19. **SIDE AND REAR SPACE.**

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>01/07/1985</td>
<td>(1) Every dwelling house, ancillary unit, pair of maisonettes, extended residential building, multiple unit development, every bed and breakfast/guest house, office in an Office Zone, development in a Mixed Use Zone, and office authorised in terms of clause 7 and, except in a General Shopping zone situated in the CDPP or Point Lanes areas or in a General Residential 5 or General Business (Central Area) zone, every residential building, licensed hotel, place of instruction or institution shall have between the external rear wall of the building and the rear boundary of the site a space free of all buildings of:-</td>
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<tr>
<td>14/11/1996</td>
<td>(a) not less than 5 metres in width; or</td>
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<td>10/12/1996</td>
<td>(b) a width calculated on the basis of 1.2 metres for the ground floor storey plus an additional 1.2 metres for each additional storey; whichever is the greater; provided that outbuildings/domestic staff accommodation detached from the main building may be erected closer to the rear boundary than herein specified; and provided further that where the rear space calculated in accordance with paragraph (b) above exceeds 15 metres, the minimum rear space shall be 15 metres.</td>
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<tr>
<td>27/03/2000</td>
<td>(2) Every dwelling house, ancillary unit, pair of maisonettes and extended residential building and every bed and breakfast/guest house office authorised in terms of clause 7, where such office is situated in a Special Residential, Maisonette or Extended Residential zone, shall have on each side between the external wall of the building and the side boundary of the site, a space free of all buildings. The aggregate width of such spaces shall not be less than 5 metres, nor shall the width of any one such space be less than 2 metres; provided that in a density zone where the minimum plot size is 180 square metres, the aggregate width of such spaces shall be not less than 3 metres nor shall the width of any one such space be less than 1 metre; provided further that where the prescribed minimum plot size is 180 square metres or 400 square metres and where a pair of semi-detached houses has been erected over two sites, the space at the side of the building shall be a minimum of:-</td>
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<tr>
<td>08/12/1989</td>
<td>(a) 3 metres; or</td>
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<tr>
<td>27/03/2000</td>
<td>(b) where the topography of the site would, in the opinion of the City Engineer, preclude vehicular access to the rear of the dwelling such side space shall be a minimum of 2 metres; or</td>
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<tr>
<td>30/03/2000</td>
<td>(c) where it is proposed to erect a private garage in such side space the minimum side space shall be 1 metre.</td>
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<tr>
<td>06/10/1980</td>
<td>The space at the sides of the building shall extend for its full width from the front boundary of the site to a line 1 metre behind and parallel with the back wall of the building, provided that where an ancillary unit is attached to a dwelling house and extends the building further from the front boundary, such side space shall extend to a line 1 metre behind and parallel with the back wall of the ancillary.</td>
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5/80; 3/85; 5/89; 9/96; 2/00; 01/09; 05/09; 09/14
unit; provided further, that except as provided in (c) above a private garage having a wall nearest to the side boundary not exceeding 4 metres in height, may be erected on one such side space and provided further that the written consent of the registered owner of the property adjoining such space has first been obtained.

14/11/1996 (3) Except in a General Shopping zone situated in the CDPP or Point Lanes areas or in a General Residential 5 or General Business (Central Area) zone, every residential building, multiple unit development, licensed hotel, place of instruction and institution and every office in an Office Zone, development in a Mixed use zone, and office authorised in terms of clause 7, where such office is situated in a Duplex or General Residential 1, 2, 3 and 4 zone, shall have on each side, between the external wall of the building and the side boundary of the site a space free of all buildings of:-

(a) not less than 3 metres in width; or

(b) a width calculated on the basis of 1.2 metres for the ground floor storey plus an additional 1.2 metres for each additional storey, whichever is the greater; provided that:-

(i) private garages detached from the main building may be erected closer to the side boundary than herein specified;

(ii) where the side space calculated in accordance with paragraph (b) above exceeds 15 metres, the minimum side space shall be 15 metres;

(iii) where such buildings are erected on subdivisions within a Special Shopping or General Shopping zone, such space need only be provided in respect of side boundaries forming part of the periphery of the zone.

18/04/1977 (3)bis. Notwithstanding any other provisions of this clause, no building in a Minor Shopping zone shall be erected closer than 3 metres to any side or rear boundary of the site.

27/03/2000 (4) (a) In residential zones other than General Residential 5, all buildings (other than dwelling houses ancillary units, maisonettes, extended residential buildings, residential buildings, licensed hotels, places of instruction, institutions and bed and breakfast/guest houses and offices authorised in terms of clause 7 and special buildings), shall be erected not less than 5 metres from any side or rear boundary or such greater distance as the Council, in granting its consent, may require; provided that domestic staff accommodation/outbuildings detached from the main building may be erected closer to the side or rear boundaries than herein specified.

(b) Swimming pools shall be erected not less than one metre from any side or rear boundary.

07/02/1977 (5) Notwithstanding the foregoing provisions of this clause no building or portion of a building shall be erected outside the limits of that 1/77; 4/77; 5/91; 9/96; 2/00; 01/09; 05/09; 09/14
portion of the subdivision enclosed by means of a broken red line as shown on the map unless development is proposed in terms of sub-clause 21(3)(a) in which case the remaining provisions of this clause shall apply.

(6) In General Residential 5 zones and in the Point Lanes area where no side or rear space requirements are laid down in terms of this clause, the Council may, where it considers it desirable having regard to the amenities of the area, require any building to be set back from the side or rear boundaries of a site by such amounts as it deems fit.

02/12/1974  (7) (a) The Council may, by special consent, relax the requirements of this clause to such extent as it may decide if it is satisfied that no interference with the amenities of the neighbourhood, existing or as contemplated by this Scheme, will result and that on account of :-

(i) The location of the subdivision in relation to streets and other subdivisions in the immediate neighbourhood; or

(ii) the levels of the subdivision or the adjoining land; or

(iii) the shape or size of the subdivision; or

(iv) the siting of buildings in existence on or in the vicinity of the subdivision; or

(v) the acquisition of portion of the subdivision by the Council for street improvements,

the development of the subdivision in accordance with the side or rear space requirements of this clause would be unreasonably difficult or would be less harmonious with adjoining properties than would be the case if the side or rear space requirements were relaxed.

18/07/1994 (b) Notwithstanding the provisions of paragraph (a) the Council may, in Special Residential, Maisonette, Extended Residential, Duplex and General Residential 1, 2, 3 or 4 use zones, exempt an applicant from applying for special consent and relax the requirements of this clause to such extent as it may decide if it is satisfied that no interference with the amenities of the neighbourhood existing or as contemplated by this Scheme will result; provided that the prior written consent of the registered owner of the property adjoining such side or rear space has first been obtained.

08/12/1989 (8) Deleted

(9) The Council may authorise the erection of any portion of a building which is below the level of the ground within the side or rear space of the site.

05/06/1978 (10) Unless the City Engineer otherwise directs no building shall be erected
closer to the land reserved for Government and Municipal purposes in respect of the canalisation of the:

(a) Umhlangane River, than along the eastern and western boundary thereof:

(aa) between the Umgeni Canal and the Inanda Road bridge 20 metres;

(bb) north of the Inanda Road bridge 6 metres.

(b) Umgeni River, than 20 metres between the Umhlangane Canal and the Outer Ring Road.