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**MUNICIPAL CORPORATION OF GREATER MUMBAI**

Dy. Ch. Eng. [B.P.]/10340 W.S.-11 05 MAR 2020

**Sub :** Condonation of visitors parking spaces as per modification proposed to DCPR 2034.

**Reference:** 1) Notesheet of Chief Eng.(D.P) dtd 22.01.2020 and Hon'ble M.C. dtd 05.02.2020 in File No.CHE/WS/1497/K/337(New) CI-1E/26549/9 plus 23/20  
2) Proposed modification by U.D.D. under no.TPB-431/629/C.R.118(III)/2017/UD-11 dtd 13.11.2018.

Reference is requested to the 4C report submitted by this office under file no. CHE/WS/1497/K/337(New) and Ch.E.(D.P) observation thereon vide note sheet dtd 22.01.2020 and Hon'ble M.C. note sheet dtd 05.02.2020 wherein it is directed to submit separate policy. The relevant part of the same are reproduced as under for ready reference.

**Ch.E.(D.P)'s Note sheet**

"As regards Sr. No. 11 of 4C, as per the Sr. No. 3 of T-2 which states that "For the purpose of allowing additional parking spaces free of FSI as per Regulation 31(1) (vi) of DCPR 2034, visitors parking shall be considered as 5% instead of 25%. Further, the provisions of note (ii) below Regulation 44(6)(a) for charging of premium for additional parking spaces shall be operative after considering the parking spaces as per Regulation 31(1)(vi) over & above Table 21 of Regulation 44". Further in this context, it is stated that, as per notification dated 13.11.2019, UDD has proposed visitor's parking at 5%, however said modification is yet to be approved.

Hence, considering the site constraints if agreed by Hon.MC, the request will be considered to allow visitors parking at 5% as per the proposed notification & same will be adopted as policy." (C/23-25)

**Hon'ble M.C.'s Note sheet**

"Approved as proposed by Ch.E.(D.P.), considering ongoing redevelopment proposal. However, as regards Sr. No. 11, separate policy shall be put up." (C/27)

The DCPR 2034 came in force from 01.09.2018. The provision regarding requirement of visitors parking spaces as per Reg.44 is reproduced as under: "In addition to the parking spaces specified in (a), (b), (c) & (d) above, parking spaces for visitors shall be provided to the extent of 25 per cent of the number stipulated above, subject to minimum of one"

As per the above provision, the visitors parking spaces are required to be provided for residential purpose at 25% of the requirement as per the table 21-  
*Off Street Parking Spaces*

However, the U.D.D. published notification under section 37(1AA) of M.R.&T.P.Act 1966 thereby proposed modification to the Reg. 44 vide notification under no. TPB-431/629/C.R.118(III)/2017/UD-11 dtd 13.11.2018, wherein it is proposed that visitors parking spaces shall be provided at 5% instead of 25% of the requirement as per table 21 for residential purpose. The provision is reproduced for ready reference as under. <sup>(C/29-35)</sup>

*"In addition to the parking spaces specified in (a), (b), (c) & (d) above, parking spaces for visitors shall be provided to the extent of 5 per cent of the number stipulated above, subject to minimum of one"*

As per the above provision, the visitors parking spaces are required to be provided for residential purpose at 25% of the requirement as per the table 21-  
*Off Street Parking Spaces*. However, the said modification is not approved till date. Hence the visitors parking spaces for residential purpose are insisted at 25% of the requirement as per DCPR.

It is pertinent to be mentioned here that as per Reg.2 (iv) (22) the definition of carpet area is changed and the carpet area as per RERA Act is required to be considered. As such carpet of the tenements is increased due to inclusion of interior walls in the carpet area and the parking requirement is also increased. Particular for the tenement where carpet area is near the borderline. Architects are facing planning difficulty to accommodate increased parking.

In this context it is stated that, there are representation from Architects that the visitors parking spaces shall be considered at 5% as per modification proposed instead of 25% as per DCPR due to planning constraints specifically for ongoing proposal as work is already commenced and it is difficult to accommodate the increased parking spaces.

It is stated that MCGM had proposed modification to certain provisions in the modified DCR 1991 vide Hon'ble M.C. letter dtd 26.03.2012. One of the modification was regarding requirement of parking spaces as due to introduction of fungible compensatory FSI, the carpet area of tenements was increased and the requirement of parking spaces also increased. The said modification proposed by MCGM was not approved by U.D.D. However, MCGM

was condoning the difference of parking spaces as per modified DCR and modification proposed by charging premium.

A

In view of above, it is proposed to allow the visitors parking spaces by condoning the difference of parking spaces as per DCPR 2034 (i.e. 25%) and proposed modification dtd 13.11.2018(i.e.5%) by charging premium at zonal level.

Under the above mentioned circumstances, Ch.E(D.P)/ Hon'ble M.C.'s approval is requested to the portion marked sidelined 'A' above.

On receipt of file papers, the zonal offices will be informed accordingly

Submitted please.

**Ch.E.(D.P)**

**Hon'ble M.C**  
Sir,

*03/11/2020*  
**E.E.(B.P)K Ward**

*05/03/2020*  
**Dy.Ch.E(B.P) WS-I**

*Klm*  
*25/02/2020*  
*AE BDKWS*

*In view of B on PN-2, A is submitted for Hon. mc's approval please which will be circulated as policy. Submitted please.*

*11/03/2020*  
**Ch. Engineer (D.P) & Dir. (E.S. & P)**

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CHE/31390 /DP(WS)H & K

12 MAR 2020

*Handwritten*  
**22/3**  
**Municipal Commissioner**

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आयुक्तांचे कार्यालय			
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*Ch.E.(D.P) & Dir.(E.S.&P)*

बृहन्मुंबई महानगर पालिका			
प्रमुख अभियंता (विकास नियोजन)			
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