

**MUNICIPAL CORPORATION OF GREATER MUMBAI**

**No. P-3917/2019/(1445/1 And Other)/E Ward/BYCULLA**

**Sub:** Proposed redevelopment of property bearing [REDACTED]

[REDACTED]  
[REDACTED]

**Architect:** [REDACTED]

**Owner:** [REDACTED]

Draft Plans for approval **attached in additional document.**

**Preamble**

In this case, Licensed Surveyor [REDACTED] has submitted the proposal for redevelopment of ceased property on behalf of his client

[REDACTED] on Plot Bearing [REDACTED]

[REDACTED]

[REDACTED] Under DCPR 2034 Regn. 33(7). Licensed Surveyor has submitted Composite NOC Issued by M.B.R&R Board Under No. R/NOC/F-2637/9731/MBRRB-18 Dt. 15.11.2018 & revised M.B.R.&R Board NOC as per DCPR 2034 u/no. R/NOC/F- 2637/1390/MBRRB-19 Dt. 14.02.2019 for redevelopment with FSI 3.00 or the FSI required for rehabilitation on existing occupiers + 60% incentive FSI whichever is higher in accordance with DCPR 2034 Regn. 33(7)(5)(b) along with fungible compensatory area permissible as per the provision of DCPR 2034 Reg. 31(3).

The Licensed Surveyor has proposed building comprising of Ground floor Rehab N.R. having height 3.90mtr and 1st floor for Rehab N.R. and part parking having height 2.90 M+ 1st floor for Rehab N.R. and part parking having height 2.90 M + 2nd parking floor and 3rd parking floors having height 2.90 Mtr.+ Wing A:- 4th to 22nd upper residential floors having ht. 2.90 M. with total height of 69.80 M + Wing

B:- 4th to 19th upper residential floors having 4th floor ht.3.90 M. and upper residential floor ht. 3.36 with total height of 69.00 M.

#### **4C. REPORT ON VARIOUS CONCESSIONS SOUGHT.**

<b>Sr. No</b>	<b>Concessions Required</b>	<b>Justification by Licensed Surveyor</b>	<b>Provision of DCPR</b>	<b>Approval required from Dy.C.Eng. (B.P.) City/ Ch.Eng. (D.P.)/ M.C.</b>
<b>1.</b>	To allow irregular shape & inadequate size of B.E.S.T. sub-station at ground floor subject to submission of B.E.S.T. N.O.C. as explained above.	As per D.C.Regn. 28, B.E.S.T. substation of size 8.00 x 5.00 is required. Licensed Surveyor has proposed space for substation of irregular shape & inadequate size on ground floor adm. 6.00 x 7.24 Sq.Mt. However, N.O.C. from B.E.S.T. shall be insisted before asking C.C. above plinth level, as an IOD Condition.	As per D.C.P.Reg. 28 & Regn.6(b)	Ch. Eng. (D.P.)/ Hon'ble M.C.
	<b>Comments by A.E.(B.P.) City-IV</b>  To allow irregular shape & inadequate size of B.E.S.T. sub-station at ground floor subject to submission of B.E.S.T. N.O.C. as explained above. Submitted for Approval Please.			
	<b>Comments by E.E.(B.P.) City-II</b>  Submitted for Approval Please.			
<b>2.</b>	To condone open space deficiency is ranging from NIL to 87.50% under D.C.P.R. 2034, Regn.6(b) by charging	The redevelopment has been proposed considering the width of the roads and the requirement as per 33(7)	As per D.C.P.R. 2034, Regn. 41(5)(a)(iii)	Ch. Eng. (D.P.)/ Hon'ble M.C.

