

Modification to D.C.Regulation 36

Reg. No. 36(5)(a)

Existing provision		Sanctioned provision	Remarks
(5)	<p>Parking Spaces. - Where to be accommodated – The parking spaces may be provided -</p> <p>(a) underneath the building, in basements within its stilted portion, or on upper floors;</p>	<p><i>Parking Spaces: Where to be accommodated · The parking spaces may be provided,-</i></p> <p>(a) underneath the building, in basements, podiums, within its stilted portion, or on upper floors if exclusively used for mandatory parking.</p> <p><i>Note: (i) The deck parking inclusive of car lifts & passages thereto shall be counted in FSI.</i></p> <p><i>(ii) Additional parking floor in excess of required parking shall be counted in FSI subject to the provision of D.C.R.35(2)(vi).</i></p> <p><i>(iii) In non-residential building, where entire parking is proposed by mechanical / automatic means, additional parking to the extent of 10% of the, required parking shall be permitted free of FSI as vehicle holding area.</i></p>	<p>(a)These areas are used exclusively for mandatory parking, free of F.S.I.</p> <p><i>Note: (i) Additional condition is added to control so-called “misuse”.</i></p> <p><i>(ii) If proposed any extra parking floor, the same to be in F.S.I. Therefore remaining portion after providing mandatory parking of any parking floor will be allowed as additional parking area.</i></p> <p><i>(iii) New provision added considering waiting period required for such parking.</i></p>

Proposed modification to D.C. Regulation No.38

Reg. No. 38(5)

Existing Provisions			Sanctioned Provisions	Remarks
(5) Loft- (1) Location and extent:- Lofts may be provided over kitchens, habitable rooms, bath-rooms, water closets, and corridors within a tenement in residential buildings, over shops, and in industrial buildings, subject to the following restrictions:-			Sanctioned Provisions Loft: <i>i) Location : Lofts may be provided over kitchens, habitable rooms, bathrooms, water closets and corridors within a tenement in residential building, in shops and in industrial buildings.</i> <i>ii) Height: The height of the loft shall not be more than 1.5 Mtr. If it exceeds 1.5 Mtr. shall be counted towards F.S.I.</i> <i>iii) The lofts in non-residential buildings shall be located at least 2mts. away from the entrance.</i>	Loft: *Restriction of areas of loft has been removed. Loft is not permitted in commercial building. *Provision of clear headroom of 2.2 mts. below loft is removed.
Serial no.	Rooms over which permitted	Coverage (percentage to area of room below)		
(1)	(2)	(3)		
1	Kitchen / habitable room	25		
2	Bathroom, water closet, corridor	100		
3	Shops with width upto 3m	33 ¹ / ₃		
4	Shops with width exceeding 3m	50		
5	Industrial	33 ¹ / ₃		
Provided that (a) lofts in commercial or industrial buildings shall be located at least 2 m. away from the entrance; and (b) loft area shall not be counted towards F.S.I. subject to (ii) below. (ii) Height.-The clear head-room under a loft shall not be less than 2.2 m. and that above it shall not be more than 1.5 m. if exceeds 1.5 m. it shall be counted towards F.S.I.				

