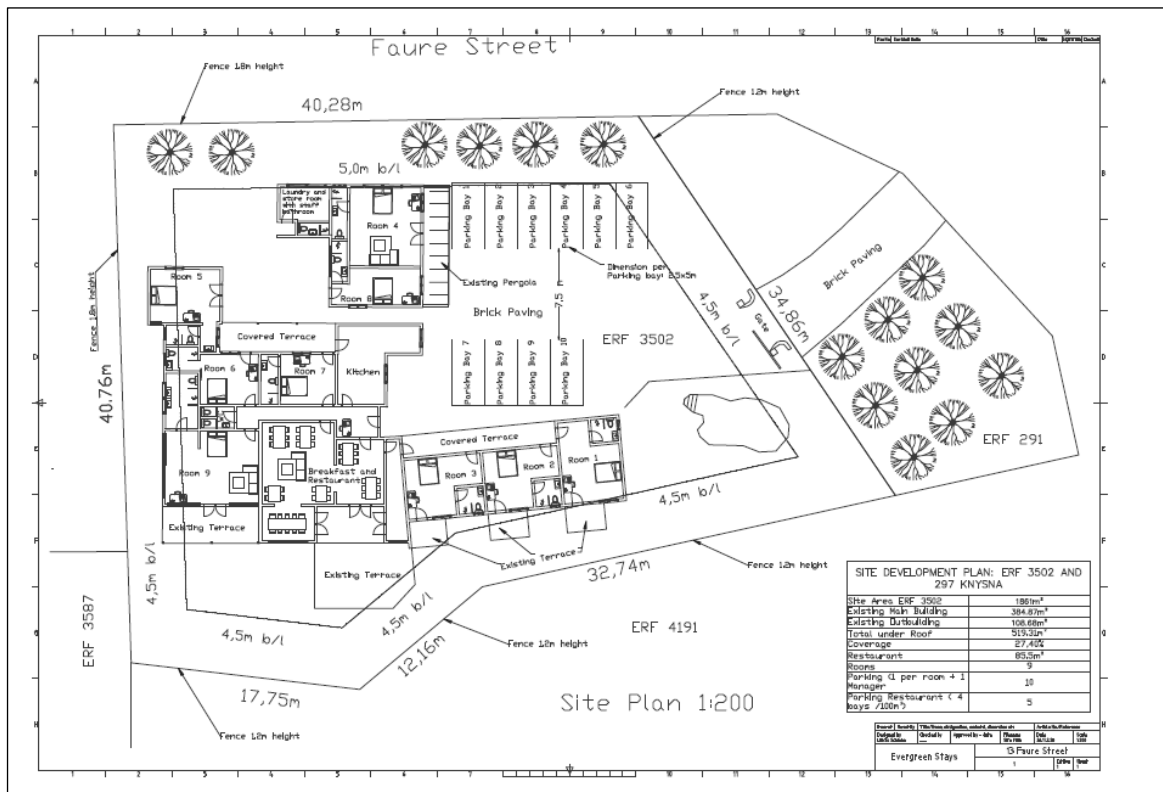
Parameters such as building lines, height , coverage are all compliant with the current zoning for a single residential site. The zoning requirements for a Guest Lodge has building lines of 5m on street and 4,5m on side and rear boundaries. The departures as requested will validate the existing structures being on the current zoning parameters of 4,5m and 2m and 2,2m accordingly.

The additional required parameters to accommodate the guest lodge such as parking are compliant with the zoning scheme.

The existing building is more than 60 years old and therefore the provisions of the heritage legislation would normally apply.

Changes made in 1996 to the existing building were approved by the Western Cape Monument's Council, which confirmed that that council did not have objections and devolved authority to the Knysna Municipality as per the attached letters. The structures have remained the same since. A letter to this effect is attached as ANNEXURE F.

The site plan below and as attached in the ANNEXURE, shows the buildings and structures to be within the building lines for SINGLE RESIDENTIAL ZONE 1



5.5 Need and Desirability:

The required rezoning is to facilitate the continued use of tourist accommodation in the form of a guest lodge together with the required on-site parking.

The use as described in this memorandum, confirms that tourist accommodation in some form has been a successful enterprise on the site for many years, and therefore the continued use is desirable at this particular location within the Knysna Central area.

The applications as presented are both necessary, in order to legitimise and facilitate the uses as presented in the application.

Desirability is broadly defined as a use that supports sustainable development, balancing economic, social, and environmental needs by promoting efficient resource use and community well-being. This definition summarises the intended use at this location in Knysna CBD.

5.6 Engineering Services: :

The site has functioned as an accommodation establishment for many years without any issues from an engineering services point of view. No additional services are required.

Therefore, the continued use as is proposed, will have no additional bearing on services for the site.

6. SUMMARY AND RECOMMENDATIONS

6.1 In summary the applications as detailed above are to entrench the operation of a successful guest accommodation establishment in the form of a guest lodge.

6.2 The proposed departures are a technicality which arise as a consequence of a new zoning having different building line parameters.

6.2. Recommended approval:

The applications as motivated will facilitate the operation of the guest lodge in a compliant manner and should therefore be approved.