	<p>premium as per policy being a proposal of redevelopment under modified D.C.P.R. 2034, Regn. 33(7).</p>	<p>related to open spaces. The ground floor and parking floor have been proposed with 1.50 mt open spaces and above the parking floor for the residential floors further due to planning constraint it is very difficult to provide required open spaces. Further he had stated that all the flats are facing to the road sides and are easily accessible for fire engine and having proper light and ventilation It is also stated that, they have proposed one composite building for the redevelopment of captioned 3 nos of C.S. with F.S.I. 3.00 or F.S.I. required for rehabilitation of existing occupiers plus 60% incentive F.S.I. whichever is higher in accordance with the D.C.P.R. 2034, Regn. 33(7) availing the benefit of admissible fungible FSI as per D.C.P.R. 2034, Regn. 31(3). Architect has proposed consumption of full F.S.I .i.e 5.11 with rehabilitation of existing tenants Hence, as per DCPR 41(4) Table 18A, 3.00 mt front open spaces is required and</p>	<p>&amp; Regn.6(b)</p>	
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		as per DCPR 41(5) iii, for a building with height up to 70 m, the side and rear marginal open spaces shall not be less than 6 mtr. Hence, open space as envisaged in D.C.P.R cannot be provided, which is major hardship. as explained in Point No. 4 4B report		
	<b>Comments by A.E.(B.P.) City-IV</b>  In view of above, Ch. Eng. (D.P.)/ Hon'ble M.C.'s approval is requested to condone open space deficiency is ranging from NIL to 87.50% under D.C.P.R. 2034, Regn.6(b) by charging premium as per policy being a proposal of redevelopment under modified D.C.P.R. 2034, Regn. 33(7) as explained above.  Submitted for approval please.			
	<b>Comments by E.E.(B.P.) City-II</b>  Submitted for approval please.			
3	To allow Basement & 1 <sup>st</sup> (Pt.) + 2 <sup>nd</sup> & 3 <sup>rd</sup> Parking floor accessible by 2 Nos. of car lift having size 6.00 x 3.00 M for entry & exit having driveway ranging from 5.72 M to 6.00 M and area covered under same claimed free of FSI.	The proposal is submitted under D.C.P.R. 33(7) on the smaller plot area admeasuring 1444.07 Sq. Mt. wherein total 136 Nos & 27 Nos. of N.R. Tenants & 129 Nos. of Resi. tenants as per certified list of M.B.R.R. Board has to be rehabilitated along with sale component in the proposed building.  ". Even though we have provided adequate parking (66 Nos.) by means of parking floor. Due to regular size of plot we have accommodated 6 Nos. of lift,	As per D.C.P.R. 2034, Regn.6(b)	Ch. Eng. (D.P.)/ Hon'ble M.C.

	<p>2 No. of Staircase &amp; Licensed Surveyor has tabulated the parking requirement by availing the relaxation of DCPR 2034, Regn.33(7). Architect has proposed surface parking at Basement &amp; 1<sup>st</sup> (Pt.) + 2<sup>nd</sup> &amp; 3<sup>rd</sup> parking floors with 2 nos. of car lift as shown in plan. The total nos. of parking spaces required for proposed building is 53 nos. and Licensed Surveyor has proposed 66 nos. of parking spaces. However, it is mentioned in the NOC, that the parking plan approved are valid subject to approval of competent authority for following condition as explained in Point No. 12A 4B report</p>	
	<p><b>Comments by A.E.(B.P.) City-IV</b>  Ch. Eng.(D.P.) / Hon'ble M.C.'s approval is requested to allow Basement &amp; 1<sup>st</sup> (Pt.) + 2<sup>nd</sup> &amp; 3<sup>rd</sup> Parking floor accessible by 2 Nos. of car lift having size 6.00 x 3.00 M, by condoning deficient width of car lift, for entry &amp; exit having driveway ranging from 5.72 M to 6.00 M and area covered under same claimed free of FSI as explained above.  Submitted for Approval Please.</p>	
	<p><b>Comments by E.E.(B.P.) City-II</b>  Submitted for Approval Please.</p>	

