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**DEVELOPMENT CONTROL REGULATIONS (DCR)
FOR WADALA NOTIFIED AREA (WNA)**

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Whereas the Mumbai Metropolitan Region Development Authority (MMRDA) is appointed by the State Government as the Special Planning Authority under section 40 (1) c of the Maharashtra Regional and Town Planning Act, 1966 for the area notified in exercise of its powers under clause (d) of sub section 3 of section 40 of the Maharashtra Regional and Town Planning Act, 1966, the MMRDA has formulated the following Development Control Regulations as a part of its proposals for the development of land under the said notified area.

1. Title, Extent and Commencement

2.1. These Regulations may be called the Development Control Regulations (DCR) for Wadala Notified Area,

2.2. These Regulations shall come into force with effect from the date on which the modification to the planning proposals for the development of lands in the Wadala Notified Area are approved by the Government of Maharashtra in accordance with the provisions of Clause (d) of the Sub-Section (3) of Section 40 and other applicable provisions of the Maharashtra Regional and Town Planning Act, 1966.

2. Applicability to the Development Permission

These Regulations will apply to all the proposed development of lands on which permission is being granted by MMRDA, excluding the land allotted to Mathadi Kamgar CHS and Lodha Crown building pvt ltd. in the Wadala Notified Area.

3. Definitions

In these Regulations, unless the context otherwise requires, the words and expressions mentioned below will have the meaning as defined under,

ACT means the Maharashtra Regional and Town Planning Act, 1966.

ARCHITECT means a qualified Architect, who is duly registered with the Council of Architects under the Architects Act, 1972. and who can apply for Development Permissions.

ARCHITECTURAL CONTROLS means the guidelines to control the design and appearance of the buildings as approved by the Metropolitan Commissioner, MMRDA from time to time.

AUTHORITY means the Mumbai Metropolitan Region Development Authority, constituted and established under the Mumbai Metropolitan Region Development Authority Act, 1974 and having its office at Bandra Kurla Complex, Bandra East, Mumbai 400051.

FLOOR SPACE INDEX (FSI) means the quotient obtained by dividing the total covered area (plinth area) on all floors by the area of the plot, except areas specifically exempted under the Development Control Regulations Greater Mumbai as amended from time to time from Built up Area Calculations.

Floor Space Index = Total covered area of all floors / Plot area

Note: The term FSI is synonymous with Floor Area Ratio (FAR)

LAND USE means use or uses of land for purposes allocated by the Planning Proposals

OPEN SPACE means an area forming an integral part of a plot, left open to sky. Front open space means an open space adjacent to the street from which a vehicular access to the plot has been permitted by the Authority.

In case of access to a plot from two or more streets, the open space adjacent to the road from which main access is derived will be deemed as the front open space. Side and rear open space will be construed with reference to the front open space.

PLANNING PROPOSALS means the proposal of the Authority for the development of the lands included in the Notified Area

All words and expressions not specifically defined in these Regulations will have the same meaning Planning Act, 1966 or the Mumbai Metropolitan Region Development Authority Act, 1974 or the National Building Code or the building regulations and bye-laws of the Development Control Regulations for Greater Mumbai as amended from time to time.

4. Development Permission/Commencement Certificate

4.1. No person will institute or change the use of any land or carry any development of land without the permission in writing of the Authority in the form of commencement certificate unless exempted under Section 43 of the Act.

4.2. If development permission has been issued before the date of commencement of these Regulations, but the development is not started within a year from the date of such permission, the said development permission will be deemed to have lapsed. The applicant will get it revalidated by paying premium etc and on conditions prescribed by MC Metropolitan Commissioner, MMRDA.

5. Procedure for obtaining Development permission

5.1 Every person who intends to carry out development and erect, re-erect or make alterations in any place in the building or demolish any building will give a notice in writing to the Authority of his said intention in the form prescribed by MMRDA. Such notice will be accompanied by plans and statements under the above Regulation.

6. Floor Space Index

6.1 Floor Space Index

A maximum permissible Global FSI of 4.00 is applicable on the Gross Land Area of Wadala Notified Area as per Govt Notification dated 10/01/2011 including the Block C of Sanctioned Planning Proposals. However, the area affected by the Reserved Forest Zone and the Mathadi Kamgar CHS is excluded from this applicable Gross Land Area. The Metropolitan Commissioner, MMRDA will decide the allocation of total built up area on individual plots in the layout.

Fungible compensatory FSI is not permissible. However, the areas to be counted and not to be counted in FSI will be as per the MCGM's DCR as amended from time to time.

7. Land Use Provisions

7.1 No land will be used for the purpose other than the one allocated to it by the Planning Proposal. Various land use zones within the Wadala Notified Area are as below, the development within which will also be governed by the Urban Design guidelines and Architectural Controls prepared for each plots within respective land use.

- a) Commercial
- b) Residential
- c) Multimodal Transportation
- d) Mixed Land Use
- e) Social and Cultural Facility
- f) Public Utilities and Services
- g) Reserved Forest
- h) Water Bodies

7.2 Permissible building uses in various land uses

1) Commercial

These provisions will not include uses other than the following:

- a. Business offices
- b. Retail shops, departmental stores, restaurants and banks
- c. Leisure and Entertainment
- d. Hospitality
- e. Commercial Healthcare
- f. Education and Cultural facilities
- g. Hotels
- h. Drama, Theatre, Cinema and Indoor recreational

i. Petrol filling and service stations

2) Residential

The uses permitted in this land use will be in accordance with the Development Control Regulations for Greater Mumbai as amended from time to time.

