

CRZ clear in 2007/13 for 314
Decided to be rehabilitated

CRZ 48
2013

Minutes of the 85th Meeting of Maharashtra Coastal Zone Management Authority held on 12th and 13th September, 2013

the plan submitted by the MCGM it was observed that the plans were of predominantly Residential.

Taking into account the MCGM reply dated 10.9.2013 as well as its remarks dated 3.6.2013 in the matter the Authority observed that use of existing building on plot under reference was predominantly residential.

It is further noted that as per MCGM's reply dated 14.8.2013: the said property for its own use and constructed at its own cost and expenses as Residential cum Training Centre with requisite approval from MCGM in the past and hence, may not be categorized as building under "Public use".

In the light of above, the Authority after deliberation decided to recommend the proposal to the concerned planning authority from the CRZ point of view subject to strict compliance of the following conditions:

1. The proposed construction should be carried out strictly as per the provisions of CRZ Notification, 2011 (as amended from time to time) and guidelines/ clarifications given by MoEF from time to time.
2. Reconstruction of authorized building to be permitted subject with the existing Floor Space Index or Floor Area Ratio Norms and without change in present use.
3. The concerned Planning authority should ensure that the FSL, lay out plan and height involved in the proposal are as per town and country planning regulations existing as on 19.2.1991 i.e. as per DCR 1967.
4. There should not be violations of provisions of CRZ Notification, 2011 (as amended from time to time) which should be ensured by MCGM.
5. All other required permission from different statutory authorities should be obtained prior to commencement of work.

Item No.8: Proposed residential building on land bearing CTS No. C/597 & C/598 of village Bandra at 2nd Monte Park Rd, Bandra (W), Mumbai

The proponent presented the proposal before the Authority. The Authority noted the following:

1. Project proponent had obtained CRZ clearance for the redevelopment on plot bearing 597 & 598 of village Bandra from MCZMA vide letter No/ CRZ 2012 / CR 60 / TC 2 for 3 basement + stilt + 1st to 4th proposed to consume 1 FSI which was prevailing on 19.2.1991. (proposal was as per para 8.II.CRZ II.(iii) wherein DCR 1967 was applicable)
2. Now, the proponent has submitted a proposal in accordance with para 8.V.(e) of the CRZ Notification, 2011 under DCR 1991 (amended up to 6.1.2011)
3. As per DP remarks of MCGM dated 18th April, 2013; the land bearing CTS No. 597 and 598 of Bandra - C village falls in Residential zone.
4. As per the approved CZMP of Mumbai; the plot under reference falls in CRZ II and situated on landward side of existing road. Proponent has submitted a CRZ Map (1:4000 scale) prepared by IRS, Chennai which shows, the plot under reference falls in CRZ II.

5. As per the MCGM letter dated 16.8.2013; there were two structures existing on the plot U/R which were declared dilapidated by the Municipal Corporation vide no. HW/BF/JE III /354/11/2010 dated 24.12.2010. Further MCGM had issued pull down notice for the bungalows and accordingly, owner / developer has demolished the bungalows. (Copy of pull down notice dated 21.12.2011 issued by MCGM is submitted)
6. The MCGM letter dated 16.8.2013 mentions that Project proponent has submitted a proposal for 2 basement + stilt + 1 podium + part 16 upper residential floors by availing the benefit of TDR. The necessary concessions / relaxation for the 2 basement + Stilt + 1 podium + part 16 upper residential floors are sanctioned by the Hon. Municipal Commissioner.

7. IOD issued by the MCGM

IOD has been issued under No. CHE / WS /0149/H/337/ New dated 8.8.2012 for one FSI i.e. Building comprising of 2 level basement for parking + stilt + for 2 level stack parking + Girder floor + 1st to 5th floor.

8. FSI details

As per the layout plan submitted by the proponent-

1. Plot area- 1296.90 Sq.m
2. Permissible floor area-1296.90 Sq.m
3. Proposed area - 1247.60 Sq.m.

The Authority noted that FSI of redevelopment of dilapidated building shall be in accordance with the town and country planning regulations as on 6.1.2011.

On enquiry, the proponent informed that proposed construction comprises of 2 basement + stilt + 1 podium + part 16 upper residential floors by availing the benefit of TDR. (Proposed construction involves FSI one and TDR one.) However, IOD has been issued under No. CHE / WS /0149/H/337/ dated 8.8.2012 for one FSI i.e. Building comprising of 2 level basement for parking + stilt + for 2 level stack parking + Girder floor + 1st to 5th floor.

The Authority after deliberation decided to direct the project proponent to get the approved plans and IOD for the FSI 2 (Zonal FSI one + TDR one) from the Municipal Corporation of Greater Mumbai. Public hearing in accordance with Para 8.V. (c) of CRZ notification, 2011 should be submitted by the proponent. While issuing the approved plans and IOD for the proposal, the Municipal Corporation of Greater Mumbai should ensure that FSI for the proposal should be as per the town and country planning regulations existing and in force as on 6.1.2011