Proposed modification to D.C. Regulation No.38

Reg. No. 38(2)(ii) – Table 19

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<p>(ii) Height.- (i)The minimum and maximum height of a habitable room shall be as given in Table 19 hereunder:-</p> <p>(ii) Notwithstanding the above restriction as stated in Table 19, any telematic equipment storage erection facility can have a height as required for effective functioning of that system</p> <p>Notwithstanding the above restrictions as stated in Table 19, for cinema/TV films production, shooting, editing, recording studios, more height as required for their effective functioning shall be permitted</p> <p>TABLE 19</p> <p>Height of Habitable Room</p> <table><tr><th>Sr. no.</th><th>Occupancy</th><th>Minimum height (in meters)</th><th>Maximum height (in meters)</th></tr><tr><th>(1)</th><th>(2)</th><th>(3)</th><th>(4)</th></tr><tr><td>1.</td><td>Flat roof,</td><td></td><td></td></tr><tr><td></td><td>(a)Any habitable room</td><td>2.75</td><td>4.2</td></tr><tr><td></td><td>(b)Habitable room in High Density Housing</td><td>2.6</td><td>4.2</td></tr><tr><td></td><td>(c) Aircon- ditioned habitable room</td><td>2.4</td><td>4.2</td></tr><tr><td></td><td>(d)Assembly halls,residential hotels of 3 star category and above, institutional, educational, industrial, hazardous or storage occupancies, departmental stores, malls, I.T. buildings, entrance halls and lobbies to department stores and assembly halls.</td><td>3.6</td><td>4.2 subject to the written permission of the Commissioner greater height may be permitted.</td></tr></table>	Sr. no.	Occupancy	Minimum height (in meters)	Maximum height (in meters)	(1)	(2)	(3)	(4)	1.	Flat roof,				(a)Any habitable room	2.75	4.2		(b)Habitable room in High Density Housing	2.6	4.2		(c) Aircon- ditioned habitable room	2.4	4.2		(d)Assembly halls,residential hotels of 3 star category and above, institutional, educational, industrial, hazardous or storage occupancies, departmental stores, malls, I.T. buildings, entrance halls and lobbies to department stores and assembly halls.	3.6	4.2 subject to the written permission of the Commissioner greater height may be permitted.	<p>(ii) Height.- (i) The minimum andmaximum height of a habitable room shall be as given in Table 19 hereunder:-</p> <p>(ii) Notwithstanding the above restriction as stated in Table 19,any telematic equipment storage erection facility can have a height as required for effective functioning of that system</p> <p>Notwithstanding the above restrictions as stated in Table 19, for cinema/TV films production, shooting, editing, recording studios, more height as required for their effective functioning shall be permitted</p> <p>TABLE 19</p> <p>Height of Habitable Room</p> <table><tr><th>Sr. no.</th><th>Occupancy</th><th>Minimum height (in meters)</th><th>Maximum height (in meters)</th></tr><tr><th>(1)</th><th>(2)</th><th>(3)</th><th>(4)</th></tr><tr><td>1.</td><td>Flat roof,</td><td></td><td></td></tr><tr><td></td><td>(a)Any habitable room</td><td>2.75</td><td>3.9</td></tr><tr><td></td><td>(b)Habitable room in High Density Housing</td><td>2.6</td><td>3.9</td></tr><tr><td></td><td>(c) Aircon- ditioned habitable room</td><td>2.4</td><td>3.9</td></tr><tr><td></td><td>(d)Assembly halls,residential hotels of 3 star category and above, institutional, educational, industrial, hazardous or storage occupancies, departmental stores, malls, I.T. buildings, entrance halls & lobbies to department stores and assembly halls</td><td>3.6</td><td>4.2 subject to the written permission of the Commissioner greater height may be permitted.</td></tr><tr><td></td><td>(e) Shops.</td><td>3.0</td><td>3.9</td></tr></table>	Sr. no.	Occupancy	Minimum height (in meters)	Maximum height (in meters)	(1)	(2)	(3)	(4)	1.	Flat roof,				(a)Any habitable room	2.75	3.9		(b)Habitable room in High Density Housing	2.6	3.9		(c) Aircon- ditioned habitable room	2.4	3.9		(d)Assembly halls,residential hotels of 3 star category and above, institutional, educational, industrial, hazardous or storage occupancies, departmental stores, malls, I.T. buildings, entrance halls & lobbies to department stores and assembly halls	3.6	4.2 subject to the written permission of the Commissioner greater height may be permitted.		(e) Shops.	3.0	3.9	<p>*The height of the room/shop is restricted to 3.9 mts. to avoid misuse by proposing middle usable floor.</p> <p>*Minimum height of pitched roof is reduced to increase slope.</p>
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Existing Provisions				Sanctioned Provisions				Remarks
2.	Pitched roof- (a) Any habitable room	2.75 (average with 2.1 M at the lowest point)	4.2 (average with 3.2 M at the lowest point)	2.	Pitched roof- (a) Any habitable room	2.75 (average with 2.1 M at the lowest point)	3.9 (average with 2.8 M at the lowest point)	
	(b) Habitable room in High Density Housing.	2.6 (average with 2.0 M at the lowest point).	4.2 (average with 3.2 M at the lowest point).		(b) Habitable room in High Density Housing.	2.6 (average with 2.0 M at the lowest point).	3.9 (average with 2.7 M at the lowest point).	
<p>Provided that- (i) the minimum clear head-way under any beam shall be 2.4m.</p> <p>(ii) in all occupancies, except those included in Serial No. 1(d) in the Table above, any height in excess of 4.2 m. shall be deemed to have consumed an additional FSI of 50 per cent of the relevant floor area.</p> <p>(iii) other requirements.- One full side of a habitable room must abut an exterior open space same as provided in sub-regulation (9) of Regulation 29.</p>				<p><i>Provided that- (i) the minimum clear head-way under any beam shall be 2.4 m.</i></p> <p><i>ii)In all occupancies except those included in Sr. No. 1 (d) in the table above, any height in excess of 3.9 Mtr. shall be deemed to have consumed an additional F.S.I. of 50% of the relevant floor area.</i></p> <p><i>(iii) other requirements.- One full side of a habitable room must abut an exterior open space same as provided in sub-regulation (9) of Regulation 29.</i></p>				