4.	<p><b>To allow area of staircase, lift, lift lobby, staircase passage, free of F.S.I. without charging premium for A wing being composite and by charging premium for B wing being Non - composite as per policy.</b></p>	<p>L.S. has proposed 1 Nos. of 1.50 Mt. wide staircase in each wing &amp; also, proposed lobby in front of lifts &amp; staircase, equivalent to 1.50 times the depth and 1.50 times the width of the lift. &amp; L.S. has proposed 1.00 mt. wide smoke vent lobby free of FSI. L.S. has claimed the area of staircase, lift &amp; smoke vent lobby without charging being a composite building, as per Regn. 31(1) (iv) read with clause 6.15 of DCPR 2034 &amp; as per recent circular u/No. CHE/DP/ 14548/ GEN Dt: 22.08.2017.</p>	<p>As per clause 1(1)(iv) read with clause 6.15 of DCPR 2034 &amp; as per recent circular u/No. CHE/DP/ 14548/ GEN Dt: 22.08.2017.</p>	<p>Ch. Eng. (D.P.)/ Hon'ble M.C.</p>
	<p><b>Comments by A.E.(B.P.) City-IV</b> To allow area of staircase, lift, lift lobby, staircase passage, free of F.S.I. without charging premium for A wing being composite and by charging premium for B wing being Non - composite as per policy.</p>			
	<p><b>Comments by E.E.(B.P.) City-II</b> Recommended for Approval Please.</p>			
5.	<p>To allow the permissible fungible B.U.A. of 2581.69 sq.mt. over and above permissible F.S.I. as per regn.31(3) of DCPR 2034, which includes 1613.56 sq.mt. fungible built up area for Rehab R &amp; NR without charging premium and 968.13 sq.mt. For sale component by charging premium as per UD Notification u.no. TPB-</p>	<p>The same is permissible as per Regn. 31(3) and as per Regn. 30(1)(a) Table 12 of DCPR 2034 by charging premium as per policy. as explained in Point No.23 4B report</p>	<p>As per 31(3) of DCPR 2034</p>	<p>Ch. Eng. (D.P.)/ Hon'ble M.C.</p>

	7319/189/CR-123/2019/UD-11, dated – 20th August, 2019			
	<p>Comments by A.E.(B.P.) City-IV  In view of above, Ch.Eng.(D.P.)/ Hon'ble M.C..’s approval is requested to allow the permissible fungible B.U.A. of 2581.69 sq.mt. over and above permissible F.S.I. as per regn.31(3) of DCPR 2034, which includes 1613.56 sq.mt. fungible built up area for Rehab R &amp; NR without charging premium and 968.13 sq.mt. for sale component by charging premium as per UD Notification u.no. TPB-7319/189/CR-123/2019/UD-11, dated – 20th August, 2019</p> <p>Submitted for approval please.</p>			
	<p>Comments by E.E.(B.P.) City-II  Submitted for approval please.</p>			
6.	To allow paved R.G. in odd shape and inadequate size touching to plot line & building line by charging premium.	The net area of the plot under reference is 1444.07 Sq.mt. As such as per DCPR 27(1)(a), Physical R.G. to the tune of 15% admeasuring is required to be provided. However, the proposal under reference is submitted under modified Regulation 33(7). As per relaxation which are applicable for the proposals under DCPR 2034 33(7), 10% Open Space is permissible. The L.S. has proposed Physical R.G. (layout Open Space) of odd shape & inadequate size admeasuring area 145.14 sq.mt. as against required 144.41 sq.mt at ground level touching to plot line & building line.	as per DCPR 27(1)(a) & Regn.6(b)	Ch. Eng. (D.P.)/ Hon'ble M.C.

	<b>Comments by A.E.(B.P.) City-IV</b>  Ch. Eng. (D.P.)/ Hon'ble M.C.'s approval is requested to allow R.G. in odd shape and inadequate size touching to plot line & building line by charging premium as per policy as explained above.
Submitted for Approval Please	

	<b>Comments by E.E.(B.P.) City-II</b> Submitted for Approval Please			
7.	To allow mix user i.e. Rehab N.R. and parking on 1 <sup>st</sup> Floor to accommodate the rehab tenements.	In this case we have proposed additional 8% entitlement + for rehab tenants as per DCPR 2034 and also the fungible area upto 35% is proposed we have proposed 1st floor to accommodate area of some of the rehab N.R tenants partly on 1st parking floors as the mix users i.e. partly for rehab N.R. & partly for parking. we have proposed RCC Pardi having 15cm thickness between it to avoid the misuse. The said parking floor has been entirely proposed with surface parking due to which the same cannot be misused.	As per D.C.P.R. 2034, Regn.6(b)	Ch. Eng. (D.P.)/ Hon'ble M.C.