3) Multimodal Transportation

These provisions will not include uses other than the following:

- a. Monorail Yard and Station with Repair and Maintenance
- b. Petrol filling and service stations.
- c. Business offices
- d. Residential
- e. Retail shops, departmental stores, restaurants
- f. Hotels and Serviced Apartments
- g. Leisure and Entertainment
- h. Commercial healthcare

The air rights of these areas for development will be with the Metropolitan Commissioner, MMRDA.

4) Mixed Land Use

Any of the uses permitted under Residential and Commercial land use as mentioned in 1) and 2) above.

5) Social and Cultural Facility

- a. Educational Institutes like schools, colleges, libraries etc
- b. Healthcare facilities like hospital, maternity home, medical centre, dispensaries etc
- c. Welfare and community activities like community centers, marriage halls, crèche etc
- d. Recreational facilities like club, gymnasium, sports center, stadium
- e. Drama Theatre, Cinema, Art Galleries, Museum etc
- f. Market Halls
- g. Any of the uses as mentioned under Public Utilities and Services zone, other facilities of similar nature or along with activities permissible in Residential/ Commercial Use with special approval of the Metropolitan Commissioner, MMRDA

6) Public Utilities and Services

Apart from the area specifically designated for this zone, uses mentioned below will be permitted in any other zone:

- a. Telephone exchange, Post and Telegraph office

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- b. Power transmission, power receiving station, sub-station
 - c. Water reservoir, sewage pumping stations
 - d. Fire stations, civil defense establishment, police stations
 - e. Public conveyances, garbage collection centers
 - f. Bus station, railway station, traffic booths
 - g. Other utilities and services of similar nature or along with activities permissible in Residential/ Commercial/Social/Cultural Facilities Use with special approval of the Metropolitan Commissioner

8. Recreational Open Spaces (ROS)

The ROS will be provided as Public ROS at the layout level and private ROS at the plot level. The uses mentioned in the Urban Design Guidelines for Recreational Open Spaces/Public Spaces will be permissible.

9. Urban Design Guidelines and Architectural Controls

9.1. Notwithstanding anything contained herein to the contrary but subject to provision of Regulation 7, the development of land will be carried out in accordance with the Architectural Control Drawings which may specify, amongst others, the following matters, that is to say, the maximum permissible floor space, height, coverage on the ground, connection with roads, pedestrian paths, podium and other buildings, any projections such as balconies, galleries, overhangs, marginal open spaces on all sides, space for sign boards, name plates and advertising sign, shop line, parking areas, compound wall, landscaping and such other details which govern the total aspects of the building on the plot and its integration with the detailed layout plan for the Notified Area.

9.2. The maximum permissible height of buildings will be subject to limitations if any set out from time to time by Civil Aviation Department/ Airport Authority of Government of India.

9.3 The Metropolitan Commissioner will decide upon the Architectural Controls of individual plots before its disposal.

9.4 The design and development of each plot will strictly adhere to the Urban Design Guidelines and Architectural Controls that would be set modified by MMRDA from time to time. It will supersede the applicable Development Control Regulations.

10. Any change in building use within the above land uses will be permitted only with written sanction of the Metropolitan Commissioner, MMRDA. Uses other than these mentioned above in the respective land uses may be permitted with the approval of Metropolitan Commissioner provided that the uses are in consonance with the uses mentioned in

Development Control Regulations for Greater Mumbai as amended from time to time in general. The uses permissible will have to be in consonance with the use permitted in the Lease Deed executed for the particular land or as may be amended from time to time.

11. Application of the Development Control Rules

11.1. Wherever the regulations / sub regulations are not specifically prescribed in these regulations, the provisions of the Development Control Rules for Greater Mumbai as amended from time to time shall apply mutatis mutandis to the development of land, with the modification that the expressions "Municipal Corporation of Greater Mumbai" and "Municipal Commissioner" shall be replaced by the expression "Mumbai Metropolitan Region Development Authority" and "Metropolitan Commissioner" respectively.

11.2. Following provisions existing in the DCR of Greater Mumbai as amended from time to time will not be applicable within the area of the Special Planning Authority,

- a. Regulations regarding additional FSI (especially DCR 33)
- b. Regulations regarding TDR
- c. Regulations regarding Cotton Textile Mills
- d. All Regulations regarding Tourism Development Zone.
- e. Regulations regarding heritage
- f. Regulations regarding Integrated Township
- g. Regulations regarding Public High Density Housing
- h. Regulations regarding Inclusive Housing (20% EWS/LIG Housing in layout of the land more than 4000 sqm)

11.3 Nothing contained herein shall derogate from any right or power exercisable by the Municipal Corporation of Greater Mumbai under the provisions of the Bombay Municipal Corporation Act 1888 and the rules, regulations and byelaws made there under. Any development of land shall be carried out without prejudice to such provisions.