Proposed modification to D.C. Regulation No.38

Reg. No. 38(9)(i) & 38(9)(iv)

Existing Provisions	Sanctioned Provisions	Remarks
38(9)(i)Basement-(i) <i>Area and Extent.</i> - The total area of any basement shall not exceed twice the plinth area of the building or the area of the plot, whichever is less. It may be in one level or two.	38(9)Basement-(i) <i>The basement shall not be constructed in the required front open space under DCR 29. The open space from the other boundaries of the plot shall not be less than 1.5 Mtr. It may be at one level or more.</i>	<u>38(9)(i)</u> *Control on area of basement is removed. *Mandatory parking permitted free of F.S.I. *Not insisted front open space as per DCR 31(1). *Permitted with minimum 1.5 m. open space *Allow more basements by removing the cap of two.
38(9)(iv)Uses Permitted.- A basement may be put to the following uses only:- (a) storage of household or other non-hazardous goods; (b) store rooms, bank lockers or safe-deposit vaults; (c) air-conditioning equipment and other machines used for services and utilities of the building; (d) Parking spaces; (e) Electric sub-station (which will conform to required safety requirements) : Provided that user strictly ancillary to the principal user may also be permitted in a basement.	38(9)(iv) <i>Uses permitted - A basement may be put to the following uses only :</i> <i>(a) (i) Storage of household or other non hazardous goods;</i> <i>(ii) Store rooms, bank lockers or safe deposit vaults;</i> <i>(b) Air conditioning equipment/AHU and other machines used for services and utilities of the building;</i> <i>(c) Parking spaces;</i> <i>(d): D.G. set room, meter room and Electric sub station (which will conform to required safety requirements ;</i> <i>(e) Effluent Treatment Plant, suction tank, pump room</i> <i>Provided that the users mentioned at (a) above shall be permitted in the 1st basement only by counting in F.S.I. subject to the following conditions :</i> <i>i) All requirements regarding access, safety (including fire safety), ventilations etc. shall be complied with.</i> <i>ii) All the planning standards (particularly as regarding parking)should be strictly adhered to.</i>	<u>38(9)(iv)</u> (d) *D.G. set room and meter room permitted in basement. Not a good proposition in view of fire safety in the tropical city like Mumbai where rain is heavy. *Such ancillary users permitted only in basement free of F.S.I. or elsewhere to be taken into F.S.I. (e) New addition – * Effluent Treatment plant, suction tank, pump room provision will not be useful where water level is high during monsoon period. *High maintenance required to avoid 100% leakage in all seasons for safety of instruments. Note- (ii) is not clear, since it is added condition to (a) above. CFO/Traffic Dept. should prescribe minimum planning standard to parking provision in basement. (compartment of 750 sq.mts.; slope & width of ramp, etc.)

Proposed modification to D.C. Regulation No.38

Reg. No. 38(12), 38(20) & 38(21)