	<b>Comments by A.E.(B.P.) City-IV</b>  In view of above, Ch. Eng. (D.P.) / Hon'ble M.C.'s approval is requested to allow mix user i.e. Rehab N.R. and parking on 1 <sup>st</sup> Floor to accommodate the rehab tenements as explained above.
Submitted for Approval Please	

	<b>Comments by E.E.(B.P.) City-II</b> Submitted for Approval Please			
8.	To allow to ventilate the toilet block through	In case of artificially ventilated shaft provided	As per D.C.P.R	Ch. Eng. (D.P.)/

	<p>proposed inadequate size of ventilation shafts by artificial / mechanical light ventilation free of F.S.I. by charging premium</p> <p>with dimension not less than as per D.C.P Regn.40(2) then such a ventilation shaft can be allowed free of F.S.I. provided the same is open to sky right from Ground level. As per D.C.P.Regn.40 (2), for height of building above 30.00 mt, the minimum cross section area of artificial ventilated shaft shall be 9.00 sq.mt. with one side as 3.00 mt.</p> <p>The proposed ventilation shaft are of 1.38 M x 0.62 M to ventilate toilet blocks in Wing 'B' from 4<sup>th</sup> to 19<sup>th</sup> residential floors. As per planning constraints it is difficult to provide toilet block at exterior open space or provide with ventilation shaft of required size of 9.0 sq.mts as per D.C Regn 42.</p> <p>As per the Relaxation of Regulation No. 33(10)(6)(6.2), applicable for Bath Room, or Water Closet, or Kitchen there shall be no stipulation of one wall abutting open space etc. as long as artificial light and ventilation through any means are provided.</p> <p>Licensed</p>	. 2034, Regn.6(b)	Hon'ble M.C.
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		Surveyor has proposed artificial / mechanical light & ventilation for these inadequate sizes of ducts. However, N.O.C. from Ch.E.(M.&E.) for the artificial light and ventilation will be insisted before plinth C.C. as an condition shall be incorporated as an I.O.D. condition.		
	<p><b>Comments by A.E.(B.P.) City-IV</b></p> <p>To allow to ventilate the toilet block through proposed inadequate size of ventilation shafts by artificial / mechanical light ventilation free of F.S.I. by charging premium as explained above.</p> <p>Submitted for approval please.</p>			
	<p><b>Comments by E.E.(B.P.) City-II</b></p> <p>Submitted for approval please.</p>			
9.	To allow continuous sun-breaker chajja projection upto 0.60 mt free of F.S.I. on 22 <sup>nd</sup> floor as per Regn.31(1)(xiii) read with 42(ii)(f)(i) of DCPR 2034 from artistic point of view with projection maximum upto 0.60 Mt.	<p>As per Regn.31(1)(xiii) of DCPR 2034, ‘A Chajja, cornice, weather shade, sun-breaker over a balcony or gallery, as provided in sub regulation no. 42(ii)(f)(i)’.</p> <p>As per Regn.42(ii)(f)(i) of DCPR 2034, ‘A Chajja, cornice, weather shade, sun-breaker over a balcony or gallery, its projection not exceeding 0.75 m from the balcony or gallery face with a level difference of 0.6 m in relation to the floor level.</p>	<p>As per D.C.P.R. 2034, Regn.42(ii)(f)(i) &amp; Regn.6(b)</p>	<p>Ch. Eng. (D.P.)/ Hon’ble M.C.</p>