Existing Provisions	Sanctioned Provisions	Remarks
38(12) <i>Letter Box</i> : - A letter box of appropriate dimensions shall, be provided on the ground floor of residential and commercial buildings with five and more storeys to the satisfaction of the Commissioner.	38(12) <i>Letter Box Room</i> : - A separate letter box room or otherwise of appropriate dimensions shall be provided on the ground floor of residential and commercial building.	<u>38(12) Letter box room:</u> *Dimension/area of letter box room not defined *Not permitted in industrial building. *Not permitted free of F.S.I. on Ground floor.
38(20) <i>Porch</i> .- A porch, if any, shall be at least 1.5 m clear of the plot boundary; the area of a porch upto 5.5m. in length (parallel to the main building) shall not be counted towards FSI. A parapet wall 0.23m. in height is permissible over a porch. The Commissioner may permit larger porches for mercantile, hotel and public buildings.	38(20) <i>Porch</i> . – A porch, if any, shall be at least 1.5 m clear of the plot boundary, shall have a level difference of 0.3 m. in relation to the level of the floor; the area of a porch upto 5.5m. in length (parallel to the main building) shall not be counted towards PSI. A parapet wall 0.23m. in height is permissible over a porch. The Commissioner may permit larger porches for mercantile, hotel and public buildings.	<u>38(20) Porch:</u> The level difference of 0.3 mts. with reference to floor is added as new condition.
38(21) <i>Canopy</i> :- A cantilevered and un-enclosed canopy may be permitted over each entrance and staircase, if a clear distance of at least 1.5 m is maintained between the plot boundary and the outer edge of the canopy. The minimum clear height of the canopy shall be 2.2m.	38(21) <i>Canopy</i> :- A cantilevered and unenclosed canopy with level difference of 0.3 m. in relation to the floor level; may be permitted over each entrance and staircase, if a clear distance of at least 1.5m is maintained between the plot boundary and the outer edge of the canopy. The minimum clear height of the canopy shall be 2.2 m. The Commissioner may permit larger canopies for mercantile, hotel and public buildings.	<u>38(21) Canopy:</u> The level difference of 0.3 mts. with reference to floor is added as new condition.

Proposed modification to D.C. Regulation No.38

Reg. No. 38(22)

Existing Provisions	Sanctioned Provisions	Remarks
38(22) <i>Balcony</i> :- In any residential zone (R-1) and residential zone with shop line (R-2), or in a purely residential building in any other zone, balconies may be permitted free of FSI at each floor, excluding the ground and terrace floors, of an area not more than 10 per cent of the area of the floor from which such balcony projects subject to the following conditions :- (i) No balcony shall reduce the minimum marginal open space to less than 3 mt. at the rear and sides and 1.5m in the front. The width of the balcony will be measured perpendicular to the building line and reckoned from that line to the balcony's outermost edge. (ii) Balconies may be allowed to be enclosed with written permission of the Commissioner. When balconies are enclosed, one-third of the area of their faces shall have louvers glass shutters or grills on the top and the rest of the area except the parapet shall have glazed shutters.	<i>38(22) Balcony :- In any residential zone (R-1) and residential zone with shop line (R-2), or in a purely residential building in any other zone, balconies may be permitted at each floor, excluding the ground and terrace floors, of an area not more than 10 per cent of the area of the floor from which such balcony projects subject to the conditions that :- (I) No balcony shall reduce the minimum marginal open space to less than 3 mt. at the rear and sides and 1.5m in the front. The width of the balcony will be measured perpendicular to the building line and reckoned from that line to the balcony's outermost edge.(ii) The balcony may be enclosed.</i>	38(22) Balcony: The enclosure permitted with written permission of M.C. with louver glass is deleted and made simplified by allowing to enclose.

Proposed modification to D.C. Regulation No.38

New Regulation No. 38(34)

New Regulation		Remarks
38 (34):- Podium	<p>38 (34):- Podium:</p> <p>i. A podium may be permitted in plot admeasuring 1500 sq.mt or more.</p> <p>ii. The podium provided with ramp may be permitted in one or more level, total height not exceeding 24 m above ground level.</p> <p>However, podium not provided with ramp but provided with two car lifts may be permitted in one or more level, total height not exceeding 9 mt above ground level.</p> <p>iii. The podium shall be used for the parking of vehicles.</p> <p>iv. The recreational space prescribed in D.C. Regulation 23 may be provided either at ground level or on open to sky podium.</p> <p>v. Podium shall not be permitted in required front open space.</p> <p>vi. Such podium may be extended beyond the building line in consonance with provision of D.C. Regulation 43(1) on one side whereas on other side and rear side it shall not be less than 1.5 m from the plot boundary.</p> <p>vii. Ramps may be provided in accordance with D.C. Regulation 38(18).</p> <p>viii. Adequate area for Drivers rest rooms and sanitary block may be permitted on podiums by counting In FSI.</p>	<p>38 (34):- Podium:</p> <p><i>*Welcome provision.</i></p> <p><i>*Definition of podium is not clarified.</i></p> <p><i>*Required front open space not clarified under D.C. Regulation No. 29 and/or with 31(1), <u>like clarified in basement.</u></i></p> <p><i>* Welcome suggestion for providing amenity such as driver’s rest room, sanitary block, etc. in F.S.I. not made compulsory.</i></p>