		<p><i>However, in case of redevelopment scheme under Regulation No.33(7) where marginal distances are less, Chajja projection maximum up to 0.45 m may be allowed'.</i></p> <p>In this case, L.S. has proposed continuous sun breaker Chajja for bedroom window/ gallery /kitchen face projection upto 0.60 mt with a level difference 0.60 Mt. in relation to the floor level upto 22<sup>nd</sup> floor as shown in plan. The same is claimed free of F.S.I. as per Regn.31(1)(xiii) read with 42(ii)(f)(i) of DCPR 2034.</p>		
		<p><b>Comments by A.E.(B.P.) City-IV</b> To allow continuous sun-breaker Chajja projection upto 0.60 mt free of F.S.I. on 22<sup>nd</sup> floor as per Regn.31(1)(xiii) read with 42(ii)(f)(i) of DCPR 2034 from artistic point of view with projection maximum upto 0.60 Mt. as explained above.</p> <p>Submitted for approval please.</p>		
		<p><b>Comments by E.E.(B.P.) City-II</b> Submitted for approval please..</p>		
10.	To allow 1.5 mtr open space with condonation as mentioned in point No. 4 above, subject to Estate NOC/clarification before issue of plinth C.C.	L.S. has submitted Estate Department NOC U/No. AC/Estate/11518/Mkta dated 21.12.2019 for amalgamation of plot No. 36, 37 and 38 Nagpada Estate Scheme No. 1, Byculla Division for	As per D.C.P.R. 2034, Regn.6(b)	Ch. Eng. (D.P.)/ Hon'ble M.C.

proposal under reference. As per the said NOC Special condition No. 6 is reproduced as below:-

“मालमत्ता योजना  
आराखड्यामध्ये तसेच मक्ता  
आराखड्यामध्ये दर्शिवलेल्या  
प्रमाणे भूभागाच्या मागील बाजूस  
इमारत रेषा किमान १५ फूट  
मोकळी ठेवावी लागेल.”

As per the above condition of Estate Department NOC 15 feet (4.57 mtr) open space is required to be provided on back side of the amalgamated plots. However, L.S. has proposed 1.5 mtr (4.92 feet) open space on back side (South side) and has requested to condone the deficiency as mentioned in point No. 4 above. L.S. vide his letter dated 15.09.2020 attached in additional document has requested to consider his request to condone the open space deficiency as per Reg. 6(b) of DCPR 2034 as the re-development of the plots is being provided as per provision of D.C.P.R.

		2034 in force. L.S. stated that there are total 136 tenants to be rehabilitated in the proposed building and hence it is difficult to provide required open spaces as well the open space of 15 feet as mentioned in the Estate Department NOC. L.S. has requested that the revised Estate NOC/clarification to that effect will be submitted before issue of plinth C.C. L.S. further stated that he will amend the plans if the NOC for the same is not issued by Estate Dept.		
	<p><b>Comments by A.E.(B.P.) City-IV</b></p> <p>In view of above, Ch. Eng.(D.P.)/ Hon'ble M.C.'s approval is requested to allow 1.5 mtr open space with condonation as mentioned in point No. 4 above, subject to Estate NOC/clarification before issue of plinth CC.</p> <p>Submitted for approval please.</p>			
	<p><b>Comments by E.E.(B.P.) City-II</b></p> <p>Submitted for approval please..</p>			
11.	To allow transfer girder of 1.20 mtrs height between top of 3 <sup>rd</sup> floor and 4 <sup>th</sup> floor Free of F.S.I. considering at par with service floor.	L.S. has proposed transfer girder cum service floor in between 3rd and 4th floor and claimed the area of transfer girder free of FSI. These transfer girders are required structurally because of change in column location on above floors.	As per D.C.P.R. 2034, Regn.6(b)	Ch. Eng. (D.P.)/ Hon'ble M.C.

	<b>Comments by A.E.(B.P.) City-IV</b> In view of above, Ch. Eng.(D.P.)/ Hon'ble M.C.'s approval is requested to allow transfer girder of 1.20 mtrs height between top of 3 <sup>rd</sup> floor and 4 <sup>th</sup> floor Free of F.S.I. considering at par with service floor.
	<b>Comments by E.E.(B.P.) City-II</b> Submitted for approval please..

**Asstt. Eng.(B.P.)City-IV**

**Ex.Eng.(B.P.)City-II**

**Ch.Eng.(D.P.)**

**M.C.**

**Sir.**